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Understanding Human Trafficking in Rwanda: Causes, Effects, and Impact

August 2019

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Acknowledgements

This baseline study would not have been possible without the support of several partners.

We extend our appreciation to the International Organization for Migration for providing support, both technical and financial, without which this research would not have been successful. We also thank the United States Agency for International Development and the Office to Monitor and Combat Trafficking in Persons for their financial assistance to IOM in carrying out this study.

We also wish to express our gratitude to the Ministry of Justice and the National Institute of Statistics Rwanda for their invaluable contribution to this study.

Our special thanks go to the leadership and personnel of the Ministry in Charge of Emergency Management, the Rwanda Investigation Bureau, Directorate General of Emigration and Immigration, Rwanda National Police, Gender Monitoring Office, National Commission for Children, Supreme Court of Rwanda, Isange One Stop centres, and district leaders (in Kicukiro, Gasabo, Huye, Nyamagabe, Nyagatare, Kirehe, and Karongi) who collaborated with our team.

Our deep appreciation goes to the different personnel working in refugee camps of Gihembe, Nyabiheke, Kigeme, Kiziba, Mugombwa, and Mahama, as well as the personnel of civil society organisations.

Finally, we are grateful to the United Nations Entity for Gender Equality and the Empowerment of Women, the United Nations High Commissioner for Refugees, the United Nations Children's Fund for their contributions.

We also thank all of our key informants for their willingness to share their experiences.

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Disclaimer

This publication has been produced by Never Again Rwanda which was commissioned by International Organization for Migration (IOM) Rwanda with the assistance of the United States Agency for International Development and the Office to Monitor and Combat Trafficking in Persons. The opinions expressed in this publication are those of the authors only and should not be considered as views of the International Organization for Migration (IOM) Rwanda.



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Executive Summary

Introduction

Human trafficking, the modern-day form of slavery, affects the lives of many people globally. A 2017 report by the International Labour Organization (ILO) estimated that 24.9 million men, women, and children were victims of human trafficking around the globe (Human trafficking by the numbers, 2017). Ending human trafficking remains a priority of the Rwandan government, as articulated clearly by H.E. President Paul Kagame in August 2014 during the swearing in of ministers, members of parliament, and the inspector general of police:

“Can we afford to keep quiet in the face of human trafficking? How is it possible that our children – particularly girls – have become a commodity, even though we are aware of the problem? People are not commercial goods. Ending trafficking of girls goes beyond law enforcement authorities; it is the responsibility of every citizen” (Kagame, 2014).

The country's commitment to ending human trafficking is also reflected in the adoption of national legal frameworks and the incorporation of internationally accepted standards for addressing the crime of human trafficking, most notably the 2018 enactment of Rwanda's Trafficking in Persons (TIP) law.¹ The Rwandan government has also discussed strategies for addressing human trafficking in high-level meetings. However, the lack of research on this issue hampers the implementation of effective policies and programmes for combatting human trafficking. In response to this challenge, the International Organization for Migration (IOM) and the Ministry of Justice (MINIJUST) commissioned Never Again Rwanda (NAR) to conduct research on human trafficking in Rwanda.

This Executive Summary firstly discusses the research objective and questions, followed by a brief overview of the literature on human trafficking. It then looks at the policy and legal framework of human trafficking, both in Rwanda and internationally. The research methodology and key findings from the research are then outlined, followed by the conclusion and recommended actions.

Research objective and questions

The overall objective of this research was to determine the scope of the problem of human trafficking in Rwanda, as well as its characteristics and associated factors, in order to formulate evidence-based recommendations for strengthening the response to human trafficking locally and nationally, and eventually combat it.

This research aims to answer the following key questions:

1. What is the current situation of human trafficking in Rwanda and across its borders?
2. What is the current level of knowledge of national and local authorities, particularly their technical teams, in relation to human trafficking?
3. What are the underlying roots causes, and driving and facilitating factors of human trafficking in Rwanda?
4. What are the current prevention and response mechanisms to human trafficking in Rwanda?

¹ Law No. 51/2018 of 13/08/2018 relating to the prevention, suppression, and punishment of trafficking in



5. What are the available supportive mechanisms and strategies for local authorities' technical teams to protect, identify, and assist victims of trafficking (VoTs)?
6. What is the technical capacity of transit/safe houses, the police, and one stop centres?
7. How many cases of human trafficking have been brought to justice (police, prosecution, and courts)?
8. Who are the key actors involved in counter-trafficking in Rwanda? What are their strengths and weaknesses?
9. What is the current response to trafficking in Rwanda, and how can this be improved?
10. What are the key recommendations to strengthen the local and national prevention and response mechanisms against human trafficking, with a special emphasis on the development of strategies, programmes, and tools?

Literature review

Even though human trafficking is a global problem and appears to be a serious one in Africa, little is known about the dynamics of trafficking in Rwanda. In Africa generally, and East Africa specifically, data on human trafficking remain negligible. For instance, the IOM has conducted the only study on this issue across the East African region, finding that human trafficking has posed a significant threat to the region (IOM, 2008a, p. 1). However, this research is a decade old and does not include Rwanda in its scope; hence, no systematic study on human trafficking in Rwanda exists, which hinders the development of evidence-based policies and programmes.

Given the paucity of systematic research on human trafficking in Rwanda, the research team gleaned information from narrative reports and/or situation assessments dealing with related issues, such as labour, child abuse, human rights abuse, and sexual and reproductive rights. A comprehensive review of this literature provides insight into forms of human trafficking, the push and pull factors driving it, and its impact on individuals and communities in Rwanda and across its borders. The literature review hence focused on: definition of human trafficking, forms of human trafficking in Rwanda, push and pull factors of human trafficking, and effects of human trafficking.

The forms of human trafficking identified by the literature review are labour trafficking; trafficking of children for labour; and sex trafficking. It can include forced labour, child labour, or debt bondage. Trafficking tends to flow from rural to urban areas, and most victims are trafficked into agricultural and industrial sectors. The primary destinations for labour trafficking victims outside of Rwanda include Uganda, the Democratic Republic of Congo (DRC), Tanzania, and Burundi (USDOS, 2018, p. 366). Recruiters in Nairobi and Kampala are also reportedly connected to trafficking networks that run through Ethiopia, Uganda, and Rwanda (USDOS, 2018). The United States Department of Labor (USDOL) reports that Uganda is the primary trafficking destination of Rwandan children; other destination countries include East African countries, South Africa, the United Arab Emirates, Malaysia, China, the United States, and Europe. Children trafficked to these places are reportedly exploited for labour and commercial sex (USDOL, 2016).

Children living in the street are at an even high risk for the worst forms of child labour, yet little research on Rwanda's street children exists. Trafficking of children for labour warrants special attention for several reasons, because number of child labour trafficking victims may simply be more than adults, they are more vulnerable, compliant to trafficking, and less able to resist (Kasirye, 2007; Winrock International, 2012). Second, the line between what constitutes child work, child labour, and child



trafficking may not be well understood at the local level. Many children in Rwanda are expected to work for their families, contributing to the viability of the household (NISR, 2014), even though all work done by children under the age of 16 is technically illegal in Rwanda (Save the Children, 2017). Third, forced labour and labour trafficking are cross-cutting issues that affect other aspects of children's lives that are of chief concern to government and international organisations. For example, attending to forced labour upholds children's rights in areas such as education and health (Spence, 2018).

A 2017 study describes patterns of internal child migration for labour in Rwanda, which tends to be from rural villages to urban areas such as Kigali. As one might expect, children who migrate without their parents are at higher risk for trafficking, child labour, and exploitation (Save the Children, 2017). Migration for work opportunities is a facilitating factor, with girls migrating to urban areas for paid domestic work, while boys are more likely to work and even to live on the streets.

Rwanda's most common forms of child labour trafficking include working on tea or banana plantations, planting and harvesting crops, herding cattle and caring for small livestock, and producing coal (USDOL, 2016). Children are also involved in industrial services such as construction, making bricks, and mining. They may perform domestic work, porter goods across borders, or sell or beg on the streets (USDOL, 2016; USDOS, 2017).

Trafficking for sexual exploitation is the most prevalent form of trafficking worldwide; 54% of detected VoTs were for the purposes of sex with 94% of these being women and girls (Kangaspunta et al., 2016). In contrast, forced labour is the most frequent type of trafficking in sub-Saharan Africa. Among children who are VoTs in sub-Saharan Africa, boys are more frequently detected than girls due to labour trafficking and recruitment of child soldiers. (Kangaspunta et al., 2016).

Conditions in refugee camps often put refugees at risk for human trafficking despite the expectation that they protect vulnerable populations from immediate harm. The USDOS notes that, "refugees fleeing conflict and political violence in Burundi and the DRC remain highly vulnerable to trafficking in Rwanda or are subjected to exploitation in third countries after transiting Rwanda" (2018, p. 366).

Research on push and pull factors inducing human trafficking in Rwanda is virtually absent, underscoring the need to, as a starting point, review global and regional studies critically. Notably, considerable research in this area exists globally, but there are only a few regional studies and they tend to rely on anecdotal evidence (IOM, 2008). Regional studies also have a singular focus on push factors. Hence, the research team examined global studies to uncover insights on pull factors related to human trafficking in Rwanda. Globally pull factors concerning human trafficking emphasise a high demand for cheap labour and services, setting the stage for millions of potential victims to be lured into and subsequently trapped in low-paying or unpaid work, particularly in such sectors as agriculture, manufacturing, domestic work, and the sex industry (IOM, 2012). A lack of opportunities for low-skilled work in origin countries and a high demand for cheap labour in destination countries tend to shape human trafficking trends.

A 2008 baseline study by the IOM identifies several push factors related to human trafficking in Uganda, Tanzania, Burundi, and Kenya. Notably absent from this study is Rwanda. The push factors identified are: personal characteristics, especially economic circumstances; family characteristics; peer networks; and context of the home community (IOM, 2008). Other studies on human trafficking at the global level likewise specify push factors, some of which are related to the ones IOM (2008) identifies. These factors include socio-economic circumstances, familial pressures, and the vulnerability of women. Other push factors include socio-economic circumstances, information about economic opportunities in other countries, breakdown of traditional family structures, death of one or both parents and hopes of a better future.



Numerous studies also document the vulnerable position of women in society as a powerful push factor into human trafficking (Bettio & Nandi, 2010; Clawson, Layne, & Small, 2006; Danailova-Trainor & Belser, 2006; Di Tommaso et al., 2009). Most of these cases involve some form of GBV, whereby females are exploited in the sex industry (IOM, 2010; UNODC, 2009). Employment discrimination against women is another factor pushing women to take risky migration options, which can turn into human trafficking (Cho, 2012).

Global effects identified by the literature include physical, sexual, and emotional violence. Trafficking also puts victims at a greater risk for mental health issues, including a heightened risk for trauma. Traffickers dehumanise and objectify their victims, thus diminishing their innate sense of power, visibility, and dignity. They also use coercive tactics and sheer force to make their victims feel worthless and emotionally imprisoned, leading to a loss of identity and security (USDOS, 2012). Several studies indicate high levels of post-traumatic stress disorder (PTSD) in VoTs, including cognitive impairment, memory loss, and major depression (USDOS Bureau of Public Affairs, 2007 p. 1). Sex trafficking creates additional physical and mental health risks, such as exposure to HIV/AIDS and pregnancy.

Policy and legal framework on human trafficking

Establishing a comprehensive national legal and policy framework constitutes the most important prerequisite for effectively combating human trafficking. The United Nations (UN) has increasingly provided support to states in their efforts to create a framework that counters human trafficking. In 2000, the UN General Assembly adopted one of three protocols of the United Nations Convention against Transnational Organized Crime (UNTOC) that directly addresses human trafficking: The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, which is one of the Palermo protocols.

In 2009, the United Nations Office on Drugs and Crime (UNODC), charged with implementing the abovementioned Protocol, published a document titled “Model Law against Trafficking in Persons” (UNODC, 2009). This generic law provides guidance to member states to enact their own laws to combat trafficking in accordance with the Protocol. In 2010, the UN General Assembly adopted the Global Plan of Action to Combat Trafficking in Persons (UN, 2010), which focuses on preventing trafficking, prosecuting offenders, and protecting victims.

International legal instruments applicable in Rwanda

Article 95 of the Constitution of the Republic of Rwanda of 2003 (revised in 2015) explicitly states that international treaties, which have been ratified and published in the official gazette, have the force of law in national legislation at the third level in the hierarchy of laws, after the Constitution itself and organic laws. In shaping the national response to human trafficking, Rwanda is bound by legal obligations under other international legal instruments. A body of international human rights treaties forms part of the legal framework for human trafficking. Some of these instruments once ratified have been either incorporated into the Constitution in its chapter related to rights of citizens and/or into various related domestic laws.

Rwanda's Constitution

The Rwandan Constitution forms the legal foundation upon which other laws are based. It provides a clear direction on fundamental human rights and principles, which are relevant to human trafficking.



Article 13 of the Constitution of Rwanda, prescribes the inviolability of a human being. Similarly, Article 14 provides that the human being is sacred and inviolable. The acts of TIP are a negation of the inviolability of a human being, which is a sacred constitutional right. The state has an obligation to respect, protect, and defend this sacred principle of inviolability of the human being. In this regard, the state is required to put in place meaningful mechanisms to prevent TIP, protect victims of this crime, and prosecute those who commit this crime. Article 19 of the Constitution provides for specific measures for the protection of the child. Article 37 of the Rwandan child law codifies specific protective measures for child protection, including the prohibition of forcing a child into begging.²

Rwanda's TIP law

Rwanda ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children in 2003, thus binding it to its provisions. In September 2018, Rwanda adopted the TIP law vis-à-vis international and regional normative frameworks. This law replaced provisions of Rwanda's 2012 Penal Code related to human trafficking, effectively addressing the problem of scattered provisions in various legal instruments. More specifically, the 2018 TIP law implements provisions of the Protocol, adapts the UNODC's model law (UNODC, 2009) to the specific Rwandan context, and takes into account lessons learned and best practices in applying the provisions of the Penal Code.

Rwanda's TIP law explicitly addresses the 'four Ps' of combatting human trafficking: prevention, protection, prosecution, and partnership. Complementing this law is a number of international legal instruments to which Rwanda is a signatory. This sub-section discusses the following two aspects of Rwanda's TIP Law: 1) prevention of TIP, and 2) protection of and assistance provided to VoTs. It also discusses the penalties for TIP under the law.

Research methodology

The study used a mix of quantitative and qualitative data to paint a picture of human trafficking in Rwanda.

Prior to data collection, the Technical Working Group (TWG) on Human Trafficking, based at the MINIJUST,³ approved the research protocol. The National Institute of Statistics Rwanda (NISR) also approved the research, particularly its ethical standards. In addition, a thorough desk review informed research design and implementation.

The NAR research team conducted secondary data analysis, extracting and analysing 85 human trafficking cases from Rwanda's High Court Chamber for International Crimes (HCCIC) and National Public Prosecution Authority (NPPA) for the period of 2016–2018, as well as 311 cases recorded by the Directorate General of Immigration and Emigration (DGIE) in 2017 and 2018. Cumulatively, these produced a demographic profile of victims, provided information on the perpetrators' gender, and allowed for the analysis of trends in human trafficking cases.

Additionally, the research team conducted 105 key informant interviews (KIs). Participants were sampled from 16 districts that are most relevant to the geographical scope of the analysis and that achieved a reasonable representative distribution of districts across all four provinces and Kigali City (including districts with refugee camps, border districts, and Kigali City districts).

² Law No. 54/2011 of 14/12/2011 relating to the rights and the protection of the child (Rwanda)

³ The MINIJUST established and chairs the TWG on Human Trafficking. The TWG oversees issues related to human trafficking at the policy level and is made up of key institutions that are directly or indirectly involved with human trafficking. These include the IOM, MINIJUST, the Rwanda National Police, Rwanda Investigation Bureau, Gender Monitoring Office, Ministry of Gender and Family Promotion, Directorate General of Immigration and Emigration, National Public Prosecution Authority, UN Women, National Commission for Children, and the United Nations Children's Fund, among others.



Informants whose work intersects with human trafficking were chosen, and included: law enforcement officials, district and sector officials, border managers, refugee camp managers, staff of UN agencies, members of international non-governmental organisations (NGOs), members of civil society organisations (CSOs), VoTs, and female sex workers. This information provided an additional – and more in-depth – insight into human trafficking.

The research obtained endorsement from the MINIJUST and approval from NISR. To protect the victims of trafficking the research team used the IOM Protocol to Protect Vulnerable Populations. Informed consent was sought before conducting any interviews and participants were told that participation was voluntary.

The study had various limitations, which the research team managed to mitigate. As the qualitative data were based on recall, interviewees could have forgotten certain aspects. To mitigate this, data were triangulated and 105 KIs and a desk review were conducted. The research team also encountered bias or the gatekeeper effect, in that some participants could have been trying to protect their institutions and filtering the information they were providing. The use of secondary data from the HCCIC, NPPA, and the DGIE also posed constraints, in that all the research team could do was work with the data provided.

To assure data quality, firstly experienced researchers were recruited and trained on data collection. The data collection tools were also pre-tested.

Key findings

The findings can be divided into the following categories: socio-demographic characteristics of victims and perpetrators; trends in human trafficking; routes, origins, and destinations; internal trafficking; modalities and strategies; forms of trafficking; causes of factors contributing to trafficking; and effects of trafficking. Existing response mechanisms and gaps in combating human trafficking were also identified.

Socio-demographic characteristics of victims and perpetrators

According to data from DGIE, majority of suspected human trafficking victims identified were from Burundi (62.7%), followed by the Democratic Republic of Congo (DRC) (15%) and Rwanda (13.6%). Regarding gender, the majority of the intercepted suspected human trafficking victims were female (77.67%), while less than a quarter were male (22.3%). As reported by HCCIC and NPPA human trafficking victims in Rwanda were also found to be overwhelmingly single (89.02%). In addition, most victims were found to be aged 30 or younger (87.01%) and, indeed, 18.18% were minors aged below 18. The KIs reinforced the quantitative finding that women and youth are overrepresented among VoTs; informants attributed a low socio-economic status and a lack of investment in victims' empowerment to their vulnerability to trafficking.

The analysis challenges a common conception that all victims are uneducated and unemployed, as 21.74% were found to have attained at least a secondary education and 44.78% were employed at the time trafficking ensued. This finding, however, does not rule out the fact that many VoTs have a low level of education and are unemployed.

Case data reveal that the majority of perpetrators of human trafficking between 2016 and 2018 were male (63%), with females still comprising a substantial percentage of traffickers (37%).



Trends in human trafficking cases

In the period of 2017–2018, 311 cases involving 515 human trafficking victims were recorded by the DGIE. The overwhelming majority of cases (87.1%) were dropped, while less than a fifth (12.9%) proceeded to court. Meanwhile, in the period of 2016–2018, the HCCIC adjudicated 85 cases of human trafficking. The conviction rates, based on the cases that went to trial, increased from 12.5% in 2016 to 41.7% in 2017 and to 53.3% in 2018. Increased conviction and case identification rates could be a result of awareness in the community and of officials better handling human trafficking cases.

The discrepancy in the number of cases intercepted and those further processed for trial could be explained by two points that were raised during the KIs: 1) Traffickers have resorted to the use of social media to lure victims and no longer travel physically to Rwanda. When victims are intercepted, the traffickers are not. Such a case thus does not further proceed to trial. 2) The majority of victims are of foreign origin and, when intercepted, are sent back home for further processing, leading to insufficient evidence to warrant a trial.

Routes, origins, and destinations

The analysis of cases from the DGIE shows that 62.7% of victims originate from Burundi, while 15% are from the DRC and 13.6% are from Rwanda. This finding indicates that Rwanda is largely a transit country and to a lesser extent a country of origin of human trafficking, which is consistent with data reported elsewhere (USDOS, 2018). Porous borders and ease of travel across border posts, which does not require passports, contributes to the flow of trafficking.

Regarding destination countries of transnational trafficking, the analysis of victim cases from the HCCIC and NPPA indicates that Saudi Arabia is the most frequent destination (38.55%), followed closely by Uganda (37.35%), with Kenya trailing behind as the third most frequent destination (7.23%). Other destination countries include Tanzania, Malawi, Mozambique, South Africa, and Zambia (Africa); Malaysia (Asia); and Oman, Qatar, Kuwait, and Dubai (Middle East).

Internal human trafficking

Consistent with previous research, this study shows that internal trafficking primarily takes the rural–urban form, with Kigali the main destination (USDOL, 2016; USDOS, 2018). This study supports previous reports that young women and girls are most vulnerable to this form of trafficking, which primarily results in domestic servitude, but at times also leads to working in bars or industry (Save the Children, 2017; UCW, 2011; UNICEF, 2015; USDOL, 2016). Given the harsh conditions of refugee camps, informants asserted that young girls living in these camps are at an even greater risk for this type of internal trafficking and are especially vulnerable to sexual exploitation. Likewise, consistent with previous research is evidence that children are trafficked to work on tea plantations (Winrock International, 2012).

Modalities and strategies

The most common modality used by traffickers to transport victims across borders is buses. Traffickers take advantage of victims' vulnerability; hence the strategies used are dependent on the circumstances of the victim. According to informants, victims typically know recruiters or come to know them as they introduce themselves to victims – either in person, via social media, or by email.



Perpetrators then build a relationship with victims to gain their trust. Most often, recruiters promise victims a better life through migration, employment, or additional education. Traffickers also use deception by approaching parents and guardians with false promises of better opportunities for employment in neighbouring countries. As a result, most victims report going willingly with traffickers, unaware that they are deceiving them. Once victims realise that they have been embroiled in human trafficking, traffickers employ a wide range of strategies to control them. They will isolate and restrict the movement of victims by various means including: locking them in a house, depriving them of money, restricting their ability to communicate, and/or retaining identity or travel documents. In more severe cases, perpetrators subject victims to debt bondage, drug use, violence, or threats of violence towards them or their family members.

Forms of human trafficking

Informants identified labour trafficking and sex trafficking as the most common forms of human trafficking in Rwanda. The DGIE also reported forced conscription as another form of human trafficking: Rwandan youth are promised jobs in southern African countries but are forced to join armed groups once they arrive there. Informants cited examples of parents who receive money in exchange for their young daughters or sons who are then forced to become domestic workers or sex slaves; this scenario especially occurs in refugee camps. Victims of sex trafficking at times start off working as domestic workers, but are then gradually forced into prostitution by their employers.

Root causes, and driving and facilitating factors

Literature on human trafficking identifies numerous driving factors and facilitating factors, while this research hones in on the factors most prevalent in Rwanda.

Informants highlighted poverty, unemployment, and a lack of income-generating opportunities as significant root causes for human trafficking in Rwanda. Consistent with a report by the USDOS (2018), this research shows that regional conflicts and political challenges, particularly in Burundi and the DRC, heighten the risk for trafficking among refugees in camps.

As established in earlier research (IOM, 2008a), the findings here show that the motivating factors of poverty and unemployment reinforce driving factors, such as a demand for cheap and docile labour. This study supports previous reports that highlight agriculture – especially in tea plantations – construction, and domestic sectors as specific areas of labour prone to trafficking in Rwanda, especially among youth (Winrock International, 2012; USDOS, 2018). Informants cited the commercial sex industry in places such as Uganda, Kenya, Mozambique, Zambia, and the Middle East as another driving factor, which corroborates previous reports (Kasirye, 2007; USDOS, 2018).

Facilitating factors for cross-border trafficking include porous borders and weak systems for surveillance and security at border posts. Rwanda has made improvements in this regard, installing mechanisms to detect traffickers and other criminals at ports of entry. Informants also pointed out another issue: corrupt officials allowing traffickers to cross borders with victims. Deficits in the legislative, administrative, and institutional systems in neighbouring countries such as Burundi, the DRC, and Uganda also contribute to cross-border trafficking and hamper regional efforts to combat the issue.

A number of sociological factors also facilitate trafficking. The use of, or greater access to, the internet, especially social media platforms, open up spaces for traffickers to connect with and recruit victims. Another factor is the cultural tradition of mutual support among extended families, which includes helping to raise and educate relatives' children. This practice leads a number of parents to send their



children to relatives with hopes for a better life, but some of these children end up in domestic servitude or experience sexual exploitation. Social stigma also perpetuates human trafficking in different forms. Research findings show that refugees are virtually unable to secure legitimate employment because of the stigma they face within the host country, and are consequently at greater risk for trafficking. The shame that accompanies falling prey to trafficking often leads families to silence victims; hence, the crime goes unreported and persists.

Groups vulnerable to TIP

Women and girls were identified as the most vulnerable gender to TIP in Rwanda, accounting for above 90% of the cases reviewed.⁴ Women and children are mainly vulnerable as a result of their low social and economic status, as well as a lack of investment in their empowerment. They are largely subjected to sexual exploitation and forced labour. Male victims were found to be largely subjected to labour exploitation and forced labour. Informants highlighted the poor, unemployed, and orphaned as the social groups most vulnerable to TIP. However, research findings challenge the stereotype that victims of TIP are exclusively illiterate and poor, as there have been instances where educated people were lured into trafficking by the promise of better jobs and lives.

Other groups that were viewed as vulnerable to TIP include people living with disabilities in urban areas, for forced begging⁵ and refugees. However, vulnerability of all these social groups specifically to TIP requires further investigation combining more quantitative inquiry and qualitative in-depth interviews with these specific communities.

Effects on victims

This research is the first systematic study on the effects of human trafficking in Rwanda. KII results corroborate previous reports documenting the many significant impacts of trafficking, including physical, psychological, and social impairments (Impact of human trafficking on victims, 2018; M'Cormack, 2011; UNODC, 2008; USDOS, 2012). Informants observe high levels of post-traumatic stress disorder (PTSD) and a host of other psychological issues among victims such as self-condemnation, fear, guilt, shame, social withdrawal, low self-esteem, and drug abuse. Exacerbating these problems is the fact that many victims do not report the trafficking or reach out to others for support. Research results also indicate that the effects vary depending on the type of trafficking. Females, in particular girls, who become pregnant as a result of sex trafficking face serious economic and health problems when they return home, in addition to social ostracism.

Gaps

The KII results highlight a number of gaps that need to be addressed in order for Rwanda to combat human trafficking effectively. The gaps fall into the following areas: data limitations, capacity-building especially when it comes to the identification of human trafficking, victim protection and assistance, and investigation, prosecution, and conviction.

⁴ Data is from the HCCIC

⁵ KII with a regional police commander, Gasabo



Data availability, accessibility, and management

All key informants working with law enforcement agencies identified a number of gaps regarding the availability, accessibility, and management of Rwanda-specific data on TIP. Currently, data limitations preclude directly testing assumptions about precipitating factors and impacts of human trafficking. The lack of data also prevents accurate trend analyses of such factors as conviction rates. Resolving these data challenges will improve Rwanda's capacity to produce research leading to evidence-based policies and programmes for preventing and responding to human trafficking.

Capacity-building

Informants enumerated a long list of training needs in order to implement Rwanda's new TIP law fully and effectively, while emphasising that training needs to occur within the context of a decentralised, standardised referral and case management system. In general, training needs to fall within the areas of identification, investigation, victims' rights and assistance, case management and establishment of a centralised database, border management for porous areas, and monitoring and evaluation.

The research team additionally observed gaps in knowledge about human trafficking, which signal a need for capacity building. Numerous service providers lack knowledge of internal trafficking and how to distinguish trafficking from related offences such as abduction, prostitution, and illegal smuggling. Knowledge about trafficking varies across service providers, as two observations exemplify. First, nearly all law enforcement officers understand the legal definition of human trafficking, while this knowledge is much lower among healthcare professionals, social workers, local leaders, and some NGOs. Second, front-line immigration officers are understandably much more adept at identifying and screening for human trafficking than service providers in refugee camps. This highlights the importance of training that meets the specific needs of service providers.

In addition, informants recommend raising public awareness as one powerful way of preventing vulnerable people falling prey to traffickers, especially in high-risk communities. The media could play a role in this effort of disseminating information and raising awareness on human trafficking. The research also found a gap in approaches to outreach campaigns, in which communities are not consulted in terms of the campaigns' design, content, and means of dissemination. Community consultation through local leaders seems to be an effective strategy to launch campaigns targeting specific communities. Another gap identified by respondents is the fact that many initiatives are ad hoc, dispersed, and not embedded in a broad national campaign strategy with clear timelines and a monitoring and evaluation system that would help with learning lessons and determining best practices.

Identification as a preventive counter-trafficking strategy

Informants asserted that identification of human trafficking is key to deterrence, as self-reporting by victims is extremely rare. Nevertheless, service providers report a number of challenges related to identification; many have no guidelines for identification and often confuse trafficking with gender-based violence (GBV). Service providers in camps especially lack proactive screening mechanisms for identifying trafficking when working with refugees.



Public awareness-raising

The research also found a gap in approaches to outreach campaigns, in which communities are not consulted in terms of the campaigns' design, content, and means of dissemination. Another gap identified by respondents is the fact that many initiatives are ad hoc, dispersed, and not embedded in a broad national campaign strategy with clear timelines, and a monitoring and evaluation system that would help with learning lessons and determining best practices.

Effective border management

The effective management of national borders constitutes a critical component of inhibiting human trafficking, as it functions to deter criminals and to identify victims. The need for effective border control was highlighted by respondents. Rwanda has put in place biometrics technology and patrol control at porous borders to ensure false or fraudulent travel documents are flagged at points of entry. These tools offer the potential to create documents that are difficult to falsify, forge, or alter. However, in spite of these innovative efforts, porous borders offer the possibility for traffickers to use informal border crossings, even though the borders are regularly patrolled.

In neighbouring countries, corruption of immigration officials impedes effective cooperation with Rwandan front-line officials. Many informants observe that some of their colleagues received training at the senior central level, while it remains in dire need among operational and front-line officials. Informants working at border posts noted that insufficient resources impede accurate identification of VoTs in need of protection and assistance. They also identified inadequate safe spaces to identify, interview, and properly assist these victims through appropriate referrals. Some respondents believe cross-border cooperation with neighbouring countries is fairly good, although in the Southern Province all informants described a lack of cooperation from their counterpart colleagues to detect and identify victims.

Protection of and assistance provided to victims

The Rwandan government is beginning to implement a number of mechanisms to protect and assist VoTs, in accordance with Article 6 of the Palermo protocol.⁶ It has already established a counter-trafficking task force and is beginning to institute victim-centred protocols and standard operating procedures in coordination with local and international NGOs, among others, to address the rights and needs of victims. For foreign victims, the new human trafficking law⁷ provides legal channels for preventing deportation to a country where victims may face retaliation from traffickers and/or their accomplices.

The most notable governmental intervention to assist VoTs has been through the Isange One Stop Center model, which is a collection of countrywide centres in every district designed to assist victims of GBV. The Kigali centre has already assisted a number of VoTs, but overall the centres need more development in this area. In terms of assistance in refugee camps, many provide support but lack capacity and resources to assist victims effectively in the absence of protocols, procedures, checklists, and effective interviewing techniques. One area of assistance especially in need of development relates to reintegrating victims back into the community.

⁶ Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children

⁷ Law No. 51/2018 of 13/08/2018 relating to the prevention, suppression, and punishment of trafficking in persons and exploitation of others (Rwanda)



Investigations, prosecutions, and convictions

Rwanda has improved its competency to adjudicate human trafficking cases by enacting the 2018 human trafficking law⁸, providing relevant training for members of the judicial system, and is in the process of instituting joint sessions between prosecutors and judges. In collaboration with the IOM and UN Women, the Rwandan Government has designed a training needs assessment in order to create more comprehensive capacity-building. Additionally, the NPPA established a focal point for human trafficking as a specialised unit to improve the prosecution of cases. The fact that conviction rates have significantly increased from 12.5% in 2016 to 53.3% in 2018 signals continued progress in this area⁹.

Conclusion and recommendations

Conclusion

Responding to a research gap in human trafficking in Rwanda, NAR conducted research on this topic, taking several steps to ensure research validity such as consulting with the IOM and the TWG on Human Trafficking, based at the MINIJUST. In addition, NAR's research team drew from a comprehensive desk review to design and implement qualitative and quantitative research using different sources and the triangulation technique.

The research found that the primary transit countries for trafficking in East Africa are Uganda, Kenya, and, to a lesser extent, Tanzania. With respect to destination countries for trafficking in East Africa, Uganda ranks first, followed by Kenya and Tanzania. Regional cooperation, resulting in ease of travel across border posts, has the unintended consequence of increasing the flow of human trafficking, thus calling for the establishment of a joint East African regional team to work on the crime of TIP.

Porous borders also contribute to cross-border trafficking. Several ports of entry and exit emerged in the research as being especially prone to human trafficking: Burera and Gicumbi bordering Uganda in the Northern Province, Nyagatare bordering Uganda and Tanzania in the Eastern Province, and Kirehe bordering Tanzania and Burundi in the Eastern Province. In this regard, Rwanda has made improvements, installing mechanisms to detect traffickers and other criminals at ports of entry, but it still has more to do in securing porous borders, especially in the Eastern and Northern Provinces. Cross-border trafficking from Rwanda to Middle Eastern countries remains a daunting problem.

In general, informants recommend adopting a holistic approach in counter-trafficking efforts that also involves civil society and the private sector. Greater collaboration is unlikely to occur without a robust capacity-building mechanism. In addition, this research highlights the need for capacity-building to move beyond those whose work intersects with human trafficking. Findings provide compelling evidence for a comprehensive public awareness-raising campaign that will dispel misconceptions regarding who is at risk of becoming a victim. As already discussed, even though the percentage of victims who are male is low, male victims exist and need to be included in public awareness-raising

⁸ Law No. 51/2018 of 13/08/2018 relating to the prevention, suppression, and punishment of trafficking in persons and exploitation of others (Rwanda)

⁹ Data source: 85 VoT cases obtained from the HCCIC and NPPA for the period of 2016–2018.



campaigns. The fact that even educated and employed adults can fall prey to human trafficking highlights the sophistication of strategies traffickers use to recruit potential victims and signal the need for widespread public awareness of trafficking. Public awareness-raising campaigns should also dispel misperceptions regarding perpetrators. Research shows it is women who often trap young girls in domestic servitude, which at times leads to sexual exploitation. Informants agree that deception is the primary strategy traffickers use to recruit potential victims. Greater access to and use of the internet, and especially social media platforms, open up spaces for traffickers to connect with and recruit victims.

Taken together, NAR's research shows that trafficking is widespread in Rwandan society. Noting that human trafficking has now become a worldwide, multi-billion-dollar enterprise, key informants call for Rwanda to move beyond public awareness, and additionally equip the public with useful tools for preventing and combatting this crime.

Recommendations

Based on the research findings that highlight advancements and gaps in Rwanda's efforts to combat human trafficking, the research team proposes the following recommendations.

To the Rwandan government:

- Design and implement comprehensive awareness-raising programmes for local leaders, refugee camp staff, secondary school teachers, and community members at large while putting a special emphasis on the border community.
- Develop and translate information, education, and communication materials, and display them in conspicuous places after trainings, mainly in refugee camps and schools.
- Set up a specialised office at the national level to coordinate human trafficking crimes across Rwanda.
- Develop and operationalise a management information system for ease of data management on human trafficking.
- Train law enforcement agencies, including the Rwanda Investigation Bureau (RIB), Rwanda National Police, the DGIE, NPPA, and the judiciary, in dealing with human trafficking.
- Institute a joint team comprising of prosecutors and investigators from the DGIE, RIB, and NPPA to work hand in hand during investigations of human trafficking so as to harmonise each other's expectations.
- Develop and operationalise a rehabilitation and reintegration protocol for VoTs focusing on long-term recovery of victims and their follow-up.
- Assess the feasibility of integrating management of VoTs into the existing model of the Isange One Stop Center.
- Train counsellors on specific needs of managing human trafficking cases and not generalising them as GBV.



- Advocate for the establishment of a joint East African regional team to work on cases of human trafficking.
- Strengthen the management and control of porous borders especially for Eastern and Northern Provinces.
- Adopt a holistic approach in counter-trafficking efforts that also involves civil society and the private sector.

To the IOM, other UN agencies, and NGOs working on human trafficking:

- Design and conduct comprehensive training in refugee camps and transit centres targeting refugee leadership at all levels from the village level up to the refugee president, all implementing partners, and refugee camp management.
- In close collaboration with the MINIJUST, develop and operationalise a rehabilitation and reintegration protocol for VoTs focusing on long-term recovery of victims and their follow-up.
- Engage and support civil society to participate in human trafficking rehabilitation and reintegration.



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Acronyms

CSO	civil society organisation
DGIE	Directorate General of Immigration and Emigration
DRC	Democratic Republic of Congo
FSW	female sex worker
FVA	Faith Victory Association
GBV	gender-based violence
GMO	Gender Monitoring Office
HCCIC	High Court Chamber for International Crimes
ICT	information and communication technology
ILO	International Labour Organization
IOM	International Organization for Migration
KII	key informant interview
MIGEPROF	Ministry of Gender and Family Protection
MINIJUST	Ministry of Justice
NAR	Never Again Rwanda
NGO	non-governmental organisation
NISR	National Institute of Statistics Rwanda
NPPA	National Public Prosecuting Authority
PTSD	post-traumatic stress disorder
RIB	Rwanda Investigation Bureau
RNP	Rwanda National Police
RWF	Rwandan francs
STI	sexually transmitted infection
TIP	trafficking in persons
TWG	Technical Working Group
UCW	Understanding Children's Work
UN	United Nations
UN.Gift	United Nations Global Initiative to Fight Human Trafficking
UNHCR	United Nations High Commissioner for Refugees



UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UNTOC	United Nations Convention against Transnational Organized Crime
USDOL	United States Department of Labor
USDOS	United States Department of State
VoT	victim of trafficking



Introduction

1.1 Background

Human trafficking involves recruiting, harbouring, or transporting people into a situation of exploitation through the use of violence, deception, or coercion, and forcing them to work against their will (What is human trafficking?, 2019). While human trafficking occurs across the globe, it particularly affects the lives of millions in Africa. However, systematic research on trafficking in specific African countries remains negligible, and Rwanda is no exception. Nevertheless, what information does exist suggests that human trafficking is a problem in Rwanda that warrants attention.

Girls, and, to a lesser extent boys, are exploited in domestic servitude in the country in the form of non-payment of wages, physical abuse, and/or sexual abuse by the employer. Older females have been known to offer vulnerable younger girls' room and board, eventually pushing them into prostitution to pay for their keep. Children in Rwandan refugee camps also risk becoming victims of trafficking (VoTs) to Uganda and Kenya at the hands of other refugees.

A 2017 report by the International Labour Organization (ILO) estimated that 24.9 million men, women, and children were victims of human trafficking around the globe (Human trafficking by the numbers, 2017). A joint International Organization for Migration (IOM)/United Nations Office on Drugs and Crime (UNODC) assessment provides evidence of internal and cross-border trafficking of women, as well as cross-border movement of children for commercial sexual exploitation in addition to other types of exploitation (IOM, 2012, p. 2). Rwanda's National Public Prosecution Authority (NPPA) reports 74 cases of human trafficking, as recorded by the Rwanda National Police (RNP), between January 2015 and March 2016 (NPPA, 2016). This figure, however, likely undercounts the extent of trafficking given the clandestine nature of the crime. Moreover, the report does not specify the types of exploitation, nor does it offer a profile of victims.

Cognisant of the problem, H.E. President Paul Kagame has clearly articulated that ending human trafficking in Rwanda is a priority:

"Can we afford to keep quiet in the face of human trafficking? How is it possible that our children – particularly girls – have become a commodity, even though we are aware of the problem? People are not commercial goods. Ending trafficking of girls goes beyond law enforcement authorities; it is the responsibility of every citizen" (Kagame, 2014).

This issue has been raised in high-level meetings, resulting in national legal frameworks that address human trafficking according to internationally accepted standards. Rwanda's parliament adopted 10 recommendations created during an October 2014 meeting on human trafficking, which it then forwarded to the Ministry of Gender and Family Promotion (MIGEPROF) for adoption.

One recommendation calls for research on human trafficking in Rwanda, which can be used to develop evidence-based strategies to combat this problem. The recommendation identifies key areas to be addressed, such as crimes related to trafficking, causes of the problem, and its effects on victims and offenders. In response to this recommendation, the Ministry of Justice (MINIJUST) and IOM commissioned Never Again Rwanda (NAR) to conduct this research.



1.2 Research objective and questions

The overall objective of this research was to determine the scope of the problem of human trafficking in Rwanda, as well as its characteristics and associated factors, in order to formulate evidence-based recommendations for strengthening the response to human trafficking locally and nationally in order to eventually combat it.

This research aims to answer the following key questions:

1. What is the current situation of human trafficking in Rwanda and across its borders?
2. What is the current level of knowledge of national and local authorities, particularly their technical teams, in relation to human trafficking?
3. What are the underlying root causes, and driving and facilitating factors of human trafficking in Rwanda?
4. What are the current prevention and response mechanisms to human trafficking in Rwanda?
5. What are the available supportive mechanisms and strategies for local authorities' technical teams to protect, identify, and assist VoTs?
6. What is the technical capacity of transit/safe houses, police, and Isange One Stop centres?
7. How many cases of human trafficking have been brought to justice (police, prosecution, and courts)?
8. Who are the key actors involved in counter-trafficking in Rwanda? What are their strengths and weaknesses?
9. What is the current response to trafficking in Rwanda, and how can this be improved?
10. What are the key recommendations to strengthen the local and national prevention and response mechanisms against human trafficking, with a special emphasis on the development of strategies, programmes, and tools?



Literature Review

2.1 Introduction

This section provides a brief overview and reviews the literature on human trafficking, particularly in Rwanda, and provides the conceptual framework guiding this research. The section starts by defining human trafficking based on the Palermo protocol discussed below and laws and policies related to human trafficking. Given the paucity of systematic research on human trafficking in Rwanda, the research team gleaned information from narrative reports and/or situation assessments dealing with related issues, such as labour, child abuse, human rights abuse, and sexual and reproductive rights. A comprehensive review of this literature provides insights into forms of human trafficking, its root causes and driving factors, and its impact on individuals and communities in Rwanda and across its borders. Hence, this section is divided into the following thematic categories: definition of human trafficking, forms of human trafficking in Rwanda, root causes and driving factors of human trafficking, and effects of human trafficking.

2.2 Human trafficking defined

This study uses the definition of human trafficking that appears in the United Nations' (UN's) Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (2000, p. 2), which is one of the Palermo protocols. Three paragraphs of Article 3 are particularly relevant to this study.

Article 3, paragraph (a) defines human trafficking as:

“‘Trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs” (Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, 2000, p. 2).

This definition of trafficking contains three elements: 1) acts (recruitment, transportation, transfer, harbouring, or receipt of persons); 2) means to commit these acts (threat or use of force or other forms of coercion); and 3) purpose (exploitation [which] “shall include, at a minimum, the exploitation of the prostitution of others”).

Article 3, paragraph (b) clarifies consent, stating:

“The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used” (Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, 2000, p. 2).

According to this Protocol, consent is irrelevant if it is obtained through coercion or deceit, including abuses of power without physical force. This applies to cases when individuals consent initially (e.g. to migrate for work), but are then subject to exploitation. If there is no realistic possibility of free and fully informed consent being given or refused, it amounts to human trafficking.



Article 3, paragraph (d) of the Protocol defines children as persons aged below 18. This study uses the same definition of children.

The Rwandan government passed a specific law on trafficking in persons (TIP),¹⁰ which replaced the relevant provisions of the 2012 Penal Code.¹¹ By introducing this new comprehensive and standalone legislation on human trafficking, Rwanda fulfilled its obligation assumed upon signing and ratifying the United Nations Convention against Transnational Organized Crime (UNTOC) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children. Hence, Rwanda's definition of human trafficking mirrors that of the Protocol. Major changes that appear in the 2018 law include, but are not limited to, the following:

- non-criminalisation of VoTs;
- non-discrimination of victims related to his/her citizenship or social status;
- competence of the Rwandan Court in cross-border trafficking even in cases of traffickers being foreigners or Rwandan traffickers residing abroad;
- criminalisation of all forms of complicity, including direct or indirect participation in the crime;
- legal obligation to report any knowledge of the crime;
- provision of optimal protection and assistance to VoTs;
- efficient measures to seize items used in the criminal offence and to confiscate the proceeds of this form of crime; and
- measures taken against a carrier who does not comply with the obligation of preventing human trafficking.

Section 3 offers more detail on Rwanda's law and compares it with the abovementioned Protocol as well as other laws, including a generic model law (UNODC, 2009) created by the UNODC as a guide for member states preparing related laws.

2.3 Forms of human trafficking in Rwanda

The United States Department of State (USDOS) classifies Rwanda as a country where VoTs are "subjected to forced labor and sex trafficking" (2018, p. 366). The review of judicial cases by the research team corroborates this statement. Hence, this sub-section discusses the following forms of human trafficking in Rwanda: overall labour trafficking, trafficking of children for labour, sex trafficking, and human trafficking in refugee camps.¹²

Special focus on children is prompted by their specific vulnerabilities. Refugees are also especially vulnerable, as they have fled their countries of origin out of desperation.

¹⁰ Law No. 51/2018 of 13/08/2018 relating to the prevention, suppression, and punishment of trafficking in persons and exploitation of others (Rwanda)

¹¹ Organic Law instituting the Penal Code, No. 01/2012/OL of 02/05/2012 (Rwanda)

¹² This report briefly mentions forced conscription as a form of trafficking, but does not go into significant detail. Separate research on this issue would be warranted. During data collection, the researchers also did not come across any cases of organ trafficking.



2.3.1 Labour trafficking

Article 2, paragraph 1 of the ILO's Forced Labour Convention (No. 29) of 1930 defines forced labour as, "all work or service which is exacted from any person under the menace of any penalty and for which said person has not offered himself voluntarily" (Forced Labour Convention, 1930). Labour trafficking involves individuals who perform services through the use of force, fraud, or coercion. It can include forced labour, child labour, or debt bondage. More than half of all VoTs in sub-Saharan Africa were trafficked for forced labour in 2016 (Kangaspunta et al., 2016, p. 8). In Rwanda, labour trafficking is an issue that affects men, women, and children; documented instances primarily take the form of deception into forced labour (USDOS, 2018). Trafficking tends to flow from rural to urban areas, and most victims are trafficked into agricultural and industrial sectors.

2.3.1.1 International destinations for labour trafficking

The USDOS produces an annual TIP report, which summarises trafficking across the globe. While the report remains at the descriptive level, it nevertheless provides a useful profile of trafficking in Rwanda in addition to assessing how the Rwandan government is addressing the problem. The 2018 report notes that international labour recruiters are one mechanism used to trick prospective workers into migrating to another country, a process that can lead to exploitation. The primary destinations for labour trafficking victims outside of Rwanda include Uganda, the Democratic Republic of Congo (DRC), Tanzania, and Burundi (USDOS, 2018, p. 366).

Recruiters in Nairobi and Kampala are also reportedly connected to trafficking networks that run through Ethiopia, Uganda, and Rwanda (USDOS, 2018). They use fraudulent offers to recruit workers for involuntary domestic servitude and forced labour in agriculture in the Middle East and Asia (USDOS, 2013; 2018, p. 366).

The United States Department of Labor (USDOL) reports that Uganda is the primary trafficking destination of Rwandan children; other destination countries include East African countries, South Africa, the United Arab Emirates, Malaysia, China, the United States, and Europe. Children trafficked to these places are reportedly exploited for labour and commercial sex (USDOL, 2016).

2.3.1 Trafficking of children for labour

The next several sub-sections discuss trafficking of children for labour, focusing on internal child migration, common types of child labour in Rwanda, and street children.

Trafficking of children for labour warrants special attention for several reasons. First, there may be higher numbers of child than adult labour trafficking victims, in part, because children are more vulnerable, compliant to trafficking, and less able to resist (Kasirye, 2007; Winrock International, 2012). Second, the line between what constitutes child work, child labour, and child trafficking may not be well understood at the local level. Many children in Rwanda are expected to work for their families, contributing to the viability of the household (NISR, 2014), even though all work done by children under the age of 16 is technically illegal in Rwanda (Save the Children, 2017). Thus, sending a child to Kigali to make money as a domestic worker may be a logical survival strategy for a poor family, even if it may unknowingly be sending its child into an exploitative situation (Betancourt et al., 2012; Save the Children, 2017). Third, forced labour and labour trafficking are cross-cutting issues that affect other aspects of children's lives that are of chief concern to the government and international organisations. For example, attending to forced labour upholds children's rights in areas such as education and health (Spence, 2018).



Drawing on Rwanda's 2013/14 Integrated Household Living Conditions Survey (EICV 4) data, Save the Children found that of the children aged 6–17 who work for money outside their households, 12.4% are aged 10–15 and 51.4% are aged 16–17 (NISR, 2014). A 2008 National Child Labour Survey reports that about 190,000 children aged 5–15 are participating in “hazardous forms of child labor”, which subjects children engaged in forced labour to even greater risk for harm (UCW, 2011, p. 46).

2.3.2.1 Internal child migration for labour

A 2017 study describes patterns of internal child migration for labour in Rwanda, which tends to be from rural villages to urban areas such as Kigali. As one might expect, children who migrate without their parents are at a higher risk for trafficking, child labour, and exploitation (Save the Children, 2017). Migration for work opportunities is a facilitating factor, with girls migrating to urban areas for paid domestic work, while boys are more likely to work and even to live on the streets.

2.3.2.2 Common types of child labour trafficking in Rwanda

Rwanda's most common forms of child labour trafficking include working on tea or banana plantations, planting and harvesting crops, herding cattle and caring for small livestock, and producing coal (USDOL, 2016). Children are also involved in industrial work, such as construction, making bricks, and mining. They may perform domestic work, porter goods across borders, or sell or beg on the streets (USDOL, 2016; USDOS, 2017). In the sub-sections below, we elaborate on two of the most frequently studied types of child labour: agriculture/construction and domestic work.

2.3.2.2.1 Agriculture and construction

Agriculture and construction are two areas in the Rwandan economy where child labour is more prevalent (USDOL, 2016) and where trafficking cases are suspected (USDOS, 2018). Rwanda's National Commission for Children reported that it removed 2,000 children from exploitative labour situations in construction and agriculture in 2017, but it did not identify children brought there through trafficking (USDOS, 2017, p. 340). Work in agriculture is hazardous as it often requires the use of sharp tools and exposure to pesticides or other dangerous materials (USDOL, 2016; Winrock International, 2012).

In 2012, Winrock International surveyed 237 children employed in tea growing in three Rwandan districts: Nyamasheke, Nyaruguru, and Gicumbi. The study found that the children were most often hired out by families to neighbours and cooperatives to work in the tea plantations, despite common knowledge among all parties regarding the illegality of the practice. In fact, respondents frequently stated children made better workers than adults because they are “cheaper and more loyal” (Winrock International, 2012, p. 10). The children mostly tilled land and picked tea leaves, but they worked in other aspects of the tea growing process too, including the following: fetching firewood for tea factories, road construction, planting tea, and spraying insecticides. None said they worked in tea factories. Most went to school, but their absentee rates were high.

2.3.2.2.2 Domestic work

Rwandan children are also trafficked internally for domestic work (USDOL, 2016; USDOS, 2018). According to the 2008 National Child Labour Survey, domestic work accounts for half of all employment of children in Kigali (UCW, 2011). Domestic workers are typically girls, reflecting a gendered division of labour in the broader society (Save the Children, 2017). A situational analysis conducted by the



United Nations Children's Fund (UNICEF) reveals that about 80% of domestic workers in Kigali are girls (UNICEF, 2015).

Domestic workers typically care for younger children, cook, clean, and do the washing (Save the Children, 2017). Child domestic workers, including those suspected of being trafficked, migrate from rural to urban areas (USDOL, 2016). Save the Children reports that Nyarugenge and Gasabo districts, located in Kigali, are among the two districts that receive many child domestic workers, while many children are sent from the Muhanga and Ruhango districts in the Southern Province to partake in domestic work (2017).

Domestic workers are typically used as servants in a private residence, leaving them vulnerable to hidden abuse and exploitation. A 2015 study of domestic workers across Rwanda documents that, of those having sex in the last 12 months, almost 9% recount the experience as forced sexual intercourse (Community Development Project, 2015, p. 4). Of these, most (60.3%) were girls aged 15–19 and 1.7% were girls younger than 10 years of age (Community Development Project, 2015, p. 44).

A 2015 UNICEF report describes the working and living conditions of domestic workers in Rwanda. While the study does not focus exclusively on child domestic workers, it identifies the overall challenges confronting these workers. The study indicates that domestic workers typically work over 12 hours per day, leaving little time for schooling or relaxation. Qualitative results indicate that many domestic workers dropped out of school as early as 13 years of age for work. Other issues include the bartering of services for food, housing, or clothes; late or withheld payments; and physical, sexual, and/or verbal abuse (UNICEF, 2015).

2.3.2.3 Street children

Children living on the streets are at an even high risk for the worst forms of child labour, yet little research on Rwanda's street children exists, and what is available is outdated. The Understanding Children's Work (UCW) Programme reported 7,000 street children in Rwanda, of which 2,000 were in the city of Kigali, as of 2002 (UCW, 2011). Two studies report that street children are most likely to be boys who have migrated to Kigali (Save the Children, 2017; Veale & Donà, 2003). Veale and Donà (2003) also report that Rwanda's street children are often orphans, living in dangerous conditions, and experiencing exploitation and abuse.

2.3.3 Sex trafficking

Trafficking for sexual exploitation is the most prevalent form of trafficking worldwide: in 2016, 54% of detected VoTs were for the purposes of sex with 94% of these being women and girls (Kangaspunta et al., 2016). In contrast, forced labour is the most frequent type of trafficking in sub-Saharan Africa. It accounts for 53% of trafficking, while 29% of trafficking results in sexual exploitation. Among children who are VoTs in sub-Saharan Africa, boys are more frequently detected than girls due to labour trafficking and recruitment of child soldiers. Among adults, however, detected victims in the region are more likely to be women (Kangaspunta et al., 2016).

Additional research on sex trafficking is needed; documented cases of identified sex trafficking are limited to a handful of brief reports narrow in scope (e.g. USDOS, 2018). Hence the research team drew information from related studies focusing on gendered aspects of sex work and the labour market.



2.3.3.1 Sex trafficking and commercial sexual exploitation

Research on sex trafficking in Rwanda is limited despite the fact that Rwanda is considered a source, destination, and transit country for sex trafficking (USDOS, 2018). Documented cases show that Rwandan victims, both children and adults, have been sex trafficked to the DRC, Uganda, Tanzania, and Zambia (Kasirye, 2007; USDOS, 2018). Some Rwandan victims are also trafficked further to the Middle East and China for sexual exploitation or domestic work (USDOS, 2018). In 2017, Rwandan government officials intercepted four potential sex trafficking victims as they were transiting to Uganda (USDOS, 2018).

Social and cultural norms push more girls than boys into sex exploitation in Rwanda (Save the Children, 2017). Though systematic research is lacking, different organisations have documented various forms of sex trafficking among girls. The USDOS reports that Rwandan girls can be forced to marry Tanzanian men and may experience exploitation through these marriages. The same report notes that Burundian girls have been recruited for exploitation in prostitution by businessmen in Bujumbura and then trafficked to Rwanda (2018).

2.3.3.2 Transactional sex

The UN defines transactional sex as an exchange of goods or services for sex (UN, 2017, p. 7); it is distinct from sex trafficking in that it connotes some degree of agency that is absent in sex trafficking. Nevertheless, those who engage in transactional sex are at a relatively high risk for being forced into sex trafficking (Gerver, 2013).

Transactional sex is another form of sexual exploitation and abuse occurring in Rwanda, but documentation of it tends to be in the form of anecdotal media accounts (Gerver, 2013; Williams, Binagwaho, & Betancourt, 2012). Nevertheless, some analysis of transactional sex in Rwanda elucidates the vulnerability of girls and women who are engaged in it.

The MIGEPROF (2010) posits that sexual and gender-based violence (GBV) stems from high economic dependence of women on men. Gerver (2013) notes that young women engaged in cross-generational sex are less likely to report it if they are forced to have sex as part of the transactional agreement, because they fear social stigma associated with rape or teen pregnancy.

Migration trends may also be contributing to an increase in transactional sex among youth. Rwanda has experienced high levels of urbanisation over the last two decades, with individuals moving from rural to urban areas like Kigali in hope of economic opportunities (Sommers, 2012). Individuals aged below 25 account for 67% of the urbanising population (Mutandwa et al., 2011). Youth who move to an urban setting, however, face the harsh reality of a higher cost of living coupled with a lack of employment opportunities, thus increasing their risk for abuse and exploitation (Save the Children, 2017). As a result, a number of them turn to transactional sex as a survival strategy (Betancourt et al., 2012). Overall the literature on sex exploitation is scarce and as such, more efforts should be devoted in order to understand its drivers and linkages with human trafficking.

2.3.4 Human trafficking in refugee camps

Conditions in refugee camps often put refugees at risk for human trafficking despite the expectation that they protect vulnerable populations from immediate harm. Global literature reports that camps are often unsafe and increase exposure to risk factors, including human trafficking (Boothby, 2008; Boyden & de Berry, 2004; UNHCR, 2015). For example, the refugee policies of host countries may limit



the presence of productive livelihood opportunities in camps; out of desperation, refugees are more likely to engage in dangerous survival strategies such as transactional sex to support themselves and their families (Marsh, Purdin, & Navani, 2006; UNHCR, 2015). Limited access to employment among men can diminish their sense of agency and personal efficacy, thus heightening the potential for their recruitment into armed groups (Achvarina & Reich, 2006).

The USDOS notes that, “refugees fleeing conflict and political violence in Burundi and the DRC remain highly vulnerable to trafficking in Rwanda or are subjected to exploitation in third countries after transiting Rwanda” (2018, p. 366). As of March 2018, Rwanda had about 177,300 refugees from Burundi and the DRC. More than half (55%) come from Burundi and live in either the Mahama camp or in urban areas, the remaining 45% are from the DRC and reside in five different camps (UNHCR, 2018). Sex trafficking and labour trafficking have been documented in these camps.

Sexual exploitation, especially sex trafficking of Congolese refugees in Rwandan camps, has received considerable scholarly attention (Bertani & Morisio, 2013; Iyakaremye & Mukagatara, 2016; Prickett et al., 2013; USDOS, 2018). Iyakaremye and Mukagatara provide a particularly in-depth analysis of the Kigeme camp in the Southern Province, which houses Congolese refugees. It documents sex trafficking, especially of girls, in the camp through deceptive labour practices. The researchers state that adolescent girls sometimes “go missing in the camp” and that they are “taken by people from outside the camp who promise them paid jobs and when they come back they are pregnant or HIV positive” (Iyakaremye & Mukagatara, 2016, p. 265). One representative of a non-governmental organisation (NGO) working in the camp further explains:

“There are refugees who are in connection with people from outside who come to traffic adolescent girls. [I just learned that] there are four adolescent girls from Kigeme camp who have been found in Ruhango [a town far from Kigeme camp]. This is a crucial problem we have; people come to take girls from the camp to use them” (Iyakaremye & Mukagatara, 2016, p. 265).

This statement exemplifies the intersectionality of different forms of human trafficking and one of the many pathways into it, thus highlighting the complexity of establishing determinants of human trafficking. Nevertheless, as noted by the Rwandan government, these factors need to be understood in order for Rwanda to implement sound policies and effective programmes designed to combat human trafficking.

2.4 Root causes and driving factors

Research on root causes and driving factors inducing human trafficking in Rwanda is virtually absent, underscoring the need to, as a starting point, review global and regional studies critically. Notably, considerable research in this area exists globally, but it encompasses only a few regional studies regarding East Africa and they tend to rely on anecdotal evidence (IOM, 2008a). Regional studies also have a singular focus on root causes. Hence, the research team examined global studies to uncover insights on driving factors related to human trafficking in Rwanda.

2.4.1 Root causes

A 2008 baseline study by the IOM identifies several root causes related to human trafficking in Uganda, Tanzania, Burundi, and Kenya. Notably absent from this study is Rwanda. The root causes identified are: personal characteristics, especially economic circumstances; family characteristics; peer networks; and context of the home community (IOM, 2008a). Studies on human trafficking at the global level likewise specify root causes and factors, some of which are related to the ones IOM



(2008a) identifies. These factors include socio-economic circumstances, familial pressures, and the vulnerability of women.

Socio-economic circumstances play a role in pushing people into human trafficking in a number of ways. Research by Fong (2004) indicates a positive correlation between the impoverishment of parents and their likelihood to believe promises made by traffickers. As discussed above, Cho (2012) demonstrates the effect of economic inducements by destination countries. At the same time, information disseminated in origin countries about economic opportunities in other countries can push people to migrate. For example, often a family's motive in sending children away is the search for better educational opportunities for them. In addition to insufficient or inaccessible educational opportunities locally, many villages lack vocational opportunities for youth.

UNICEF also discusses several familial factors as root causes related to human trafficking. The breakdown of traditional family structures, the death of one or both parents, and greed may contribute to a family's decision to send a child away in hopes of a better future (UNICEF, 2002). Often it is the 'success' stories, displays of wealth, or remittances sent back to villages by relatives working in urban areas or overseas that provide powerful incentives for parents to consider sending their children out of the home or village for work, thus increasing their vulnerability to human trafficking (Fitzgibbon, 2003).

Numerous studies also document the vulnerable position of women in society as a powerful push into human trafficking (Bettio & Nandi, 2010; Clawson, Layne, & Small, 2006; Danailova-Trainor & Belser, 2006; Di Tommaso et al., 2009). Most of these cases involve some form of GBV, whereby females are exploited in the sex industry (IOM, 2010; Sarrica, F., Jandl, M., & Borneto, C., 2009). Employment discrimination against women is another factor pushing women to take risky migration options, which can turn into human trafficking (Cho, 2012).

2.4.2 Driving factors

Global studies identifying driving factors associated with human trafficking emphasise a high demand for cheap labour and services, setting the stage for millions of potential victims to be lured into and subsequently trapped in low-paying or unpaid work, particularly in such sectors as agriculture, manufacturing, domestic work, and the sex industry (IOM, 2008a). This coupling of the demand for cheap labour by employers and a compelling need for work among those with little education and few skills often drives the migration of vulnerable groups into human trafficking (IOM, 2008a).

Indeed, the driving force of economic motivation shared by migration and human trafficking prompted Seo-Young Cho, an economist and expert in human trafficking, to argue that it is reasonable to expect migration flows to provide at least a rudimentary indicator of human trafficking flows (Cho, 2012, p. 5). Cho identifies other weaker driving factors of human trafficking, including the information available about migration options via social media, transportation availability via technological developments, and distinct country-specific characteristics (2012, p. 5).

In sum, a lack of opportunities for low-skilled work in origin countries and a high demand for cheap labour in destination countries tend to shape human trafficking trends.

2.5 Effects of human trafficking

To date, no study on the effects of human trafficking in Rwanda exists, despite documentation of its many deleterious consequences in other contexts. As Todres describes (in M'Cormack, 2011),



trafficked persons frequently experience “physical, sexual, and emotional violence at the hands of traffickers, pimps, employers, and others”, and they endure “various workplace, environmental, and health hazards” (p. 4). The negative health effects often start while victims are being transported. “Perilous journeys expose trafficked victims to injury and even death”, while being subjected to food and water shortages as well as overcrowded and unsanitary conditions increases the risk of infectious disease (M’Cormack, 2011, p. 3).

Trafficking also puts victims at a greater risk for mental health issues, including a heightened risk for trauma. Traffickers dehumanise and objectify their victims, thus diminishing their innate sense of power, visibility, and dignity. They also use coercive tactics and sheer force to make their victims feel worthless and emotionally imprisoned, leading to a loss of identity and security (USDOS, 2012).

The psychological impact can be devastating. Several studies indicate high levels of post-traumatic stress disorder (PTSD) in VoTs, including cognitive impairment, memory loss, and major depression (USDOS, 2007, p. 1). If left unaddressed, mental health issues associated with victimisation undermine victims’ recovery and potentially contribute to revictimisation (USDOS, 2012).

Sex trafficking creates additional physical and mental health risks, such as exposure to HIV/AIDS and pregnancy. According to a study conducted by the United Nations Global Initiative to Fight Human Trafficking (UN.Gift), trafficked women are forced to use drugs or alcohol to ensure their compliance and to enable them to take on more clients, work longer hours, or perform objectionable or risky acts. Trafficked persons may also turn to substance abuse to alleviate the pain of their situation, often resulting in addiction, organ damage, malnutrition, needle-induced infections, overdose, and death (UNODC, 2008).

Exacerbating the effects of trafficking is the loss of interpersonal and institutional support. The loss of family support makes victims more vulnerable to the traffickers’ demands and threats. Many victims will not turn to authorities out of fear of being jailed or deported; without effective witness protection, victims are unlikely to come forward to assist prosecutors (Fitzgibbon, 2003).

Taken together, previous research documenting the dire consequences of trafficking emphasises the critical need for additional research on this issue in Rwanda. It also offers guidance on what to examine when conducting this research. In addition, it highlights the pressing need for a robust policy and legal framework that holds traffickers accountable, protects victims, and staves off future trafficking.

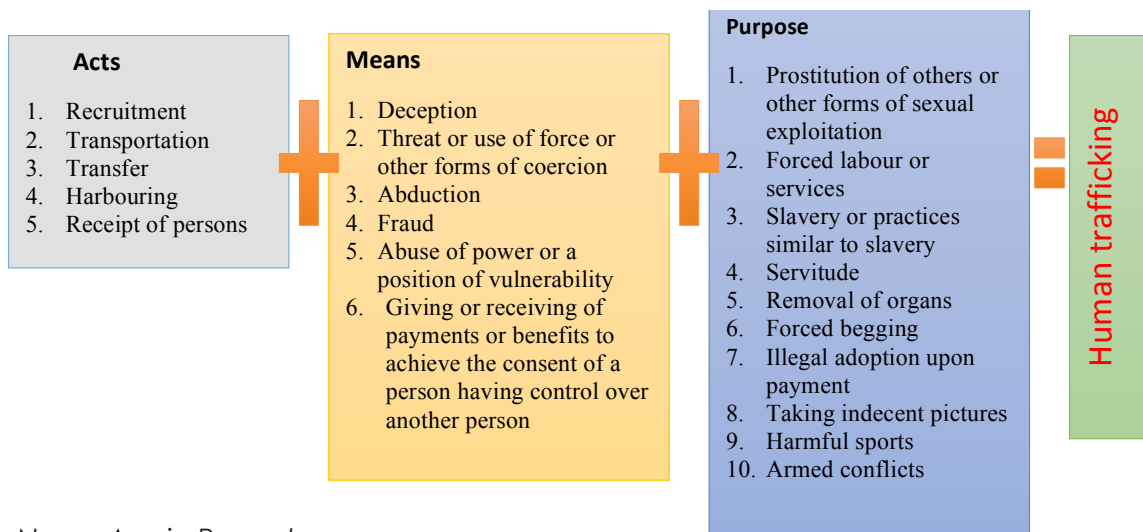


3. Rwanda's Policy and Legal Framework on Human Trafficking

3.1 Introduction

Establishing a comprehensive national legal and policy framework constitutes the most important prerequisite for effectively combating human trafficking. The UN has increasingly provided support to states in their efforts to create a framework that counters human trafficking. In 2000, the UN General Assembly adopted one of three protocols of the UNTOC that directly addresses human trafficking: the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, known as one the Palermo protocols. According to Article 3, paragraph (a) of the Protocol, the constitutive elements of the crime of human trafficking are: acts, means, and purpose. As illustrated in Figure 1, the acts include recruitment, transportation, transfer, harbouring, and receipt of person. These acts are achieved using several means such as deception, threats, coercion, and abduction, among others, for the purpose of exploitation, which takes different forms, including, but not limited to, sexual exploitation, forced labour, and servitude.

Figure 1: Definition of human trafficking according to the Protocol to Prevent, Suppress, and Punish Trafficking in Persons Especially Women and Children (2000)



Source: Never Again Rwanda

In 2009, the UNODC, charged with implementing the Protocol, published a document titled "Model Law against Trafficking in Persons" (UNODC, 2009). This generic law provides guidance to member states to enact their own laws to combat trafficking in accordance with the Protocol. In 2010, the UN General Assembly adopted the Global Plan of Action to Combat Trafficking in Persons (UN, 2010), which focuses on preventing trafficking, prosecuting offenders, and protecting victims. Specific recommendations include increasing: 1) systematic research on human trafficking, 2) coordinated and consistent measures across governments to combat trafficking, and 3) integration into the UN broader programme to boost development and strengthen security around the world. Importantly, it established a UN voluntary trust fund for victims of TIP, especially women and children, for the provision of humanitarian, legal, and financial aid.



3.2 International legal instruments applicable in Rwanda

Article 95 of the Constitution of the Republic of Rwanda of 2003 (revised in 2015) explicitly states that international treaties, which have been ratified and published in the official gazette, have the force of law in national legislation at the third level of the hierarchy of laws after the Constitution itself and organic laws. In shaping the national response to human trafficking, Rwanda is bound by legal obligations under other international legal instruments. A body of international human rights treaties form part of the legal framework for human trafficking. Figure 2 summarises the key international legal instruments ratified and applicable in Rwanda:

Figure 2: International legal instruments related to human trafficking applicable in Rwanda

- The UNTOC and its Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children
- The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others
- The UN Convention on the Rights of the Child of 1989
- ILO's Worst Forms of Child Labour Convention (No. 182)
- Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography
- International Covenant on Civil and Political Rights (ICCPR)
- The UNODC's Model Law against Trafficking in Persons (UNODC, 2009), although non-binding, constitutes a comprehensive guideline for states to efficiently deal with TIP.

Source: Never Again Rwanda

Some of these instruments once ratified have either been incorporated into the Constitution of Rwanda in its chapter related to rights of citizens and/or into various related domestic laws.

3.3 Rwanda's Constitution

The Rwandan Constitution forms the legal foundation upon which other laws are based. It provides a clear direction on a set of fundamental human rights and principles, which are relevant to human trafficking. Article 13 prescribes the inviolability of a human being. Similarly, Article 14 provides that the human being is sacred and inviolable. The acts of TIP are a negation of the inviolability of a human being, which is a sacred constitutional right. The state has an obligation to respect, protect, and defend this sacred principle of inviolability of the human being. In this regard, the state is required to put in place meaningful mechanisms to prevent TIP, protect victims of this crime, and prosecute those who commit this crime.



The Constitution also provides for specific measures for the protection of the child. Article 19 states that:

“Every child has the right to specific mechanisms of protection by his or her family, other Rwandans and the State, depending on his or her age and living conditions, as provided for by national and international law” (Constitution of the Republic of Rwanda, 2015).

Article 37 of the Rwandan child law codifies specific protective measures for child protection, including the prohibition of forcing a child into begging.¹³

3.4 Rwanda’s TIP law

Rwanda ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children in 2003, thus binding itself to the Protocol’s provisions. In September 2018, Rwanda adopted the TIP law¹⁴ vis-à-vis international and regional normative frameworks. This law replaced provisions of Rwanda’s 2012 Penal Code¹⁵ related to human trafficking, effectively addressing the problem of scattered provisions in various legal instruments. More specifically, the 2018 TIP law implements provisions of the Protocol, adapts the UNODC’s model law (UNODC, 2009) to the specific Rwandan context, and takes into account lessons learned and best practices in applying the provisions of the Penal Code.

Rwanda’s TIP law explicitly addresses the ‘four Ps’ of combatting human trafficking: prevention, protection, prosecution, and partnership. Complementing this law is a number of international legal instruments to which Rwanda is a signatory. This sub-section discusses the following two aspects of Rwanda’s TIP law: 1) prevention of TIP, and 2) protection of and assistance provided to VoTs. It also discusses the penalties for TIP under the law.

3.4.1 Prevention of TIP

Prevention is set out in a number of policies and strategies designed and implemented by the line ministry. In the framework of Article 3, paragraph 12 of the TIP law, the MINIJUST is in charge of drafting policies and strategies on human trafficking. Article 4 of the law stipulates that the MINIJUST shall cooperate with public and private institutions, civil society, and international organisations for the prevention of TIP. The law is silent on the modalities of establishing a coordinating counter-trafficking body to bear the responsibility of steering counter-trafficking policies and strategies. It is assumed the current counter-trafficking task force, revived in June 2018,¹⁶ should be the coordinating body; it may be expanded to include other non-state actors. Part of its responsibility is to design, implement, and monitor a referral system based on cooperation between various stakeholders.

¹³ Law No. 54/2011 of 14/12/2011 relating to the rights and the protection of the child (Rwanda)

¹⁴ Law No. 51/2018 of 13/08/2018 relating to the prevention, suppression, and punishment of trafficking in persons and exploitation of others (Rwanda)

¹⁵ Organic Law instituting the Penal Code, No. 01/2012/OL of 02/05/2012 (Rwanda)

¹⁶ Source: IOM Rwanda.



To prevent transnational TIP effectively, Article 6 refers to the duties of a commercial carrier that should verify all travel documents and make sure they comply with the requirements to enter any destination country. Article 3, paragraph 22 defines a commercial carrier as any legal or natural person¹⁷ who engages in the international transportation of goods or people for commercial gain. This definition is consistent with the Palermo protocol¹⁸ and the Model Law against Trafficking in Persons (UNODC, 2009).

3.4.2 Protection of and assistance provided to victims

This sub-section reviews the legal foundation of international instruments on which Rwanda's TIP law is based, specifically in relation to protecting and providing assistance to VoTs.

Two articles from the UNTOC are particularly relevant. Article 25, paragraph 1 requires states to “take appropriate measures within its means to provide assistance and protection to victims of offences covered by this Convention, in particular in cases of threat of retaliation or intimidation” (United Nations Convention against Transnational Organized Crime, 2000). Article 24, paragraph 4 requires states to ensure that protection extends to all victims, including those who are witnesses in any investigative proceedings and prosecution.

Article 6, paragraph 1 of the Palermo protocol supplements the UNTOC in that it requires states to take all appropriate measures to protect the privacy and identity of victims in legal proceedings, including ensuring confidentiality to the extent possible as provided for in the national legislation. Article 9, paragraph 1 also refers to protection from the risk of revictimisation, a significant issue in a counter-trafficking response.

These international legal provisions have been incorporated into Article 7 of the Rwandan TIP law, which stipulates that, “protection provided to victims is also extended to the victim's accompanying dependents to avoid any potential retaliation measures exercised by traffickers over the families of victims”. Article 9 of the law provides for the protection of victims during court proceedings where the judge can order any protective measures commensurate with the level of safety and confidentiality that the case requires.

Section 3 of Rwanda's TIP law provides for basic assistance services to victims. Article 11 details supports granted to the victim without discrimination, including the provision of healthcare, waiving of legal and administrative fees, free legal assistance, the right to get information in the language the victim is comfortable with, and the right to participate in legal proceedings related to perpetrators.

Article 12 outlines more specific assistance to a child victim in accordance with a fundamental principle contained in all legal instruments related to child protection: “any policy, law, strategy, programme, or decision at any phase should assess the best interest of the child and align to it” (see, for example, Article 3 of the Convention on the Rights of the Child, 1989).

¹⁷ This can be a person, an organisation, or an institution.

¹⁸ Articles 9, 10, 11, 12, and 13 of the Palermo protocol require states to undertake public campaigns, and social and economic measures to address the root causes of trafficking, check the travel documents of passengers by transportation carriers, ensure adequate border control and management, cooperate bilaterally in verifying the validity of travel documents, and strengthen the capacity of immigration front-line officials.



In the section related to protection of and assistance offered to victims, Article 13 prescribes a non-Rwandan to remain in its territory as far as the identification is ongoing for a minimum period of six months until the conclusion of the legal proceedings. Article 14 allows the MINIJUST, in collaboration with the authority in charge of immigration and emigration, to repatriate the victim. Article 15 stipulates that if the victim is Rwandese or a permanent resident of Rwanda, he/she is granted the right to return to Rwanda while his/her dignity, safety, and privacy are fully safeguarded. If he/she does not have proper travel documents, as is often the case, he/she is granted the necessary travel documents. In addition, he/she is provided with the means to cater for his/her transportation and repatriation expenses.¹⁹

3.4.3 Penalties for offences of TIP

Section 3 of the TIP law outlines the sentencing principles applying to TIP. It sets out two main principles in favour of victims. First, consent of the victim should not be invoked as an acceptable excuse for traffickers as far as the purpose of exploitation has been proved beyond reasonable doubt. Second, the victim has a specific relative judicial immunity against prosecution for illegal entry or any illegal action that is a direct consequence of his/her situation as a trafficked person.

When TIP occurs in Rwanda, the sentence for imprisonment should not be less than 10 years and not exceed 15 years, in addition to fines between 10 and 15 million Rwandan francs (RWF), or between 11,000 and 17,000 USD. If the crime is transnational, or committed across borders, the sentence increases to 20 years but not exceeding 25 years of imprisonment (Article 18, paragraphs 1 and 2). The fine also increases: the convicted trafficker gets a fine of not less than 20 million and not more than 25 million, or between 22,000 and 27,000 USD. These sanctions are imposed cumulatively to the offender.

Furthermore, the law takes into account the extended criminal responsibility of private sector actors who deliberately facilitate and promote TIP. They can also be held responsible by virtue of their participation in the commission of the TIP crime or their contribution to a criminal enterprise. In terms of sentencing, they are held individually accountable for their role in the offence and are liable to an imprisonment of not less than seven years and not exceeding 10 years, with fines of 7–10 million RWF (Article 19).

The section also introduces a provision on aggravating circumstances (Article 20), which are exhaustive. These circumstances include serious harm such as injury, disability, disease, suicide, and death as a direct consequence of TIP, or when the TIP crime involves particularly vulnerable persons, or if it is proven the trafficker operates within an organised crime network. Other aggravating circumstances include cases of recidivism, or when the victim is a disabled person or a pregnant woman, or when the trafficker and victim were engaged in a trusted professional relationship. If the conditions detailed above are met and the offence is committed against a child, the perpetrator gets the highest imprisonment sentence, which is life imprisonment, and a fine of 15–20 million RWF.

Article 21 prescribes that while proceeding with court adjudication, the court reserves the right to seize and confiscate all materials, including immovable properties, proceeds of the crime, and all objects used to commit the offence.

¹⁹ These provisions are adapted from Articles 6, 7, and 8 of the UNTOC on the assistance, protection, and repatriation of victims.



Article 22 establishes a different sentencing regime for those who knowingly engage in forced labour, slavery, and related services (between one and three years, and a fine of 1–3 million RWF). In the case that a TIP victim is forced into labour, the sentence increases to between five and 10 years, with a fine of 5–10 million RWF. In a bid to discourage child exploitation and particularly vulnerable persons, if forced labour is committed against a child and particularly a vulnerable person (people with disabilities), the offender is liable to an imprisonment of between 10 and 15 years, and a fine of 10–15 million RWF.

Article 23 sets out particular offences related to exploitation resulting from guardianship and adoption to protect particularly vulnerable persons (orphans) when intention for exploitation is proven. The offender gets life imprisonment to deter serious crime against most vulnerable persons such as children.

Sexual exploitation is a separate offence different from TIP, which is outlined in Article 24. If any sexual action is proved to be exploitative, then perpetrators, accomplices, and facilitators of the crime can be sentenced to an imprisonment of between three and five years, and a fine of 3–5 million RWF. The penalty is doubled in some specific situations such as in cases of co-offenders, or if the crime is committed by an ascendant of the victim or by a domestic servant of the victim, or if the offender exercises authority over the victim. The provision is assumed to go beyond the definition of human trafficking to all related sex offences.

4. Methodology

4.1 Introduction

This chapter summarises the methodology used for this study. It covers the methodological approach, study area, sampling procedures, data collection techniques, data analysis and interpretation, quality control, ethical considerations, and limitations and associated mitigation strategies.

4.2 Methodological approach

To increase the validity of findings, the NAR research team performed data triangulation, and analysed qualitative and quantitative data from multiple sources.

Research began with a thorough desk review, which informed the data collection and analysis. The team then conducted secondary data analysis of: 85 VoT cases reported to prosecutorial and adjudicating courts between 2016 and 2018, and 311 cases recorded by the Directorate General of Immigration and Emigration (DGIE) in 2017 and 2018. Cumulatively, these produced a demographic profile of victims, provided information on the perpetrators' gender, and allowed for the analysis of trends in human trafficking cases.

In light of research objectives and the sensitivity of the research topic, the research team also conducted 105 key informant interviews (KIIs) with guidance from experts in human trafficking and research (from the IOM, MINIJUST, academia, among others).



4.3 Study area, population, and sampling

4.3.1 Study area

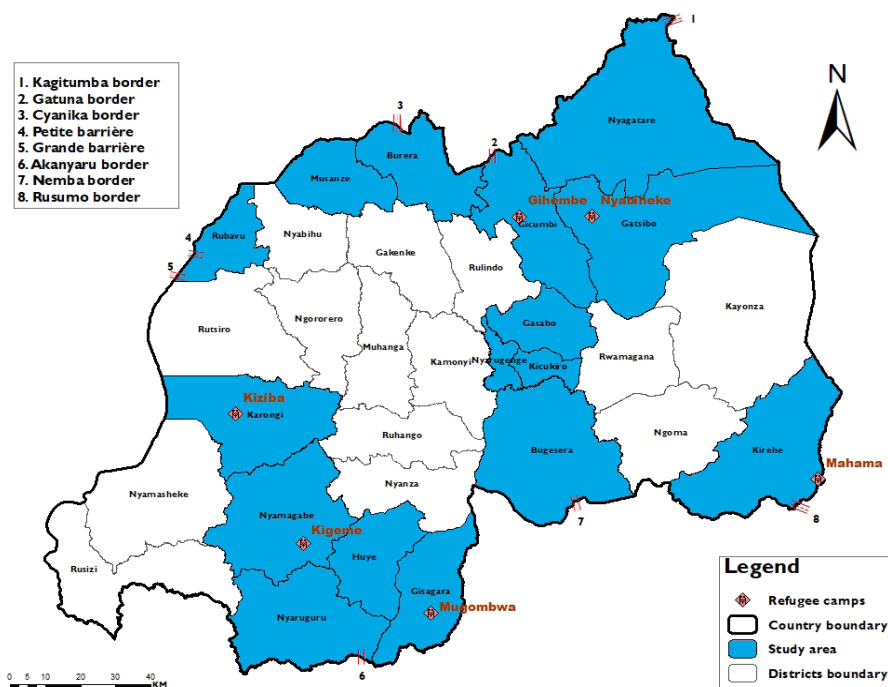
The research team purposively determined the geographical scope of analysis using knowledge of routes, destinations, and forms of trafficking. The team also sought to achieve a reasonable representative distribution of districts across all four provinces and the city of Kigali. Specific criteria for the selection of study area were as follows:

Districts with refugee camps: Kirehe (Mahama), Karongi (Kiziba), Gatsibo (Nyabiheke), Gisagara (Mugombwa), Gicumbi (Gihembe), and Nyamagabe (Kigeme). Districts with refugee camps were chosen because numerous studies document the vulnerability of refugees, which puts them at risk for both internal and cross-border human trafficking (Boothby, 2008; Boyden & de Berry, 2004; UNHCR, 2015).

Border districts: Nyaruguru and Huye (Southern Province); Rubavu (Western Province); Kirehe, Bugesera, and Nyagatare (Eastern Province); and Burera, Gicumbi, and Musanze (Northern Province). The border districts were selected as they are where cross-border trafficking takes place. Some of these border districts (Kirehe and Gicumbi) also have refugee camps.

Kigali City districts: Gasabo, Nyarugenge, and Kicukiro. The rationale for their inclusion stems from the fact that Kigali is the capital city and serves as the headquarters for almost all public, private, and non-profit organisations. Additionally, Kigali is the primary destination for economically motivated rural-urban migration and a transit for cross-border or international trafficking (Betancourt et al., 2012; Save the Children, 2017).

Figure 3 shows a map of the 16 sampled districts.



Source: Never Again Rwanda



4.3.2 Study population for KIIs

The NAR research team carefully selected informants for the KIIs at the national level based on their expertise on, knowledge of, and experience with human trafficking. The informants were members of: civil society organisations (CSOs); UN agencies, such as the United Nations High Commissioner for Refugees (UNHCR), UNICEF, and UN Women; international NGOs; and government agencies. Local key informants included: district and sector officials, border managers, refugee camp managers, and representatives from NGOs and schools. In addition, the research team also interviewed VoTs and female sex workers (FSWs) to gain first-hand information regarding human trafficking.

4.3.3 Sampling techniques

For the quantitative data, the research team did not draw a sample from the court cases of human trafficking given the limited data. After compiling the available total of 85 human trafficking cases for the period of 2016–2018 from the High Court Chamber of International Crimes (HCCIC) and the NPPA, and 311 cases recorded by the DGIE for the period of 2017–2018, the research team conducted a secondary data analysis of quantitative data extracted from those cases. The purpose of using data from the HCCIC, NPPA and DGIE was to show the demographics of perpetrators and victims, and cases of human trafficking that have been handled by these institutions.

For qualitative research, the research team purposively sampled relevant central and local government institutions, NGOs, and UN agencies that have a direct or indirect link with human trafficking for the KIIs.

Ellard-Gray et al. define VoTs and FSWs as hard-to-reach groups in society due to their “social or physical location, vulnerability, or otherwise hidden nature” (2015, p. 1).

- The research team were able to identify VoTs with assistance from the NPPA, NGOs such as the Faith Victory Association (FVA), and the DGIE. The team managed to interview five female and one male VoTs in order to gain insights into their lived experiences with trafficking and to corroborate data from the other key informants.
- The research team connected with FSWs through close cooperation with NGOs such as the Health Development Initiative. The research team interviewed two FSWs who represented their associations. FSWs are particularly vulnerable to human trafficking.
- The VoTs and FSWs were aged 18–30 years and interviewed in their places of residence.

Annex 2 presents the full list of all key informants. Sample size determination was guided by the principle of data saturation, a technique that is considered the gold standard for qualitative research (Walker, 2012). Data saturation was reached after interviewing 105 informants.



4.4 Data collection, management, and analysis

4.4.1 Data collection

For quantitative data collection, the research team developed a data extraction template (see Annex 3) and shared it with the HCCIC, NPPA, and DGIE for data compilation. The HCCIC and NPPA provided data on 85 cases, while the DGIE availed data on 311 cases of human trafficking involving 515 victims.

Qualitative data collection consisted of KIIs. The research team developed the interview guides through a highly consultative process, working closely with the Technical Working Group (TWG) on Human Trafficking based at the MINIJUST. The group reflects an array of expertise including professionals with an academic background and field experience in human trafficking, law enforcement, gender studies, and research methodology, to name a few.²⁰

Prior to the fieldwork, the team pre-tested the interview guides for clarity and sequencing of questions, subsequently making appropriate adjustments. As the scope of the key informants was wide, the team tailored the tools to specific key informants, in terms of their roles. The guides were translated into Kinyarwanda for those informants who preferred to be interviewed in their native language. Guides were administered both in English or Kinyarwanda depending on the choice of the informant. Annex 4 provides more details on the customised tools and key areas covered by the questions.

NAR recruited experienced field enumerators who were deployed in the field after extensive training. Enumerators conducted interviews in the key informants' offices, with the exception of VoTs; these were conducted in the homes of VoTs. To ensure privacy, apart from the interviewee, only the interviewers and note-takers were present during interviews. Each interview took around 30 minutes.

4.4.2 Data analysis and interpretation

Regarding quantitative data, upon receiving extracted data from the HCCIC, NPPA, and DGIE the research team cleaned the data and then entered the data into EpiData version 4.4. The team subsequently exported the data into Stata 12 for analysis.

The research team transcribed and cleaned the qualitative data gathered from the KIIs before uploading the data onto ATLAS.ti 7.3, a qualitative data analysis software. This software was used to perform a thematic content analysis of 105 interview transcripts.

The coding process included reading through the raw data while cross checking for similarities and patterns, then grouping closely related codes to form sub-themes, which the team then collapsed into major themes. It then selected salient quotations that reflected major themes and additionally compared key findings with previous research.

²⁰ The MINIJUST established and chairs the TWG on Human Trafficking. The TWG oversees issues related to human trafficking at the policy level and is made up of key institutions that are directly or indirectly involved with human trafficking. These include the IOM, MINIJUST, RNP, Rwanda Investigation Bureau, Gender Monitoring Office, MIGEPROF, DGIE, NPPA, UN Women, National Commission for Children, and UNICEF, among others.



4.5 Quality control

The research team engaged in several quality control measures, as discussed in Chapman (2005), beginning with the use of triangulation research to reinforce the validity of findings. It consulted with the TWG on Human Trafficking throughout the research process. The National Institute of Statistics Rwanda (NISR) also reviewed and approved the research protocol. The research team also took several steps to ensure adequate recruitment and training of enumerators, and it used the latest software to analyse qualitative (ATLAS.ti) and quantitative (EpiData 4.4 and Stata 12) data.

4.6 Ethical considerations

Given the sensitivity of this research – as it involves a profoundly vulnerable population – the research team took a number of steps to ensure it achieved high ethical standards. First, the research team did not begin data collection until it obtained approval on the research protocol from the TWG at the MINIJUST and the NISR.

Second, interviewers obtained consent from participants prior to each interview. To ensure informed consent, the interviewers explained the purpose of the research, the interview process, and how the findings would be used. They also described measures for protecting the confidentiality of participants, such as not using participant names or personal identifiers, as well as storing interviews and transcripts under lock and key at the NAR office and on secure servers. With the exception of VoT and FSW interviews, KIs took place in the interviewee's office, as agreed upon by participants, with only participants, interviewers, and note-takers present.

Third, the research team took extra precautions when interviewing VoTs and FSWs, a highly vulnerable group. The research team included a clinical psychologist with experience in administering trauma-sensitive tools. The team worked with NGOs engaged in rehabilitation to identify those participants who were aged above 18. These NGOs provided continued support to these participants, thus reducing the risk of retraumatisation. In addition, these organisations had a female clinical psychologist on their staff that was available for intervention if necessary. NAR informed the participants a week before the interviews, while clinical psychologists determined victim readiness for the interviews. Interviews were conducted in Kinyarwanda using the IOM Victims of Trafficking Interview Protocol (IOM, 2008b). The research team conducted these interviews in the homes of participants using more of a conversational tone compared to that adopted in the other interviews.

4.7 Limitations and associated mitigation measures

All types of studies contain the possibility of bias. One potential source of bias in this study is that the research team questioned institutional participants about weaknesses in their institutions with respect to addressing human trafficking, which is counter to their self-interest (Funnell, 1996). Another limitation of the research is that it relies on participants to recall past experiences (Elmendorf & Luloff, 2001). Interviewers thus received training on affording participants adequate time to recall their lived experiences. Most importantly, the team only interviewed six victims, given the sensitivity of the issue and risk of retraumatisation. As such, information gathered from the KIs is mainly based on observations and perceptions of those who interact with victims and/or perpetrators, rather than information from those who experience trafficking first-hand.



The quantitative data source was case records obtained from the NPPA, HCCIC, and DGIE, which came with challenges common to all secondary data sources, such as limited flexibility and missing data. To mitigate this challenge, the triangulation technique was employed, including a desk review and 105 KIs being conducted. This enabled the research team to gain more insights as well as corroborate the findings of the secondary data sources.

5. Findings, Interpretations, and Discussion

5.1 Introduction

This chapter discusses the key findings of both quantitative and qualitative analyses. It begins with a discussion of the quantitative results, looking at the socio-demographic characteristics of trafficking victims and perpetrators, as well as trends in human trafficking cases. The chapter then proceeds to a discussion of the qualitative results, which relate to the following thematic areas: routes, origins, and destinations of human trafficking; modalities and strategies used by traffickers; forms of trafficking; root causes, and driving and facilitating factors; groups vulnerable to TIP; effects of trafficking; and data limitations in combatting human trafficking.

5.2 Socio-demographic characteristics of victims and perpetrators: quantitative

5.2.1 Socio-demographic characteristics of VoTs

5.2.1.1 Analysis of data from the DGIE

The DGIE records data at various points of exit and entry into Rwanda. The research team accessed these data through DGIE's annual reports for 2017 and 2018.

In these two years, a total of 515 human trafficking victims were identified. The majority of human trafficking victims were from Burundi (62.7%), followed by the DRC (15%) and Rwanda (13.6%). This indicates that Rwanda is, to a large extent, a transit country and, to a lesser extent, an origin country of human trafficking victims.

Regarding gender, the majority of the intercepted suspected human trafficking victims were female (77.67%), while less than a quarter were male (22.3%) (see Table 1).



Table 1: Socio-demographic characteristics of VoTs, based on data from the DGIE (2017–2018)

Variable	Category	n = 515 unless specified, (%)
Nationality/country of origin	Rwanda	70 (13.6)
	Burundi	323 (62.7)
	DRC	77 (15.0)
	Other	45 (8.7)
Gender	Male	115 (22.33)
	Female	400 (77.67)
Number of victims	2017	252 (48.9)
	2018	263 (51.1)

Source: DGIE annual reports (2017–2018)

5.2.1.2 Analysis of data from the HCCIC and NPPA

Analysis of 85 records from the HCCIC and NPPA from 2016 to 2018 produced another socio-demographic profile of VoTs (see Table 2). The records represent official cases that have at least reached the prosecution level. Suspected cases that were dropped at the investigation level by either the Rwanda Investigation Bureau (RIB) or DGIE are not part of this sample. Therefore, the case records analysed only represent these two institutions and not the country as a whole.

The findings reveal that between 2016 and 2018, 60% of the victims were Rwandese, while 40% were Burundian. Regarding the destination countries, slightly more than a third of the victims were heading to either Saudi Arabia (38.55%) or Uganda (37.35%), while 7.23% were en route to Kenya.

In terms of gender, the vast majority of victims (95.24%) were female. An overwhelming majority were single (89.02%); only 7.32% were married. The case data also demonstrate that most victims were young: 87.01% of the victims were aged below 30. Of special concern is the fact that one in six of the victims were aged below 18.

The demographic profile in Table 2 counters the notion that all victims are uneducated and unemployed; at the time victims became embroiled in trafficking, 21.74% had achieved a secondary education and 44.78% were employed. Nevertheless, more than half of the victims in these surveyed cases were unemployed at the time trafficking ensued.



Table 2: Socio-demographic profile of VoTs, based on data from the HCCIC and NPPA (2016–2018)

Variable	Category	n=85, (%)
Nationality	Rwandese	51 (60)
	Burundian	34 (40)
Country of destination	Uganda	31 (37.35)
	Saudi Arabia	32 (38.55)
	Oman	2 (2.41)
	Kenya	6 (7.23)
	Malawi	2 (2.41)
	Tanzania	2 (2.41)
	Kuwait	2 (2.41)
	Other	6 (7.23)
Gender	Male	4 (4.76)
	Female	80 (95.24)
Marital status	Single	73 (89.02)
	Married	6 (7.32)
	Divorced	1 (1.22)
	Widowed	2 (2.44)
Employment status	Employed	30 (44.78)
	Unemployed	37 (55.22)
Age group	Below 18	14 (18.18)
	18–25	28 (36.36) 87.01%
	26–30	25 (32.47)
	31–35	6 (7.79)
	Over 35	4 (5.19)
Highest educational level attained	Never attended school	*
	Primary school	*
	Secondary school	15 (21.74)
	Tertiary school	*
Number of victims	2016	15 (17.65)
	2017	34 (40.00)
	2018	36 (42.35)

Source: 85 victim files (2016–2018) from the HCCIC and the NPPA

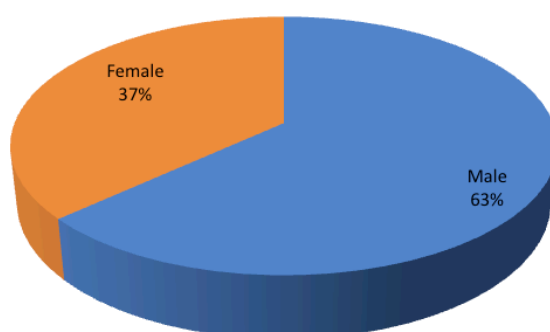


*Note: Most educational and some other data were missing from the court and prosecution files, hence n does not amount to 85 in every variable.

5.2.2 Gender of perpetrators of human trafficking²¹

From the data provided by the HCCIC and NPPA, 68 perpetrators were identified.²² As shown in Figure 4, the majority (63%) of the perpetrators of human trafficking in Rwanda between 2016 and 2018 were males, while females made up the remaining 37%. The gender of traffickers was found to often reflect the form of trafficking.

Figure 4: Gender of human traffickers, based on data from the HCCIC and NPPA (2016–2018)



Source: 85 VoT files (2016–2018) from the HCCIC and the NPPA.

5.3 Numbers of and trends in human trafficking cases in Rwanda: quantitative

5.3.1 Cases recorded by the DGIE

5.3.1.1 Number of cases recorded in 2017 and 2018

The DGIE recorded 311 cases in 2017 and 2018. As there were 515 human trafficking victims recorded during the same period, this indicates that in certain instances a single case involved more than one victim. The overwhelming majority of cases (87.1%) were dropped, while less than a fifth (12.9%) proceeded to court for trial.

²¹ Due to limited data availability on perpetrators of human trafficking, only their gender could be gleaned.

²² In some cases, a single perpetrator had more than one victim.



Table 3: Number of Human Trafficking cases and outcomes of cases

Variable	Category	N
Number of human trafficking cases		n = 311
	2017	108 (34.7)
	2018	203 (65.3)
Outcomes of cases		n = 311
	Number dropped	271 (87.1)
	Number that proceeded to trial	40 (12.9)

The discrepancy in the number of cases intercepted and those further processed for trial could be explained by two points that were raised during the KII: 1) Traffickers have resorted to the use of phones and social media to lure victims and no longer travel physically to Rwanda. When victims are intercepted, the traffickers are not. Such a case thus does not proceed to trial. 2) The majority of the victims are of foreign origin and when intercepted are sent back home, which leads to insufficient evidence to warrant a trial.

5.3.1.2 Number of cases in 2018 by location

As shown in Figure 5, more than half (114/203, 56.2%) of cases recorded in 2018 were from the Western and Southern Provinces, followed by the Eastern Province (38/203, 18.7%). Kigali City and the Northern Province recorded the lowest numbers of cases (27/203, 13.3% and 24/203, 11.8%, respectively).

Regarding the border posts, the highest number of cases in the Southern Province was recorded at Akanyaru (54/57, 94.7%), while in the Western Province cases were reported at the Ruhwa, Rusizi, and Bugarama posts, all of which border Burundi. In the Eastern Province, the highest numbers of cases were recorded at Nemba and Rusumu.

Figure 5: Human trafficking cases by province, based on data from the DGIE (2018)



Source: DGIE annual report (2018)

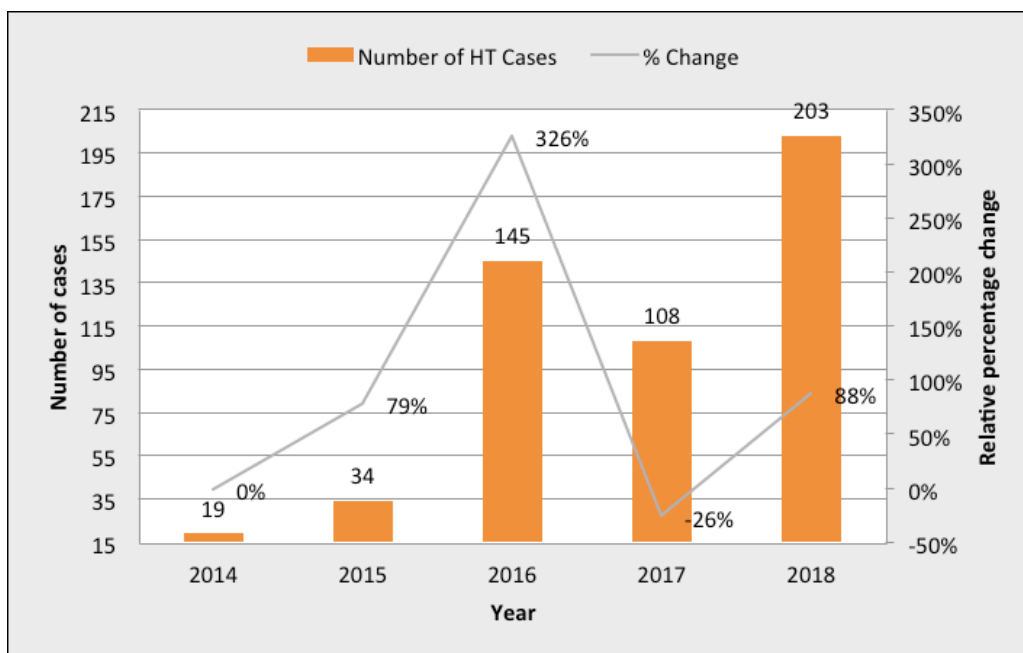


5.3.1.3 Trends in the number of cases for the period of 2014–2018

In total, 19 cases were reported in 2014, increasing to 34 cases in 2015. In 2016, there was a marked increase in the number of cases, reaching 145, and then dropping to 108 in 2017, and increasing again to 203 in 2018, which is the highest number recorded in the five-year period. The relative percentage changes indicate a similar trend (see Figure 6).

The increase in the number of cases over the five-year period can be attributed to increased knowledge of the crime of human trafficking, specifically among first-line responders who are able to identify these types of cases at border posts more effectively. However, of the 108 and 203 cases identified in 2017 and 2018, respectively, only 13 (12%) and 27 (13%), respectively, made it to trial. This indicates a significant discrepancy between the cases identified and those that are prosecuted. The main reason for this, as cited by key informants, are challenges encountered in the evidence gathering process due to the complexity of the human trafficking crime. The main issues raised were: victims refusing to cooperate; human traffickers remaining in destination countries and coordinating with victims via the phone, making it difficult to prove purpose; and limited capacity to accommodate suspected victims, leading to inadequate interrogation periods. The DGIE also expressed frustration with the process, as most of their cases are dropped by the NPPA. The NPPA rebutted by suggesting that cases are dropped due to insufficient evidence.

Figure 6: Trends in human trafficking cases and relative percentage changes, based on data from the DGIE (2014–2018)



Source: DGIE

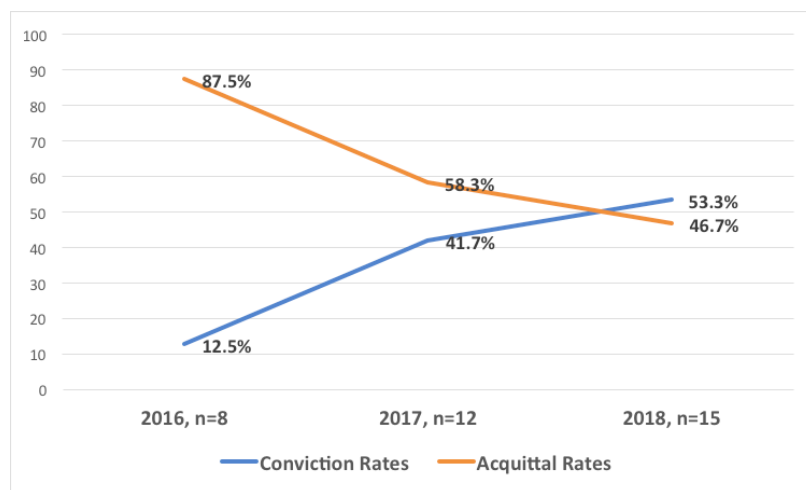


5.3.2 Cases recorded by the HCCIC and NPPA

5.3.2.1 Conviction rates

Figure 7 shows the conviction and acquittal rates for 2016–2018 based on cases that went to trial at the HCCIC.²³ Conviction rates increased significantly from 12.5% in 2016 to 41.7% in 2017 and to 53.3% in 2018, while acquittal rates correspondingly declined. This increase in conviction rates could be attributed to an increased number of awareness-raising campaigns and a higher level of training among key stakeholders, which improved their capacity for identification, investigation, and prosecution of human trafficking cases.

Figure 7: Conviction and acquittal rates for cases that went to trial at the HCCIC (2016–2018)



Source: HCCIC

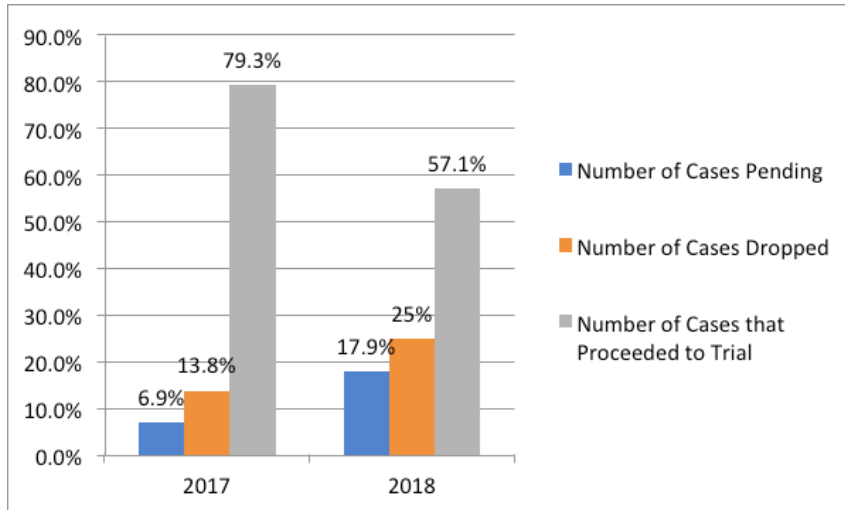
5.3.2.2 Comparison between dropped cases, cases that proceeded to trial, and cases still pending

Figure 8 shows the cases that were either dropped, proceeded to trial, or are still pending (i.e. under further investigation). The available data at the prosecution level indicate that in 2017, 13.8% of cases (4/29) were dropped compared to 25% (14/56) that were dropped in 2018. Conversely the percentage of cases that proceeded to trial declined from 79.3% (23/29) in 2017 to 57.1% (32/56) in 2018. The figure also shows that 6.9% and 17.9% of the total cases in 2017 and 2018, respectively, are still under investigation and hence pending.

²³ The formula to determine the conviction rates is as follows: Conviction rate = (Number of cases convicted / Total number of cases tried in a calendar year) * 100. The formula to determine the acquittal rate is as follows: Acquittal rate = (Number of cases acquitted / Total number of cases tried in a calendar year) * 100.



Figure 8: Comparison of cases dropped, preceded to trial, or still pending, based on data from the NPPA (2017–2018)



Source: NPPA *Note: The research team analysed 29 cases in 2017 and 56 cases in 2018.

5.4 Routes, origins, destinations, modalities, and forms of human trafficking in Rwanda

This section presents an in-depth analysis of the routes, origins, destinations, modalities, and forms of human trafficking in Rwanda.

5.4.1 Routes, origins, and destinations

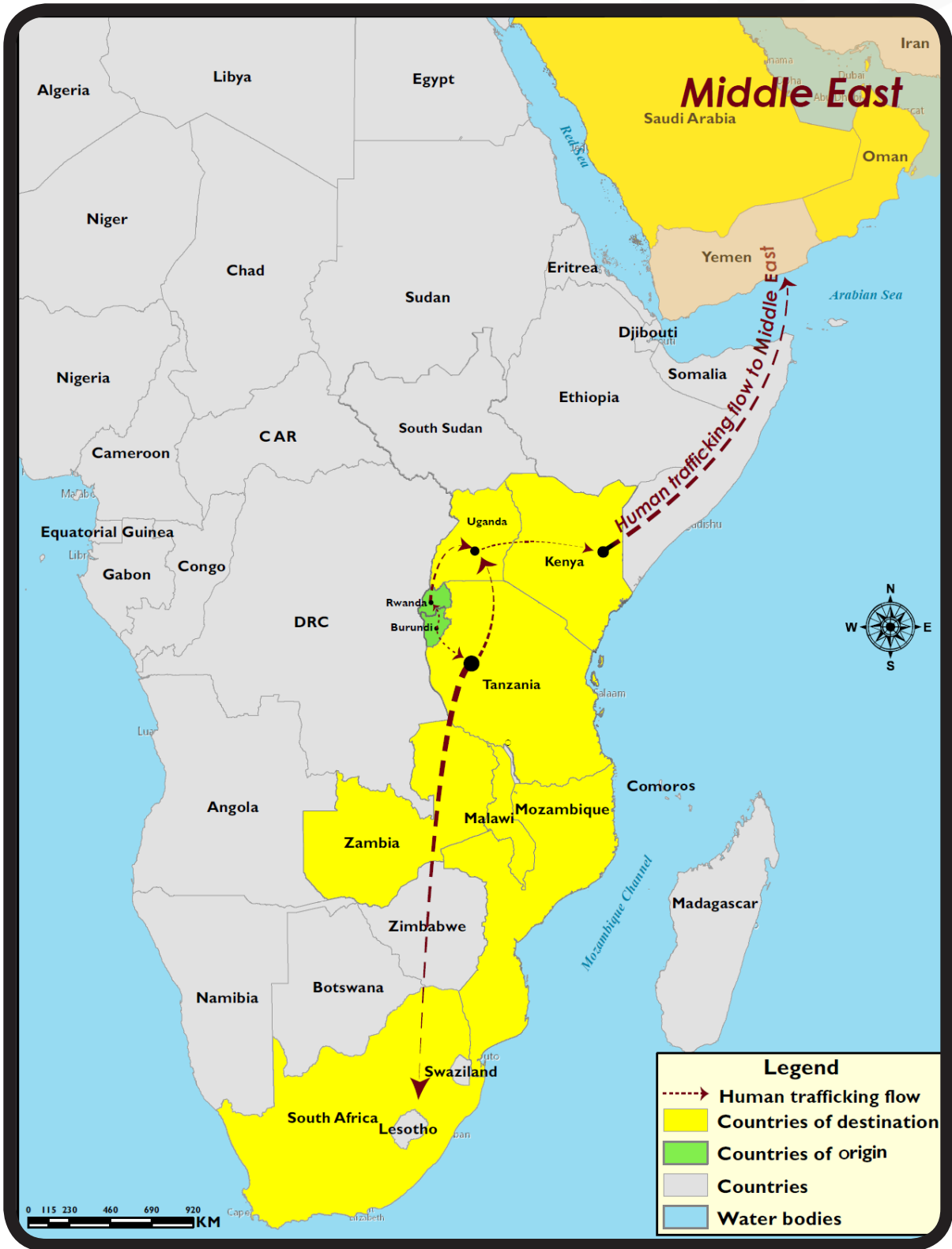
This sub-section focuses on cross-border routes, origins, and destinations, noting factors that facilitate cross-border trafficking. It then discusses internal human trafficking in Rwanda.

5.4.1.1 Cross-border trafficking

Figure 9 illustrates the origins, destinations, and flow of cross-border human trafficking, as according to this research. Consistent with previous studies (USDOL, 2016; USDOS, 2018) and our quantitative analysis of 85 victim cases based on data from the HCCIC and NPPA, informants cited Uganda as the most common destination country for trafficking in East Africa. Research findings also identify Kenya and to a lesser extent Tanzania as destinations. Other African destinations outside of East Africa include Malawi, Mozambique, South Africa, the DRC, and Zambia. Beyond Africa, several Middle Eastern or Arab countries are common destinations for trafficking; Saudi Arabia is chief among them and others include Oman, Qatar, Kuwait, and Dubai. The Asian country Malaysia was also cited as a destination.



Figure 9: Map showing the major transnational human trafficking routes



Source: NAR research team



Burundi, the DRC, Rwanda, and others were identified as countries of origin. Burundi has faced years of political turmoil and unrest, thus creating an influx of Burundian refugees to Rwanda and other countries.

The most common routes cited are through the neighbouring countries of Uganda, Kenya, and Tanzania. Research findings from the KIs point to Rwanda's main ports of entry and exit as Gatuna, Cyanika, and Kagitumba bordering Uganda; Nemba and Akanyaru bordering Burundi; and Rusumo bordering Tanzania. Several ports emerged as being especially prone to human trafficking: Burera and Gicumbi in the Northern Province bordering Uganda, Nyagatare in the Eastern Province bordering Uganda and Tanzania, and Kirehe in the Eastern Province bordering Tanzania and Burundi. The quotes below provide more insight into the flow of human trafficking in Rwanda:

"Some of the few cases we have received here include those that were taken to Arab countries with the recent cases being through Uganda and Kenya." – *Border post manager*

"They usually use Bujumbura, Mutukura, Tanzania, Uganda, with the final destination being Arab countries." – *Border post manager*

"So far, we have had 34 cases of victims who have managed to come back from Oman, Saudi Arabia, Malaysia, Malawi, Kenya, and Dubai." – *Senior law enforcement official*

"The destination countries include Arab countries, including Kuwait, which now hosts four victims of human trafficking." – *Senior law enforcement official*

Rwanda is primarily a transit and to a lesser extent an origin for human trafficking due to its centralised geographical location within the region, which makes it easier for perpetrators to use it as a transit point. Both qualitative and quantitative analyses show that victims are coming mostly from Burundi through Rwanda to other destinations:

"At our border post, we usually don't have cases of people who are trafficked to Burundi; contrary many are stopped when being transited through Rwanda from Burundi." – *Border post manager*

"Usually they come from Burundi and their destinations are Arab countries, Oman and Saudi Arabia through Uganda, Kenya, and sometimes Tanzania." – *Border post manager*

"Our district (Nyagatare) is more of a transit and we have had a few cases in which our young people have been taken to Ntungamo. As a solution we have raised the issue with the local authorities responsible. We asked about the whereabouts of four young people who one day we found missing." – *Local government official*

5.4.1.2 Internal trafficking

Consistent with previous research, this study shows that domestic/internal human trafficking primarily takes the form of rural-urban trafficking, with Kigali the main destination (USDOL, 2016; USDOS, 2018). Traffickers typically lure rural victims with promises of a better life and specifically target young girls and boys, some of whom are aged below 18 years and hence considered as children under the law. The internal human trafficking situation is propagated by limited public awareness and knowledge of human trafficking in general and child trafficking specifically. Additionally, the informal labour sector, which includes domestic work and working in bars, is under-regulated, thus cases of human trafficking often go unnoticed.



KIs also corroborate previous studies showing that a common form of internal trafficking is the movement of girls and boys from rural areas to urban areas, typically to Kigali, to work most often as domestic servants and to a lesser extent in bars (Save the Children 2017; UCW, 2011; UNICEF, 2015; USDOL, 2016). Also consistent with previous research is the finding that children are frequently trafficked to work on tea plantations (Winrock International, 2012). Positively, this situation has been ameliorated since the implementation of the Rwanda Education Alternatives for Children in Tea-Growing Areas (REACH-T) project, which reports a reduction of child labour from 52% at intake (46% in hazardous child labour), to 4% after two years of implementation from 2015 to 2017 (Winrock International, 2017).

The findings also show that harsh conditions in Rwanda's refugee camps predisposes t refugees for human trafficking to Kigali or towns within neighbouring districts. Although no human trafficking have been officially recorded, informants reported instances that could potential qualify as human trafficking in accordance with the law. Consistent with a USDOL (2016) report, informants noted that most potential victims from refugee camps are young girls trafficked to work in Kigali and other centres as domestic workers, although some are forced to provide labour in bars or engage in sexual exploitation. Most of the suspected refugee victims come from Burundi and the DRC, which is consistent with a USDOS (2018) report noting the vulnerability of refugees from Burundi and the DRC who are fleeing conflict. The below quotes illustrate the situation regarding internal trafficking in Rwanda:

"There is internal human trafficking and it is usually manifested in domestic work, and usually when we approach the employers, they often highlight that they have a familial relationship with the child. Later we find that she/he was trafficked." – CSO representative

"After attending the IOM training on human trafficking and learning its definition, it is evident to me that human trafficking does exist here in the camp. I can take a case in which a young person is taken to work in Kigali and the payment is made to parents without the consent of the individual. There are many such cases in which young people, including children, are working and payment is made to their parents." – Assistant refugee camp manager

"My sister-in-law was sent from our village in Kibuye to Kigali for work. She was taken to Sonatube, in a slum area in Kigali, and we had to go take her out by force." – CSO representative

"In just this year [2018], we lost 26 students and most of these are being taken to work in the tea plantations or do domestic work in Kigali." – Head teacher at a school near a refugee camp

"Another form of human trafficking exhibited by refugees is that in which a young girl is taken to work in Kigali and after something like three months you hear them call begging to be helped in returning home." – Refugee

"Sometimes people outside the camp call and request to be given a young girl whom they can take to Kigali for work." – Refugee representative

"Also among them we have children of 16 years or 17 years being taken to Kigali to do mostly domestic work." – Refugee camp manager

"We have seen cases of domestic human trafficking in which five girls (minors) were taken to bars to work as dancers in Nyamagabe and this was done by a fellow refugee." – UN agency official



5.4.2 Modalities and strategies used by traffickers

This section provides an assessment of the modalities and strategies used by traffickers to lure their victims.

Traffickers usually use buses to transport their victims across borders, as according to informants:

“The most prevalent mode of transport are buses and countries mostly associated with human trafficking are Uganda, Kenya, Tanzania, South Africa, Mozambique, Malawi, and Zambia, which are mainly transit countries.” – Senior law enforcement official

The Northern Corridor Transit and Transport Agreement²⁴ facilitates people to use their national identification to cross borders. As passports are not required to cross borders thanks to this Agreement, this makes it easier for traffickers to transport victims out of Rwanda.

Traffickers employ several strategies to recruit and control their victims. The strategies depend on the circumstances of the victims and their relationship with the perpetrators. Traffickers take time to study prospective victims in order to identify their areas of vulnerability and use them to their advantage, as the following quotes exemplify:

“[The strategy] depends on who [the victims are], where they are coming from, [and] how much knowledge they have. Senior Law Enforcement Officer”

“[The traffickers] change strategies depending on the status of the victim. Traffickers rarely abduct victims or recruit them by force. In some cases of abductions, it was mainly child victims of TIP that were involved.” – Senior justice officer at the Supreme Court

Case reports reveal that recruiters usually know their victims or introduce themselves to victims, either in person, via social media, or by email. Traffickers cultivate a relationship with victims to gain their trust and then move to promising victims a better life through migration, employment, or further education; some traffickers lure victims by promising marriage or some form of relationship once they have reached their intended destinations. Victims report going with traffickers willingly, and, upon reaching the destination, discovering that they had been deceived.

Traffickers also use deception to persuade children's parents and guardians to release their children, as in the Nyagatare case of Habimana Jean Bosco. This alleged trafficker convinced the victim's mother that he was taking her daughter to Uganda where there are better opportunities for her. However, the child went incommunicado once in Uganda. Pressed by police to bring her back, the alleged trafficker brought the child back home and got his indictment removed.²⁵

²⁴ The Northern Corridor Transit and Transport Agreement (NCTTA) is a multilateral treaty to facilitate transit cargo between the Kenyan Port of Mombasa and the hinterland of Member States namely Burundi, Democratic Republic of Congo, Rwanda, Uganda and South Sudan. The NCTTA provides a mechanism for facilitating transit trade to the landlocked countries through the port of Mombasa. Prior to the treaty, transit trade operated on the basis of bilateral agreements, which did not offer a coherent framework for standardized services and transit trade procedures across the different Member State territories. Article 4 (h) of the Agreement provides for smooth and rapid movement of persons and goods between their territories and in transit, through the simplification and harmonization of documentation and procedures relevant to the movement of persons and goods between their territories and in transit through their territories. Article 5 provides for free movement and the right to transit

²⁵ This was one of the cases reviewed for this study from the HCCIC and NPPA data.



Analysis of case records and KIs reveal that traffickers employ a wide range of strategies to isolate and control their victims, such as locking VoTs in a house, depriving them of money, and restricting their ability to communicate. In more extreme cases, traffickers use drugs or violence to control victims, or they threaten them or their families with harm. Debt bondage involving large sums of money is another control strategy, particularly used on victims of transnational trafficking, as is retaining the victim's identity and travel documents. Some traffickers appear to have gone as far as to forcibly impregnate female victims, using their children to control them, or even threatening to remove victims' reproductive organs.²⁶

5.4.3 Forms of human trafficking

Qualitative data offer the most insight into the forms of human trafficking in Rwanda. The most common types of trafficking identified are labour trafficking and sex trafficking, however, forced recruitment into armed groups was also reported. Interviews with VoTs revealed that youth are lured to south African countries such as Malawi and Mozambique, among others, under the guise of offering them attractive employment. When they arrive, however, they are diverted and forced to join armed groups fighting against the Rwandan government in the DRC.

Research findings also provide examples of parents or relatives who receive money in exchange for their young daughters who are then forced to become domestic workers or sex slaves; this scenario occurs especially in refugee camps. Victims of sex trafficking are mostly young vulnerable girls. Often victims start off working as domestic workers, but then their employers gradually force them into prostitution. This is especially true for girls who are lured to work for FSWs. Notably, numerous studies have documented sex trafficking and sexual exploitation in Congolese camps (Bertani & Morisio, 2013; Iyakaremye & Mukagatire, 2016; Prickett et al., 2013; USDOS, 2018), but this research's findings highlight the pronounced vulnerability of Burundian girls living in Rwandan refugee camps. Those most vulnerable to labour trafficking are aged below 25, with girls typically working as domestic workers or in bars or restaurants, and boys mostly working in plantations or mines:

"In Rwanda, those who are involved in human trafficking do so by exploiting young girls for prostitution and others for sexual exploitation." – **Civil society member**

"We usually see a lot of human trafficking in sex worker activities and as the leader of the association of sex workers with 30 members, I can tell you that, most of the young girls who have ended up in prostitution started when they were taken from their families in the villages and offered jobs for housekeeping. And after they grow up and men show interest in the girls, their bosses (mostly female) start selling them to those men, and later when they get used to sexual intercourse, they go out to start prostitution." – **President of the association of sex workers**

"We usually see human trafficking with the end objectives of sexual exploitation and cheap labour. But generally domestic human trafficking is most common, in which young girls are taken to Kigali to do domestic work." – **Official working for a NGO in a refugee camp**

"The most expressed form of human trafficking in Rwanda involves the use of young people for cheap labour, and driving factors are the use of drugs among young people and the high level of unemployment among youth; this makes them easily manipulated by those involved in human trafficking who give them empty promises about getting jobs abroad." – **Local government official, vice-mayor**

²⁶ KI with a protected interviewee, Gasabo



*“An example is a case that happened to my friend who was taken to Nairobi to become a bar attendant and when she arrived there, men got interested in her, so her boss commanded her to serve the interests of her customers or risk being fired. She accepted and till now she has become a prostitute.” – **President of the association of FSWs***

*“Children are working and payment is made to their parents.” – **Refugee camp manager***

The preceding quotes also highlight the root causes and driving factors contributing to human trafficking in Rwanda. They identify poverty, unemployment, and drug abuse as the root causes, and a demand for cheap labour as a driving factor. These factors are discussed further in the next sub-section.

5.5 Root causes, and driving and facilitating factors

This section provides a more comprehensive analysis of the root causes and the factors that drive and facilitate human trafficking in Rwanda, many of which are consistent with previous research.

5.5.1 Root causes

This research corroborates findings of a UNICEF (2002) report that highlights poverty, unemployment, and a lack of income-generating opportunities as key factors inducing human trafficking in Rwanda, especially among youth. Poverty exacerbates vulnerability, especially among young people who are targeted by traffickers as they search for a better life or means to survive. Poverty also compels parents to trade with traffickers, that is, parents receive money from traffickers in exchange for their children, a finding consistent with Fong's research (2004). In addition, the lack of opportunities for employment and income generation internally contribute to the impression that travelling outside the country will open up employment opportunities. Consistent with a report by the USDOS (2018), this research shows that regional conflicts and political challenges, particularly in Burundi and the DRC, heighten the risk for becoming a VoT within Rwandan refugee camps where traffickers are likely to find a concentration of orphans and other vulnerable youth:

*“Poverty is highlighted as the main cause for human trafficking. When someone is poor, and they want to have a domestic worker, they tend to facilitate exploitation because they cannot afford to pay the domestic worker.” – **CSO representative***

*“The driving factors are hard to tell but the surrounding conditions in their respective families [play a part]. Sometimes because young girls want a kind of ‘comfortable’ life, when they hear about job offers, schools, and due to poverty they tend to go without knowing what they’ll be engaged in.” – **Senior government official***

*“We witnessed an increased rate of unemployment among youth and they’re easily solicited by other people who promise them jobs in bars and elsewhere, which is mostly associated with human trafficking.” – **Senior government official***

*“The lack of livelihood activities in the refugee camp makes refugees resort to negative coping mechanisms due to limited opportunities for income-generating activities in and around the camp. So this makes the environment conducive for human traffickers to provide for such services. This is because we cannot provide them with all the necessary materials, especially girls who complain that they cannot raise money for their sanitary pads among other necessities.” – **UN agency official***



*“The main causes for the crime are poverty, ignorance, illiteracy, and mainly victims are recruited by friends and neighbours who promise jobs.” – **Senior law enforcement official***

*“They sometimes also tell us that it's poverty that made them go outside the country. Others have a perception that life outside is great.” – **Local government official, vice-mayor***

*“One of the risk factors is poverty and living conditions among the refugee community, but it is also sometimes caused by a loss of hope which resulted from increased conflicts in their motherland.” – **Refugee***

Findings from KIs also indicate that it is not just an escape from poverty but also the lure of an easier life elsewhere that entices youth to relocate, thus putting them at risk for deceptive opportunities, publicised through social media or shared through peers. This finding is consistent with research conducted by Cho (2012). The quotes below reflect this observation:

*“The driving factors are normally the high desire for a simple life. Young people want to get things without working. A long time ago, we used to get satisfied with what our parents gave us, but young people nowadays have a greed for materialistic things. They want to get things without any sweat. If someone promises you an airplane, they think it's possible and they don't reflect how many people have an airplane.” – **Local government official, vice-mayor***

*“Peer pressure especially among young people, high desires for luxury life, and carelessness among community members.” – **Local government official, vice- mayor***

5.5.2 Driving factors

Corroborating earlier research (IOM, 2008a), this study found that poverty and unemployment reinforce driving factors, such as the demand for cheap and docile labour. Specific areas of labour more prone to trafficking in Rwanda, particularly among youth, include agriculture (especially tea plantations), construction, and domestic sectors (USDOS, 2018; Winrock International, 2012). Another identified driving factor is the demand in the commercial sex industry in Uganda, Kenya, Mozambique, Zambia, and the Middle East, which has also been described in previous research (Kasirye, 2007; USDOS, 2018). This sexual exploitation can also take the form of forced marriages and using victims as sex slaves. The below quote highlights a driving factor pertaining to human trafficking in Rwanda:

“The high demand for domestic workers has facilitated the increase in human trafficking.” – Senior law enforcement official

5.5.3 Facilitating factors

In the case of cross-border trafficking, factors enabling human trafficking in this region relate to deficits in the legislative, administrative, and institutional systems in neighbouring countries such as Burundi, the DRC, and Uganda. Internal shortcomings hamper coordinated regional efforts to prevent or investigate cases of human trafficking. Examples include insufficient anti-TIP legislation or shortcomings in its implementation, a lack of capacity among front-line enforcement officials to identify and investigate TIP cases, corruption of some officers who ignore fraudulent documents, and loopholes in national identification systems.



Some government officials and managers of border posts cite porous borders between neighbouring countries as another factor facilitating human trafficking.²⁷ Large tracts of unpatrolled areas along borders allow traffickers to engage in trafficking. In addition, weak systems for surveillance and security (e.g. lack of cameras and biometric data) at border posts enable traffickers to transport victims across borders. In this regard, Rwanda has made improvements, installing mechanisms to detect traffickers and other criminals at ports of entry. The following quotes illustrate the situation in this regard:

“We noticed that there are also porous borders in which people pass easily and this can be associated with an increase in human trafficking.” – Senior government official

“Our borders are also open and movement has been eased, and these factors are also increasing, which also calls for increased preventive measures.” – Senior government official

“The proximity of the Gatuna border to Kigali has resulted in the border post having multiple cases compared to the border of Kagitumba.” – Border post manager

Informants attributed the limited engagement across countries in tackling human trafficking, in part, to a lack of knowledge and dialogue on prevention and identification mechanisms. This finding points to a need to strengthen systems within and across the border countries:

“Lack of knowledge by some countries of the facts on human trafficking, and this makes them engage less.” – Senior law enforcement official

Findings from KIs also point to developments in information and communication technology (ICT). Most notably, greater access to and use of the internet, especially social media platforms, open up spaces for traffickers to connect with and recruit victims. Young people, particularly girls, are most likely to fall prey to fake recruitment agencies and organisations, as it becomes increasingly difficult to verify genuine online recruitment agencies and employment opportunities:

“Social media is also making this crime increase because the openness has increased solicitation of young people by lying to them about getting a better life outside the country and this is sometimes amplified by success stories from those who have managed to go there.” – Senior law enforcement official

“Mostly young people are more vulnerable, and particularly girls, mostly due to the opening up of the world due to technology and ICT, which have made borders to become too open. This opening has made us deal with different cultures, people, and issues. In addition, this opening up of the world has made mostly youth imitate what they see online or what their friends are doing.” – UN agency official

“Another risk factor might be the use of phones among children, meaning everybody can access them at any time they want. Also, students have been exposed to social media without proper guidance of its use.” – Headmaster in a school that enrolls refugee students

Research findings also point to a lack of awareness about human trafficking in communities, including in local law enforcement agencies, as a factor facilitating human trafficking in the region. Many service providers suggest that increasing awareness should be accompanied by equipping the public with knowledge for preventing and combatting the crime:

²⁷ Government officials and managers of border posts, Musanze and Rubavu



*“One challenge is that parents also protect or cover up the crime out of ignorance. For example, whenever we ask them, they tend to answer that the missing person went to Kigali to work.” – **Local government official, mayor***

*“We are trying to transform the mindset of local communities. For example, you find that when a goat is missing within the community, the whole village is brought up to search for it, but when a person is missing, there is negligence of the matter.” – **Local government official, vice-mayor***

Results from KIs also suggest that cultural myths, social norms, and religious beliefs play a role in human trafficking, most notably with internal trafficking. The most common example is the tradition of mutual support among extended families, which includes helping to raise and educate relatives' children. This practice, observed mainly in camps and some towns around the camps, leads many parents to send their children to relatives with the hope that their children earn a better living; poverty accentuates this practice. Several CSO representatives noted that some of these children end up in domestic servitude, and in some cases, they do not even attend school. Even worse, some of the children suffer sexual exploitation. Religious beliefs have also been a facilitating factor, especially in relation to people not questioning the words of preachers. The quotes below provide some examples:

*“With the myths surrounding sex among refugees, human trafficking might be very possible. Most refugees have a perception that having sexual intercourse with children heals the infected and this might motivate those with money to easily manipulate parents to give their children for sexual exploitation.” – **NGO official in a refugee camp***

*“Another driving factor is religious beliefs; this can be explained in this form: When you go to church, the pastor proclaims things like visa to their congregation i.e. 'Akira Visa Mw'izina Ry'ayesu', that's loosely translated, 'have a visa in the name of Jesus'. So when something happens that seems to be providing a visa, church followers, mostly young people who don't have jobs, think it's god's answer to their call. Sometimes even these priests do work with human traffickers to facilitate the crime.” – **Head teacher, Kigali***

Belser (2005) argues that, “human smuggling and trafficking have become a world-wide industry, incorporating millions of people annually, and generating an annual turnover of billions of dollars” (in M'Cormack, 2011, p. 1). KIs suggest that even in Rwanda human trafficking is profitable, due to the huge amount of money involved:

*“There is a lot of money in the crime and mostly the recruiting agencies, both in Burundi and Uganda, facilitate the crime.” – **Border post manager***

*“We have had a case recently of an individual who earned 400 USD from trafficking people to outside countries. So you can tell that people have a lot to gain from this crime.” – **Law enforcement official***

Social stigma also perpetuates human trafficking in different forms. Informants noted that refugees are unable to secure legitimate employment because of the stigmatisation they face in host countries as refugees. If they become ensnared in trafficking, the shame that accompanies this experience often leads families to silence the victims. Hence, the crime of TIP frequently goes unreported and the problem persists. These issues underscore the need for community awareness-raising programmes:



“Refugees suffer social stigma. Take a case of a refugee who has recently been refused a job because of his refugee status.” – NGO official working in a refugee camp

“Another challenge is that identification of the crime is difficult because families tend to silence victims or even their families.” – Senior law enforcement official

5.6 Groups vulnerable to TIP in Rwanda

Women and girls were identified as the most vulnerable gender to TIP in Rwanda, accounting for above 90% of the cases reviewed²⁸. Women and children are mainly vulnerable as a result of their low social and economic status, as well as a lack of investment in their empowerment. They are largely subjected to sexual exploitation and forced labour.

Male victims were found to be largely subjected to labour exploitation and forced labour. One informant²⁹ cautioned against dismissing men as potential victims, and highlighted their vulnerability to labour exploitation and forced labour in various sectors. It was further stressed that anyone can be a victim of TIP depending on the demand that the traffickers aim to satisfy.

Informants highlighted the poor, unemployed, and orphaned as the social groups most vulnerable to TIP. However, research findings challenge the stereotype that victims of TIP are exclusively illiterate and poor, as there have been instances where educated people were lured into trafficking by the promise of better jobs and lives.

Many girls exploited in Oman, Saudi Arabia, and Dubai were well educated and some had attended a university-level institution before getting trapped in trafficking, according to one informant. Furthermore, the use of more sophisticated methods of recruiting victims, such as social media and email, suggests that some victims are relatively affluent. The desire for a better life is a driving incentive for them to get lured in and made vulnerable to traffickers.

Other groups that were viewed as vulnerable to TIP include people living with disabilities in urban areas, for forced begging.³⁰ However, vulnerability of all these social groups specifically to TIP requires further investigation combining more quantitative inquiry and qualitative in-depth interviews with these specific communities.

5.7 Impact and effects of human trafficking

Findings evince that victims suffer all the negative effects of trafficking highlighted previously, including physical, psychological, and social impairments (Impact of human trafficking on victims, 2018; M’Cormack, 2011; UNODC, 2008; USDOS, 2012). Informants observe high levels of PTSD and other psychological issues among victims such as social withdrawal, low self-esteem, and drug abuse. Research results indicate that the effects vary depending on the type of trafficking. Excessive work or use of force can lead to serious health risks, sexually transmitted infections (STIs), and physical disability. Girls who become pregnant as a result of sex trafficking face economic and health problems when they return home, in addition to social ostracism:

²⁸ Data is from the HCCI

²⁹ KII with an IOM employee, Gasabo

³⁰ KII with a regional police commander, Gasabo



*“Mostly, victims of human trafficking are exposed to psychological trauma and sexual abuse that might result in STIs, among others.” – **Local government official, vice-mayor***

*“Disabilities or other diseases that may impact the day-to-day living of a victim.” – **NGO official working in a refugee camp***

*“There is also psychological trauma resulting from the traumatic events that happened to the victim during the acts of human trafficking.” – **NGO official working in a refugee camp***

As result of fear, shame, and guilt, victims tend not to report the crime of trafficking to local authorities. Self-blame manifests as self-condemnation, self-stigmatisation, and social withdrawal, whereby victims do not reach out to friends or family members for support. A failure to cope with bottled-up feelings can lead to other issues, such as aggression or symptoms of trauma:

*“There is an increased sense of guilt and shame among victims of human trafficking due to a feeling of inability generated from the manipulation into the acts that lent them to being trafficked.” – **NGO official working in a refugee camp***

*“Usually the victims of human trafficking experience self-condemnation.” – **NGO official working in a refugee camp***

*“Usually victims who return have fear, shame, and guilt, which makes them shy away from authorities.” – **UN agency official***

5.8 Existing Response Mechanisms and Related Gaps

5.8.1 Analysis of stakeholders’ knowledge about human trafficking and gaps in capacity-building

The need for capacity-building cuts across virtually all issues pertaining to human trafficking. Indeed, the Palermo protocol stipulates capacity-building of relevant state actors, emphasising cooperation with civil society and the importance of a human rights-based and gender-sensitive approach. In this regard, Article 10, paragraph 2 states that:

“States Parties shall provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of the victims, including protecting the victims from the traffickers. The training should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society” (Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, 2000, p. 6).

Informants enumerated a long list of areas for capacity-building that would enable them to implement Rwanda’s new human trafficking law³¹ more effectively. They include: identification, screening, and interview techniques; adequate investigation and intelligence techniques; innovative strategies to combat human trafficking; case building and management; victim assistance; safe referral; foreign language skills; protection strategies for VoTs; the rights of VoTs; effective border management for porous borders; database management; and monitoring and evaluation.

³¹ Law No. 51/2018 of 13/08/2018 relating to the prevention, suppression, and punishment of trafficking in persons and exploitation of others (Rwanda)



Research findings call for developing capacity within the context of a decentralised, standardised referral and case management system. Also emerging from this research is a need to train both state and non-state actors on victim identification, screening, protection, and assistance in accordance with Rwanda's human trafficking law. Informants suggested two strategies for building capacity: 1) in-house professional development by human trafficking experts, and 2) technical assistance for front-line workers to use standard operating procedures, guidelines, and memory aides.

Terms of reference for this study required the research team to gauge the knowledge of various stakeholders, but it is important to note that the research tools used and approved by the TWG and IOM do not measure actual knowledge, but rather perceived knowledge of human trafficking. More specifically, the team designed the research tools to assess informants' awareness of human trafficking, their understanding of the concept, whether or not their knowledge of human trafficking is deep, and their confidence in addressing human trafficking.

Knowledge about the legal definition of human trafficking is substantial among law enforcement officers, especially at border posts, while it was found to be low among healthcare professionals, social workers working with vulnerable populations, local leaders, and some NGOs. Indeed, the legal definition poses a challenge to many informants who are unable to distinguish trafficking from other related offences, such as abduction, prostitution, and illegal smuggling. A number of informants also strongly believe that human trafficking is an exclusively cross-border issue, perceiving that Rwanda is only a transit country. They are unaware of the magnitude and scale of internal trafficking in Rwanda. For example, they do not understand when domestic work turns into forced labour and that domestic servitude amounts to human trafficking.

Knowledge of identifying and screening for human trafficking varies across service providers and is based on their experience with this issue. Front-line immigration officers at some borders, such as in Nemba and Akanyaru, have encountered several potential victims. They appear to have sufficient knowledge of what questions to ask in order to identify and screen potential victims, along with protocols and indicators for this purpose. Other informants, however, lack sufficient knowledge for identifying and screening potential victims. For example, some service providers in refugee camps appear to lack sufficient knowledge relating to identifying potential victims, because they do not comprehensively understand what constitutes human trafficking. The concept of what constitutes domestic human trafficking is not understood and the law on human trafficking is not understood. Human trafficking in the camps is considered to be GBV.

Overall, informants understand different forms of TIP, such as forced labour, forced marriage, and forced commercial sexual exploitation, though many do not realise that forced begging and debt bondage also constitute human trafficking. While many informants understand that trafficking may happen anywhere, including in their own communities, they believe only women are victims without realising that men and children are also at risk.

The majority of informants reported receiving basic training on human trafficking, resulting in an increased awareness of the crime. Although service providers uniformly agree that they have a responsibility to respond to suspected cases of human trafficking, virtually all of them expressed a need for training on assisting victims and making referrals tailored to the specific needs of women, men, and children. Service providers in camps appear to be the least knowledgeable about victim assistance and referrals for support services. Overall, service providers express a need for capacity-building in the following areas: identification guidelines, key indicators of human trafficking cases, screening including screening checklists, criminal prosecution, rehabilitation, integration, and techniques for interviewing victims. Informants additionally recommend a clear impact assessment strategy to measure the outcome of each type of training.



Interest in training varies among service providers. The highest levels of interest were found among practitioners working in camps, followed by front-line immigration officers and psychology counsellors working in Isange One Stop centres. Law enforcement officers express interest in training specific to evidence gathering and innovative identification techniques. Professionals working at border posts, hospitals, schools, and in camps find future capacity strengthening especially relevant. Given the limited resources, informants generally argue that training should target workers in local areas that have higher numbers of VoTs and services already in place, such as Isange One Stop centres across the country.

5.8.2 Data limitations in combating human trafficking

All key informants working with law enforcement agencies identified a number of challenges relating to the availability, accessibility, and reliability of Rwanda-specific data on TIP. These include: capacity-building for implementing TIP legislation, the need for a centralised data management system for TIP crimes, and the need for more comprehensive data on TIP cases.

Comprehensive TIP legislation is relatively new in Rwanda, and government agencies are in the early stages of developing implementation tools that identify and assist VoTs, such as standard operating procedures and referral mechanisms. At the time of writing, the IOM is still training front-line officers, service providers in camps, and others who work with VoTs to identify and respond to their cases. Informants noted that since many of these workers are still in the capacity-building stage, they may confuse TIP crimes with other crimes such as GBV, irregular migration, abduction, forced marriage, or rape.³²

KIIs also point to the need for a centralised data management system for TIP crimes. One key informant from the Gender Monitoring Office (GMO) recognised this challenge and said that her organisation is currently establishing a centralised information system mechanism on gender indicators, some of which include counter-trafficking activities.³³ At the same time, she suggests the development of a national database, enabling stakeholders to share information on human trafficking, along with training on how to use the database effectively.

A centralised data management system for TIP crimes has the potential to generate research on human trafficking useful for the formulation of policies and programmes. The lack of a centralised system translates into lengthy procedures for securing clearances to access data from various organisations due to the data's sensitivity.

Another challenge is that the RIB and NPPA do not keep disaggregated data on human trafficking victims and/or traffickers; they tend to obtain only basic information from victims without inquiring about circumstances leading up to the crime. Moreover, these front-line professionals spend only a short time with victims who have not yet healed and are often not ready to disclose details about their experience. Two examples of informational gaps include a lack of knowledge on how trafficking is organised around the region and the profit traffickers gain from these criminal activities.

Data limitations also challenge the ability to conduct an accurate trend analysis of conviction rates, which appear to be low but increasing. However, the NAR research team used 85 cases from the HCCIC and NPPA for 2016–2018 to compute the rates. Many of the cases deal with victims and traffickers intercepted at the border without reference to the final destination, and none involved internal trafficking.

³² KII at Kigembe camp, Gicumbi

³³ KII at GMO head office, Gasabo



In general, data limitations in relation to TIP cases directly preclude testing assumptions about the precipitating factors and impacts of human trafficking. Even this study relied on court files and interviews with service providers who work with victims. Nevertheless, these informants drew from their actual work on human trafficking cases, and the research team cross referenced the KIs with a quantitative analysis and a desk review, thus increasing the study's validity. No doubt, first-hand accounts from victims would advance knowledge on human trafficking, but this approach also raises serious ethical concerns. Hence, the research team only interviewed six victims in order to cross check these interviews with the other research findings, while taking extra precautions to protect victims from harm.

5.9 Prevention and response

Preventing trafficking involves improving the social and economic circumstances of individuals and communities most vulnerable to trafficking, thus highlighting the need for a comprehensive legislative and policy framework that addresses risk factors across sectors. For example, combatting GBV and strengthening child protection go a long way in helping to prevent human trafficking.

5.9.1 Public awareness-raising

One powerful way of preventing vulnerable people falling prey to traffickers is through public awareness-raising. Sensitising the public, high-risk communities, and the media to the phenomenon of human trafficking constitutes a common component of prevention. All respondents highlighted the importance of raising awareness to prevent human trafficking. The MIGEPROF, in collaboration with other stakeholders, launched a national campaign against human trafficking within the family promotion monthly campaigns. Similarly, the MINIJUST launched a community work (*umuganda*) campaign against human trafficking. The police also carried out anti-trafficking campaigns in its community, policing interventions and community dialogue. Without providing further details, informants unanimously indicated that various other institutions, such as the DGIE,³⁴ have also undertaken awareness-raising campaigns on human trafficking, although these interventions were not documented in accessible and available reports.

In this sense, awareness-raising programmes can target geographically affected areas, and/or specific audiences such as women, children, and vulnerable parents. Although a number of public awareness-raising initiatives have been conducted for citizens, none (as far as we know) have targeted professionals, except the training carried out by the IOM in camps. This is understandable as increased awareness among professionals, state actors, and the public is a direct function of a reliable national data and information sharing system, which is not yet in place at the time of writing this report. Existing data on the specific characteristics of trafficking within the national context should form the basis of awareness-raising campaigns, and they should also consider the local reality. In turn, awareness-raising campaigns can increase identification of potential victims or actual victims when the public and victims are informed of potential ways of reporting, such as using hotlines.

The research also found a gap in approaches to outreach campaigns pertaining to communities not being consulted on the design of the campaigns, their content, and means of dissemination. Community consultation through leaders, including religious leaders, traditional community leaders, and local leaders such as village chiefs, seems to be an effective strategy for campaigns targeting specific communities.

³⁴ *KI with the DGIE, Kigali, Gasabo*



In fact, informants emphasised the neglect of church leaders in a country where religion plays a prominent role in the lives of families and communities. Religious institutions could serve as a strong moral bulwark against trafficking and a foundation for improving awareness. Another gap identified by respondents is the fact that many initiatives are ad hoc, dispersed, and not embedded in a broad national campaign strategy with clear timelines and a monitoring and evaluation system that is useful for learning lessons and determining best practices.

5.9.2 Effective border management

The effective management of national borders constitutes a critical component of inhibiting human trafficking, as it functions to deter criminals and to identify victims. Many respondents highlighted the need for effective border management. One immigration officer knowledgeable about border management stresses that an effective border management policy comprises four core elements: 1) identity management, 2) border management information systems, 3) integrated border management, and 4) humanitarian border management.³⁵

Rwanda has put in place biometrics technology and patrol control at porous borders to ensure false or fraudulent travel documents are flagged at points of entry. These tools offer the potential to create documents that are difficult to falsify, forge, or alter. However, in spite of these innovative efforts, porous borders offer the possibility for traffickers to use informal border crossings, even though the borders are regularly patrolled. One respondent reported that some local communities offer assistance on how to avoid patrols in exchange for money.³⁶ Another respondent stressed that successful border management requires expanding strategies, such as working more closely with local communities and in closer collaboration with local authorities and border communities, for early identification and intelligence gathering in high-risk communities.³⁷

In neighbouring countries, corruption of immigration officials impedes effective cooperation with Rwandan front-line officials.³⁸ Many informants observe that some of their colleagues received training at the senior central level, while it remains in dire need among operational and front-line officials. Informants working at border posts noted that insufficient resources impede accurate identification of VoTs in need of protection and assistance. They also identified inadequate safe spaces to identify, interview, and properly assist these victims through appropriate referrals. Some respondents believe cross-border cooperation with neighbouring countries is fairly good,³⁹ although in the Southern Province all informants described a lack of cooperation from their counterpart colleagues to detect and identify victims.

5.9.3 Identification as a preventive counter-trafficking strategy

Informants asserted that identification of human trafficking is key to deterrence as self-reporting by victims is extremely rare, often because victims and their families do not comprehend that they are enmeshed in trafficking. Other factors impeding self-reporting include fear of criminal charges by law enforcement officials, stigmatisation from community members, and inadequate information on the rights of VoTs.

³⁵ KII, Rubavu

³⁶ KII, Rubavu

³⁷ KII, Petite barrière (border post), Rubavu

³⁸ KII, Nemba border post, Bugesera

³⁹ KII, Cyanika border post, Musanze



The low level of self-reporting emphasises the importance for all stakeholders to be able to detect human trafficking. Many informants, however, reported challenges in this regard. Interviews with key service providers indicate that many have no guidelines to detect cases of human trafficking and they frequently confuse them with cases of GBV. Currently, no formal procedures exist for detecting VoTs in communities and camps. Service providers cite a need for proactive screening or mechanisms for identifying trafficking when working with refugees. The UNHCR has not yet established formal procedures or guidelines to facilitate the identification of VoTs falling under its mandate, namely asylum seekers and refugees in camps.

Overall, border posts have effective standard operating procedures for screening suspected cases of human trafficking. However, these procedures are not gender-specific and do not include guidance for interviewing and assisting females. Front-line immigration officers also work with proactive screening procedures and, as a result, they have intercepted many traffickers from Burundi in transit. Nevertheless, some of these informants reported frustration when cases are dropped as a result of unsubstantiated evidence.

5.9.4 Protection of and assistance provided to victims

Rwanda's TIT law provides modalities for assisting VoTs in accordance with Article 6 of the Palermo protocol, stipulating that state parties assist VoTs in cooperation with NGOs, other relevant organisations, and other elements of civil society. In response, Rwanda has several mechanisms for protecting and assisting victims. It established a counter-trafficking task force, which has undertaken a number of proactive interventions, in addition to national coordination and referral mechanisms. The government is also beginning to institute victim-centred protocols and standard operating procedures that address the rights and needs of victims. It is also working towards coordination with CSOs, which will play an instrumental role in certain components of victim assistance and protection. For foreign victims, the new law provides legal channels to prevent deportation to a country where they may face retaliation from traffickers and/or their accomplices.

The most notable governmental intervention to assist VoTs has been through the Isange One Stop centres, which are countrywide centres designed to assist victims of GBV.⁴⁰ The Kigali centre has already assisted a number of VoTs, but overall the centres need more development in the area of trafficking. According to one respondent, assistance rarely moves beyond short-term assistance addressing urgent needs. The average time a victim spends in the centre is between three and six days.⁴¹ Another challenge includes a lack of privacy for VoTs due to limited resources and infrastructure; as a result, some victims do not feel safe at the centres. Informants from two centres also pointed to a lack of shelters to accommodate many victims. In addition, the centres focus primarily on the needs of female victims. As already indicated, females and youth comprise a large majority of victims, but this fact contributes to an absence of facilities and shelters for male victims. Male victims may be the minority, but they exist and need services nonetheless.

Debate currently surrounds whether integrating assistance to VoTs into Isange One Stop centres is in the best interest of victims or whether creating a separate site for them is better. A clear consensus exists among front-line officials that trafficking services remain at the Isange One Stop centres in the interest of efficiency and because they already assist victims. However, this debate calls for more research, including collecting systematic data from all stakeholders, in order to assess the two options adequately.

⁴⁰ There are around 44 centres in Rwanda located in different hospitals; they will eventually also address child abuse.

⁴¹ One example of long-term assistance emerged during this research, whereby the government built a house for one pregnant victim who was rejected by her family.



In terms of assistance in camps, many service providers⁴² continue to provide support. However, they lack capacity in dealing with cases of human trafficking in the absence of protocols, procedures, checklists, and effective interviewing techniques. Consequently, they often confuse these cases with those of GBV. They also lack knowledge on how to prevent further trauma and revictimisation in accordance with the principle of ‘first do no harm’.

Many challenges exist in terms of reintegrating VoTs into communities.⁴³ One CSO informant noted that while her organisation provides shelter, counselling, healthcare, and some capacity-building support, scarcity of resources constitutes a serious barrier to fulfilling her mandate. Long-term assistance is generally in short supply. The FVA is the only CSO providing long-term assistance for reintegrating victims into communities and preventing them from being re-trafficked. Haguruka already operates safe shelters for victims of GBV and provides legal aid, and it intends to expand its services to human trafficking cases. Government agencies are currently the key organisations referring victims to these CSOs.

Despite an array of protections and services available to VoTs, scarce resources, limited knowledge on human trafficking among service providers, a lack of proper identification protocols, and challenges associated with the reintegration of victims into society all mean that combating human trafficking has a long way to go. Filling these gaps is critical to ensuring the victim’s physical and psychological integrity.

5.10 Investigations, prosecutions, and convictions

Rwanda has improved the competency of entities within the criminal justice system with respect to the adjudication of human trafficking cases. The Government of Rwanda enacted the 2018 human trafficking law, provided training to increase awareness and knowledge among members of the judicial system, and is in the process of instituting joint sessions between prosecutors and judges. In collaboration with the IOM and UN Women, MINIJUST implemented a needs assessment for training in order to create a more comprehensive capacity-building strategy that takes into account the real needs of judicial officials, police officers, investigators, and prosecutors. Additionally, the NPPA established a focal point for human trafficking as a specialised unit to improve the prosecution of cases. The fact that conviction rates have significantly increased from 2016 to 2018 signals continued progress in this area.⁴⁴

Many informants working in the criminal justice system reported that gathering evidence in cross-border trafficking remains a challenge, in part, due to scarce resources or limited evidence. One NPPA informant cited issues with obtaining adequate testimonies from victims, which can be used as evidence in trafficking cases.⁴⁵

A lack of cooperation mechanisms with neighbouring countries and Middle Eastern countries also presents challenges. For example, Middle Eastern countries require the use of Arabic with all official communication; Middle Eastern counterparts almost never use English as an official language.⁴⁶ Other informants highlighted discrepancies between countries in terms of signing the Palermo protocol, its ratification, and thereafter its domestication in their own national legislation. Hence, cooperation remains very low and slow with countries that have not signed, ratified, or domesticated the Palermo protocol and the UNODC’s model law (UNODC, 2009).

⁴² Examples include Plan International, the American Refugee Committee, and Humanity & Inclusion (formerly Handicap International).

⁴³ KIs with the GMO and National Commission for Children

⁴⁴ Conviction rates increased from 12.5% in 2016 to 53.3% in 2018 (source: HCCIC and NPPA).

⁴⁵ KI with a senior lawyer, Supreme Court, General Inspectorate

⁴⁶ KIs with the RB, Gasabo, Kigali



6. Conclusion and Recommendations

6.1 Conclusion

Responding to a research gap in human trafficking in Rwanda, NAR conducted research on this topic, taking several steps to ensure research validity such as consulting with the IOM and the TWG on Human Trafficking, based at the MINIJUST. In addition, NAR's research team drew from a comprehensive desk review to design and implement qualitative and quantitative research using different sources and the technique of triangulation.

The research found that the primary transit countries for trafficking in East Africa are Uganda, Kenya, and, to a lesser extent, Tanzania. With respect to destination countries for trafficking in East Africa, Uganda ranks first, followed by Kenya and Tanzania. Regional cooperation, resulting in ease of travel across border posts, has the unintended consequence of increasing the flow of human trafficking, thus calling for the establishment of a joint East African regional team to work on the crime of TIP.

Porous borders also contribute to cross-border trafficking. Several ports of entry and exit emerged in the research as being especially prone to human trafficking: Burera and Gicumbi bordering Uganda in the Northern Province, Nyagatare bordering Uganda and Tanzania in the Eastern Province, and Kirehe bordering Tanzania and Burundi in the Eastern Province. In this regard, Rwanda has made improvements, installing mechanisms to detect traffickers and other criminals at ports of entry, but it still has more to do in securing porous borders, especially in the Eastern and Northern Provinces. Cross-border trafficking from Rwanda to Middle Eastern countries remains a daunting problem.

In general, informants recommend adopting a holistic approach in counter-trafficking efforts that also involves civil society and the private sector. Greater collaboration is unlikely to occur without a robust capacity-building mechanism. In addition, this research highlights the need for capacity-building to move beyond those whose work intersects with human trafficking. Findings provide compelling evidence for a comprehensive public awareness-raising campaign that will dispel misconceptions regarding who is at risk of becoming a victim. As already discussed, even though the percentage of victims who are male is low, male victims exist and need to be included in public awareness-raising campaigns. The fact that even educated and employed adults can fall prey to human trafficking highlights the sophistication of strategies traffickers use to recruit potential victims and signal the need for widespread public awareness of trafficking. Public awareness-raising campaigns should also dispel misperceptions regarding perpetrators. Research shows it is women who often trap young girls in domestic servitude, which at times leads to sexual exploitation. Informants agree that deception is the primary strategy traffickers use to recruit potential victims. Greater access to and use of the internet, and especially social media platforms, open up spaces for traffickers to connect with and recruit victims.

Taken together, these findings show that trafficking permeates Rwandan society. Noting that human trafficking has now become a worldwide, multi-billion dollar enterprise, key informants call for Rwanda to move beyond public awareness, and additionally equip the public with useful tools for preventing and combatting this crime. Indeed, the results of this study circle back to H.E. President Paul Kagame's proclamation that stopping human trafficking requires a concerted effort on the part of all Rwandan citizens.



6.2 Recommendations

To the Rwandan government	
Observed gap	Suggested recommendations
Limited knowledge about human trafficking across the board, including among local leaders, teachers, youth, border community, refugees, implementing partners in refugee camps, and the community in general.	<ul style="list-style-type: none"> • Design and implement comprehensive awareness-raising programmes for local leaders, refugee camp managers, secondary school teachers, and community members at large, while putting a special emphasis on the border community. • Develop and translate IEC materials and display them in conspicuous places after trainings, mainly in refugee camps and schools. • Integrate human trafficking into the secondary school curriculum and syllabus. • Conduct community sensitisation programmes for border communities across the country and Kigali City.
Inadequate infrastructure for holding and interviewing VoTs especially from Burundi, which affects evidence gathering.	<ul style="list-style-type: none"> • Put in place sound infrastructure that can ably hold victims and enable better evidence gathering.
Currently, quantitative data related to human trafficking are scarce and hard to find. This is not ideal for evidence-based planning, especially among government agencies.	<ul style="list-style-type: none"> • Set up an office to coordinate human trafficking crimes across Rwanda. • Develop and operationalise a management information system for ease of data management on human trafficking.
Across law enforcement agencies through the levels of identification, investigation, prosecution, and adjudication, there is limited capacity to properly address the crime of human trafficking.	<ul style="list-style-type: none"> • Train law enforcement agencies, including the RIB, RNP, DGIE, NPPA, and the judiciary, in dealing with human trafficking cases. When children VoTs are involved, the best interests of the child should be prioritised.
Currently there is a lower conviction rate for the crime of human trafficking as compared to other crimes. The findings also reveal challenges in evidence gathering as one of the main causes of this. The prosecution claims that in some cases there is limited evidence collected leading to acquittals or dropped cases. The investigators on the other hand suggest that prosecution and judges have limited understanding of human trafficking and release most of the perpetrators.	<ul style="list-style-type: none"> • Institute a joint team comprising of prosecutors and investigators from the DGIE, RIB, and NPPA to work hand in hand during investigations of human trafficking so as to harmonise each other's expectations.



<p>In refugee camps, cases of human trafficking do not make it into the sexual and gender-based violence referral pathway, and even when they do it is as cases of GBV. This was found to be not only specific to the camps, but to spill over to the general public; there was no specific referral pathway for human trafficking found. Cases of human trafficking were referred to Isange One Stop centres where there are no specific protocols for handling them.</p>	<ul style="list-style-type: none"> • Develop a comprehensive referral pathway for human trafficking cases in Rwanda that encompasses refugee camps, transit centres to cater for refugees, and asylum seekers.
<p>Victim reintegration and assistance is another area observed to be inadequate. For instance, there is no specific protocol that guides victim reintegration and assistance upon their arrival from destination countries. In addition, Isange One Stop centres offer mostly short-term rehabilitation (a maximum of seven days), which in most cases is not enough to discuss issues related to infrastructure such as the privacy of victims and building capacity.</p>	<ul style="list-style-type: none"> • Develop and operationalise a comprehensive rehabilitation and reintegration protocol for VoTs focusing on their long-term recovery and follow-up. • Assess the feasibility of integrating the management of VoTs into the existing system of the Isange One Stop Center model. • Train counsellors on the specific needs of managing cases of human trafficking and not generalising them as GBV cases.
<p>In terms of internal or domestic human trafficking, instances of minors working as domestic workers or bartenders were reported; hence girls are being deprived of an opportunity to attend school. In some instances, where minors were working for prostitutes, it was reported that the latter sold the minors to clients for sexual services.</p>	<ul style="list-style-type: none"> • Strengthen labour inspection to curb the employment of underage personnel in conditions that deprive them of the opportunity to study, or that exploit them and expose them to adverse effects.
<p>By its nature, human trafficking is partly a transnational crime. As such, sometimes evidence gathering requires regional efforts. For example, existence of recruitment agencies across the region aimed at finding employment for people in the Middle East was reported as one of the vehicles facilitating human trafficking.</p>	<ul style="list-style-type: none"> • Regionally regulate recruitment agencies and only register those that are genuine. • Advocate for the establishment of a joint East African regional team to work on cases of human trafficking.
<p>Interviews with VoTs revealed that porous borders are used to cross from Rwanda to Uganda and Tanzania along the eastern (Nyagatare and Kirehe) and northern (Cyanika) borders.</p>	<ul style="list-style-type: none"> • Strengthen the management and control of porous borders, especially in the Eastern and Northern Provinces.
<p>In the current anti-trafficking mechanism, there is limited involvement of civil society and the private sector, despite this crime requiring a holistic approach involving all stakeholders. For example, the TWG for Human Trafficking based at the MINIJUST does not include any civil society actors and only comprises government agencies and UN agencies.</p>	<ul style="list-style-type: none"> • Adopt a holistic approach in counter-trafficking efforts that also involves civil society and the private sector.



<p>Idleness and a lack of income-generating activities were reported as facilitating factors for human trafficking in refugee camps. Even the existing NGOs (e.g. Inkomoko) that provide small loans only consider existing functioning businesses. In most cases, youth are not considered because it lacks capital.</p>	<ul style="list-style-type: none">• Put in place schemes that will help youth in camps with vocational training and income-generating activities.
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To the IOM, other UN agencies, and NGOs working on human trafficking

<p>In refugee camps, staff, including implementing partners and refugee leadership, lacks knowledge on domestic human trafficking. Most of the time, they do not consider minors – who were facilitated to leave the camps and go to neighbouring towns and Kigali to work in bars or as domestic workers – as being trafficked.</p>	<ul style="list-style-type: none">• Design and conduct comprehensive training in refugee camps targeting refugee leadership at all levels from the village level up to the refugee president, all implementing partners, and refugee camp management.
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<p>In refugee camps, cases of human trafficking do not make it into the sexual and gender-based violence referral pathway and even when they do it is as cases of GBV. This is not only specific to the camps, but also spills over to the general public; no specific referral pathway for human trafficking was found. Cases of human trafficking are referred to Isange One Stop centres where there is no specific protocol for handling them.</p>	<ul style="list-style-type: none">• In close collaboration with the MINIJUST, develop and operationalise a rehabilitation and reintegration protocol for VoTs focusing on their long-term recovery and follow-up.• Engage and support civil society to participate in human trafficking rehabilitation and reintegration.
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<p>Gaps were revealed on how to deal with human trafficking at the international level, and especially at regional (East Africa) or inter-regional (the Middle East) levels. The gaps are around limited cooperation and incompatible laws on human trafficking.</p>	<ul style="list-style-type: none">• Advocate for close cooperation among nations to combat the scourge of human trafficking.
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List of laws, protocols, and conventions

Constitution of the Republic of Rwanda 2003 (revised in 2015)

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, *approved by General Assembly resolution 317 (IV) of 2 December 1949, entered into force on 25 July 1951, in accordance with Article 24*

Convention on the Rights of the Child, *adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989, entered into force on 2 September 1990, in accordance with Article 49*

Forced Labour Convention, 1930 (No. 29), *Convention concerning forced or compulsory labour, adopted in Geneva at the 14th International Labour Organization session*

International Covenant on Civil and Political Rights, *adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entered into force on 23 March 1976, in accordance with Article 49*

Law No. 54/2011 of 14/12/2011 *relating to the rights and the protection of the child (Rwanda)*

Law No. 51/2018 of 13/08/2018 *relating to the prevention, suppression, and punishment of trafficking in persons and exploitation of others (Rwanda)*

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, *adopted and opened for signature, ratification and accession by General Assembly resolution A/RES/54/263 of 25 May 2000, entered into force on 18 January 2002*

Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, *supplementing the United Nations Convention against Transnational Organized Crime, adopted and opened for signature, ratification and accession by General Assembly resolution 55/25 of 15 November 2000*

United Nations Convention against Transnational Organized Crime, *adopted by the UN General Assembly on 15 November 2000, by resolution 55/25, entered into force on 29 September 2003, in accordance with Article 38*

Worst Forms of Child Labour Convention, 1999 (No. 182), *Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour, entered into force on 19 November 2000, adopted in Geneva at the 87th ILC session (17 June 1999)*



Annexes

Annex 1: Mapping of actors according to specific capacities, gaps, and needs for capacity-building

Identification and investigation level			
Actor	Specific capacities	Gaps	Capacity-building needs
RNP	<ul style="list-style-type: none"> • Availability of human resources in terms of law enforcement officers • Well-established crime surveillance system • Tremendous experience in combating crime • Great collaborative structure at the grassroots level through to community policing 	<ul style="list-style-type: none"> ➤ Skills gap in detecting cases of human trafficking ➤ Control of porous borders is still a challenge ➤ Regional cooperation in combating human trafficking is weak and in some cases non-existent (e.g. Burundi) ➤ Limited knowledge on internal/ domestic human trafficking, especially among low-ranking officers at the identification level 	<ul style="list-style-type: none"> ✓ Establishing a joint regional (East African Community) team to counter TIP ✓ Training on human trafficking ✓ Enhancing border patrol system at porous borders ✓ Continuous joint training exercises with neighbouring countries, especially Uganda and Burundi, to combat TIP ✓ Strengthening proactive victim identification, especially in domestic human trafficking
RIB	<ul style="list-style-type: none"> • Availability of human resources in terms of investigation officers • Existence of experts in criminal investigation • Existence of a specialised department on organised crime • Existing infrastructure that facilitates investigations 	<ul style="list-style-type: none"> ➤ Limited knowledge on internal/ domestic human trafficking, especially among low-ranking officers at the identification level ➤ Skills gap in interviewing and handling victims ➤ Inadequate cooperation among countries to counter trafficking 	<ul style="list-style-type: none"> ✓ Continuous training of staff on human trafficking ✓ Need for specialised training on handling and managing VoTs and human trafficking cases ✓ Need for a regional special investigative unit on crimes of human trafficking ✓ Need for proactive victim identification strategies, especially in domestic human trafficking



DGIE	<ul style="list-style-type: none"> • Availability of human resources with vast experience in border management • Well-established surveillance system and techniques to detect TIP • Existing infrastructure to facilitate crimes identification and investigation 	<ul style="list-style-type: none"> ➤ Limited infrastructure to help with victim handling and management, especially at border posts ➤ Inadequate training for personnel on the topic of human trafficking ➤ Limited cooperation across the region, especially with Burundi ➤ Challenges in evidence gathering for human trafficking cases, especially in destination countries 	<ul style="list-style-type: none"> ✓ Establishing a joint regional (East African Community) team to counter TIP ✓ Extensive training of border control officers on human trafficking ✓ Training refugee camp immigration officers in both domestic and cross-border human trafficking ✓ Need for proactive victim identification strategies
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Prosecution and adjudication level

Actor	Specific capacities	Gaps	Capacity-building needs
NPPA	<ul style="list-style-type: none"> • Availability of human resources to prosecute crimes of human trafficking • Existence of a witness protection mechanism during legal proceedings • Experience in the prosecution of perpetrators of human trafficking before courts of law 	<ul style="list-style-type: none"> ➤ Limited knowledge on the crime of human trafficking, both internally and cross-border, leads to cases being inadequately recorded, resulting in dismissal of cases in court ➤ Lower conviction rate for human trafficking cases as compared to other cases ➤ Inadequate evidence to convict perpetrators ➤ Language barriers involving cross-border trafficking ➤ The witness protection system is not victim-centred ➤ Limited involvement of victims in the investigation and prosecution of traffickers 	<ul style="list-style-type: none"> ✓ Training prosecutors on human trafficking ✓ Establishing a systematic process of victim support and protection that is victim-centred ✓ Specific joint training on human trafficking that includes prosecutors, investigators, and judges ✓ Improving victim involvement in legal proceedings



HCCIC	<ul style="list-style-type: none">• Availability of some well-experienced judges to adjudicate human trafficking crimes• Existence of a new law that is comprehensive enough to prevent and punish the crime of human trafficking	<ul style="list-style-type: none">➤ Some judges have limited dealings with crimes of human trafficking➤ In the old law there was a contradiction between Article 50, which explains human trafficking, and Article 52, which punishes human trafficking➤ Proving purpose (exploitation) is still a challenge, more specifically for victims trafficked from Burundi still in transit➤ Victims themselves sometimes cooperate with defence lawyers to the detriment of prosecution and adjudication	<ul style="list-style-type: none">✓ Extensive training of judges on adjudicating human trafficking crimes is needed✓ Regional cooperation in dealing with cross-border human trafficking is necessary to aid proving purpose as exploitation, as well as establishing more intelligence and information gathering mechanisms across borders
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Annex 2: List of targeted key informants

District	Specific sampled key informants	Number of KIIs
Gasabo	<ul style="list-style-type: none"> Vice-mayor of social affairs (1) Representative of the association of sex workers – Abizeranye (1) Representative of a CSO working on the rights of domestic workers – Congress of Labour and Fraternity in Rwanda (COTRAF) (1) 	3
Kicukiro	<ul style="list-style-type: none"> Vice-mayor of social affairs 	1
Nyarugenge	<ul style="list-style-type: none"> President of six associations of sex workers – Abahujumugambi, translated as 'those with a common aim' (1) CSO representing domestic workers – Conseil National des Organisations Syndicales Libres au Rwanda (National Council of Free Trade Union Organisations in Rwanda, COSYLI) (1) 	2
Gicumbi	<ul style="list-style-type: none"> Border manager of Gatuna border post (1) Gihembe refugee camp staff: <ul style="list-style-type: none"> - Camp manager (1) - Immigration staff member (1) - President (refugee representative) (1) - Refugee representatives (4) Representatives from: <ul style="list-style-type: none"> - Plan International (1) - American Refugee Committee (1) - Humanity & Inclusion (1) - Legal Aid Forum (1) Headmaster of a school outside the camp (1) Discipline master (1) 	14



Nyamagabe	<ul style="list-style-type: none">• Kigeme refugee camp staff:<ul style="list-style-type: none">- Refugee camp manager (1)- President (1)- Refugee representatives (2)- Headmaster of a school within the camp (1)- Head boy (1)• Executive secretary of the sector (1)• Representatives from:<ul style="list-style-type: none">- UNCHR (1)- Plan International (1)- American Refugee Committee (1)- Legal Aid Forum (1)- African Humanitarian Action (1)	12
Karongi	<ul style="list-style-type: none">• Representatives from:<ul style="list-style-type: none">- Plan International (1)- Legal Aid Forum (1)- World Vision (1)- American Refugee Committee (1)• Headmaster of secondary school (1)• Vice-president of the refugee committee (1)	6
Kirehe	<ul style="list-style-type: none">• Executive secretary of Mahama sector (1)• Deputy border manager of Rusumo post (1)• Mahama refugee camp staff:<ul style="list-style-type: none">- Camp manager (1)- President (1)- Female refugee representative (1)• Headmaster at Mahama Secondary School (1)• Representatives from:<ul style="list-style-type: none">- Save the Children (1)- Adventist Development and Relief Agency (ADRA) Rwanda (1)	8



Gatsibo	<ul style="list-style-type: none"> • Refugee camp manager (1) • President of the refugee committee (1) • Representatives from: <ul style="list-style-type: none"> - Inkomoko (1) - UNCHR (1) - Legal Aid Forum (1) - Plan International (1) - American Refugee Committee (1) 	7
Gisagara	<ul style="list-style-type: none"> • Refugee camp manager (1) • President of the refugee committee (1) • Secretary of the refugee committee (1) • Headmaster of secondary school (1) • Representatives from: <ul style="list-style-type: none"> - Plan International (1) - American Refugee Committee (1) - World Vision (1) 	7
Huye	<ul style="list-style-type: none"> • Vice-mayor of social affairs 	1
Musanze	<ul style="list-style-type: none"> • Director of good governance (1) • District police commander (1) • Representative of RIB (1) 	3
Rubavu	<ul style="list-style-type: none"> • Border manager of Poids Lourds border post (1) • Border manager of La Corniche border post (1) • Head of Isange One Stop centre (Rubavu District Hospital) (1) 	3
Nyaruguru	<ul style="list-style-type: none"> • Border manager of Akanyaru post (1) • Border post official (1) 	2
Nyagatare	<ul style="list-style-type: none"> • Mayor (1) • Border manager of Kagitumba border post (1) 	2
Bugesera	<ul style="list-style-type: none"> • Border manager of Nemba border post 	1
Burera	<ul style="list-style-type: none"> • Border manager of Cyanika border post 	1
Total = 16		Total = 73



Sampled institution	Number of KIs
MINIJUST	1
MIGEPROF	1
GMO	1
Supreme Court	1
RIB	1
NPPA	1
DGIE	2
National Commission for Children	1
UNHCR	1
UN Women	1
UNICEF	1
IOM	1
USDOS	1
Haguruka	1
FVA	2
Authentic International School	1
Apade Secondary School	1
HCCIC	2
RNP	5
Total	26
VoTs	6
Total	105

*FSWs were those representing their associations at the district level



Annex 3: Template for data collection

2018 cases											
Nationality	Ubudehe status	Gender		Marital status	Family situation and employment status	Age group	Education level	No. of reported cases	No. of acquitted cases	No. of convicted cases	Total no. of cases
Victim's country of origin = <i>(please provide country of origin and number of victims, e.g. Uganda = 24, Burundi = 20, etc.)</i>	1 = 2 = 3 = 4 =	M	F	Married = Divorced = Separated = Single = Widowed = In union =	Orphan = Employed = Unemployed =	Below 18 = 19-30 = 31 and above =	No school = Primary school = Secondary school = Tertiary education =				
Victim's intended country of destination = <i>(please provide country of destination and number of victims, e.g. Uganda = 24, Burundi = 20, etc.)</i>											
2017 cases											
Nationality	Ubudehe status	Gender		Marital status	Family situation and employment status	Age group	Education level	No. of reported cases	No. of acquitted cases	No. of convicted cases	Total no. of cases
Victim's country of origin = <i>(please provide country of origin and number of victims, e.g. Uganda = 24, Burundi = 20, etc.)</i>	1 = 2 = 3 = 4 =	M	F	Married = Divorced = Separated = Single = Widowed = In union =	Orphan = Employed = Unemployed =	Below 18 = 19-30 = 31 and above =	No school = Primary school = Secondary school = Tertiary education =				
Victim's intended country of destination = <i>(please provide country of destination and number of victims, e.g. Uganda = 24, Burundi = 20, etc.)</i>											
2016 cases											
Nationality	Ubudehe status	Gender		Marital status	Family situation and employment status	Age group	Education level	No. of reported cases	N. of acquitted cases	No. of convicted cases	Total no. of cases
Victim's country of origin = <i>(please provide country of origin and number of victims, e.g. Uganda = 24, Burundi = 20, etc.)</i>	1 = 2 = 3 = 4 =	M	F	Married = Divorced = Separated = Single = Widowed = In union =	Orphans = Employed = Unemployed =	Below 18 = 19-30 = 31 and above =	No school = Primary school = Secondary school = Tertiary education =				
Victim's intended country of destination = <i>(please provide country of destination and number of victims, e.g. Uganda = 24, Burundi = 20, etc.)</i>											



Annex 4: Data collection tools

INTERVIEW GUIDE FOR CSOs

Note to the researcher: *This guide is a tool for the application of semi-structured interviews. The main topics and the highlighted questions should not be investigated explicitly as they are key points that will be sought to respond to the objectives of the research according to the authorisation and willingness of the interviewee.*

Thank you for agreeing to participate in this study on human trafficking in Rwanda conducted by Never Again Rwanda on behalf of the International Organization for Migration (IOM). We are gathering data to assess the situation of human trafficking in Rwanda, for the last three years, in order to determine the magnitude of the phenomenon, its characteristics, and its associated factors. The purpose of the research will be to formulate specific recommendations to strengthen the local and national prevention and response to human trafficking

Please note that all information given in this interview will be kept strictly confidential and is only for the use of the IOM. Information will be used for statistical purposes only.

Do you voluntarily accept to participate? (Yes/No)

We are very grateful to you for giving your time to help us in this study.

Reference information

Date: Day ___ Month ___ Year ___

Name: _____

Organisation's name: _____

Position: _____

Researcher's name: _____

1. What do you know about human trafficking?

- What do you understand about human trafficking?

(In case the respondent does not have enough knowledge about human trafficking, read to him/her the following definition from the Rwandan Penal Code.)

“Acts by which the individual becomes a commodity consisting in recruitment, transfer of a person to another part of the country or to another country by use of deception, threat, force or coercion, position of authority over the person, in most cases for the purpose of harming his/her life or unlawfully exploiting by indecent assault, prostitution, unlawful practices, practices similar to slavery by torturing and subjecting to cruel treatment or domestic servitude because he/she is vulnerable due to troubles with the authorities, being a single pregnant woman, ill, disabled or due to other situation which impairs a normal person to act. It also means the exploitation of people by involving them in forced begging, illegal adoption upon payment, taking indecent pictures, harmful sports, armed conflicts and living together with them as husband and wife for the purpose of torturing them and selling their body organs.”



- Do you know about the legal framework relating to human trafficking (e.g. the Palermo protocol, Penal Code, Rwanda's new law on trafficking (Law 51/2018))?
- What is your role regarding the issue?
- Do you know about specific governmental actions against human trafficking?
- Do you know about alleged or proven cases of human trafficking in Rwanda? If so, how did people get to know about them?
- What are the major common forms of trafficking in Rwanda?
- What are the major factors driving human trafficking in Rwanda?
- Are women/girls and men/boys equally vulnerable to human trafficking? What are the supporting factors?
- Do you know which sector of the population is mainly affected by human trafficking in Rwanda and why (e.g. gender, age, nationality, etc.)?
- Do you have information regarding the routes and places of recruitment for human trafficking?
- Do you think that the crime of human trafficking has risen or reduced in the last three years?
- Are there reasons preventing some victims of trafficking (VoTs) to seek assistance or report themselves to the relevant institutions for assistance? What should be done to address this?

2. What does your institution do regarding the issue of human trafficking?

- What activities does your institution undertake (directly or indirectly) to fight human trafficking (prevention, protection, prosecution, partnership, etc.)?
- Do you have sufficient and trained staff to fight human trafficking?
- Have staff members received training in human trafficking? If yes, what were the main topics covered in the training?
- Does your institution have a specific budget for the fight against human trafficking? If not, where do you obtain the resources for combating human trafficking?
- Why did your institution start working on the issue of human trafficking?
- What are the main advantages and difficulties associated with the institution's work on the issue of human trafficking?

3. Protocol for assisting VoTs

- Have you assisted (directly or indirectly) VoTs? If so, how did you identify/rescue/contact them?
- What forms of human trafficking have you assisted (sexual, labour, etc.)?
- Are there clear guidelines and/or tools to identify VoTs at your institution?
- Do you know if the VoTs were persons in need of international protection?



- Do you have a specific assistance protocol or is it an ad hoc process?
- What process does your institution follow when someone brings to its knowledge a case of human trafficking?
- Do you know institutions that participate in the integral assistance of VoTs in Rwanda and if so, at which stage(s) of the process?

4. Coordination and cooperation with other institutions at the local and national level

- Which other institutions are you associated with to address the issue of human trafficking (governmental, NGOs, national, local, etc.)?
- Besides the aforementioned institutions, do you know about other plans and institutions that work in other areas (such as prevention, victim identification, integral protection of VoTs, prosecution) in Rwanda?
- How is the relationship between the government and CSOs regarding the issue?
- Is your organisation part of a network for related issues?
- Does your organisation cooperate or collaborate with any institution that offers assistance to VoTs?

5. Human trafficking records

- Are there initiatives to gather and analyse data on human trafficking in Rwanda? Do you know if there is a statistical record or other type of record about human trafficking at the national and district level?
- Do you have this kind of information at your institution? Which information do you have?

6. Perception about human trafficking and the state's role regarding the issue

Which of the counter-trafficking measures taken by the state do you consider to be relevant and effective?

Do you consider that the processes of assisting VoTs, preventative actions, protection of VoTs, and prosecution of the crime in Rwanda are efficient?



INTERVIEW GUIDE FOR DISTRICT LEADERS

Note to the researcher: This guide is a tool for the application of semi-structured interviews. The main topics and the highlighted questions should not be investigated explicitly as they are key points that will be sought to respond to the objectives of the research according to the authorisation and willingness of the interviewee.

Thank you for agreeing to participate in this study on trafficking in Rwanda conducted by Never Again Rwanda on behalf of the International Organization for Migration (IOM). We are gathering data to assess the situation of human trafficking in Rwanda, for the last three years, in order to determine the magnitude of the phenomenon, its characteristics, and its associated factors. The purpose of the research will be to formulate specific recommendations to strengthen the local and national prevention and response to human trafficking.

Please note that all information given in this interview will be kept strictly confidential and is only for the use of the IOM. Information will be used for statistical purposes only.

Do you voluntarily accept to participate? (Yes/No)

We are very grateful to you for giving your time to help us in this study.

Reference information

Date: Day ___ Month ___ Year ___

Name: _____

District: _____

Position: _____

Researcher's name: _____

1. What do you know about human trafficking?

- What do you understand about human trafficking?

(In case the respondent does not have enough knowledge about human trafficking, read to him/her the following definition from the Rwandan Penal Code.)

“Acts by which the individual becomes a commodity consisting in recruitment, transfer of a person to another part of the country or to another country by use of deception, threat, force or coercion, position of authority over the person, in most cases for the purpose of harming his/her life or unlawfully exploiting by indecent assault, prostitution, unlawful practices, practices similar to slavery by torturing and subjecting to cruel treatment or domestic servitude because he/she is vulnerable due to troubles with the authorities, being a single pregnant woman, ill, disabled or due to other situation which impairs a normal person to act. It also means the exploitation of people by involving them in forced begging, illegal adoption upon payment, taking indecent pictures, harmful sports, armed conflicts and living together with them as husband and wife for the purpose of torturing them and selling their body organs.”



2. Have you known about cases of human trafficking within your district?

- How have cases of trafficking or presumed trafficking been discovered?
- Do you know if these cases were reported? If yes, to which institutions?
- Why do you consider this a problem in your district?
- In your district, which population do you think is most vulnerable to trafficking?
- What are the major common forms of trafficking in your district?
- What are the major factors driving human trafficking in Rwanda and particularly in your district?
- Are women/girls and men/boys equally vulnerable to human trafficking? What are the supporting factors?
- Do you have information regarding the routes and places of recruitment for human trafficking?

3. What are the physical, moral, and psychological risks to which victims of trafficking (VoTs) are exposed?

4. Where can someone report a case? Who are the competent authorities in this regard?

5. What institutions do you know that offer protection and assistance to VoTs?

6. Do you know if there are any VoTs that returned to the district? How is the reintegration process with their families and other members of the community?

7. Do you know something about the networks or people that are involved in this kind of exploitation? Have you heard about routes and/or destinations of VoTs?

8. What is your district doing regarding this issue?

9. Have you looked for support in district organisations, NGOs, or the state to address this issue?

10. Are any measures being taken by the district to prevent the crime?

11. Are there reasons that prevent some VoTs to seek assistance or report themselves to relevant institutions for assistance? What should be done to address this?



INTERVIEW GUIDE FOR PUBLIC OFFICIALS

Note to the researcher: *This guide is a tool for the application of semi-structured interviews. The main topics and the highlighted questions should not be investigated explicitly as they are key points that will be sought to respond to the objectives of the research according to the authorisation and willingness of the interviewee.*

Thank you for agreeing to participate in this study on trafficking in Rwanda conducted by Never Again Rwanda on behalf of the International Organization for Migration (IOM). We are gathering data to assess the situation of human trafficking in Rwanda, for the last three years, in order to determine the magnitude of the phenomenon, its characteristics, and its associated factors. The purpose of the research will be to formulate specific recommendations to strengthen local and national prevention and response to human trafficking.

Please note that all information given in this interview will be kept strictly confidential and is only for the use of the IOM. Information will be used for statistical purposes only.

Do you voluntarily accept to participate? (Yes/No)

We are very grateful to you for giving your time to help us in this study.

Reference information

Date: Day ___ Month ___ Year ___

Name: _____

District: _____

Position: _____

Researcher's name: _____

1. What do you know about human trafficking?

- What do you understand about human trafficking?

[In case the respondent does not have enough knowledge about human trafficking, read to him/her the following definition from the Rwandan Penal Code.]

“Acts by which the individual becomes a commodity consisting in recruitment, transfer of a person to another part of the country or to another country by use of deception, threat, force or coercion, position of authority over the person, in most cases for the purpose of harming his/her life or unlawfully exploiting by indecent assault, prostitution, unlawful practices, practices similar to slavery by torturing and subjecting to cruel treatment or domestic servitude because he/she is vulnerable due to troubles with the authorities, being a single pregnant woman, ill, disabled or due to other situation which impairs a normal person to act. It also means the exploitation of people by involving them in forced begging, illegal adoption upon payment, taking indecent pictures, harmful sports, armed conflicts and living together with them as husband and wife for the purpose of torturing them and selling their body organs.”



- Do you know about the legal framework relating to human trafficking (e.g. the Palermo protocol, Penal Code, Rwanda's new TIP law, Law 51/2018)?
- What is your role regarding the issue?
- Do you know about specific governmental actions taken against human trafficking?
- Do people know about alleged or proven cases of human trafficking in Rwanda? If so, how did people get to know about them?
- Do you know what types of trafficking prevail in Rwanda?
- Do you know which sector of the population is mainly affected by human trafficking and why (gender, age, nationality, etc.)?
- What are the major factors driving human trafficking in Rwanda?
- Do you have information regarding the routes and places of recruitment for human trafficking?

2. What does your institution do relating to the issue of human trafficking?

- What activities does your institution undertake (directly or indirectly) (e.g. prevention, protection, prosecution, partnership)?
- Do you have sufficient and trained staff?
- Have staff members received training in human trafficking? If yes, what were the main topics covered in the training?
- Do you have a specific budget for fighting human trafficking? If not, where do you obtain the resources for combating human trafficking?
- Why did your institution start working on the issue?
- What are the main advantages and difficulties associated with the institution's work regarding the issue of human trafficking?

3. Victim protection and assistance

- Have you assisted (directly or indirectly) victims of trafficking (VoTs)? If so, how did you identify/rescue/contact the VoTs?
- What forms of human trafficking have you assisted (sexual, labour, etc.)?
- Do you know if the VoTs were persons in need of international protection?
- Does your institution have a specific assistance protocol or is it an ad hoc process?
- Does your institution have clear guidelines and/or tools to identify VoTs?
- Which process does the institution follow when someone brings to its knowledge a case of human trafficking?



- Which institutions participate in the integral assistance of VoTs and at which stage(s) of the process?
- Are there services for victim protection and assistance, including in the categories of:
 - language and translation assistance,
 - legal assistance,
 - medical assistance,
 - psychological assistance (short and long term),
 - material assistance, and
 - temporary shelter?
- Rehabilitation assistance – Are protection and support services for trafficked persons:
 - safe,
 - timely,
 - adequate,
 - accessible,
 - confidential, and
 - consider the needs and concerns of VoTs (including age, gender, and HIV/AIDS status)?
- Are there reasons that prevent some VoTs to seek assistance or report themselves to the relevant institutions for assistance? What should be done to address this?

4. Coordination and cooperation with other institutions at the local, national, and regional level

- Has the government adopted multidisciplinary coordination and cooperation both at the local and national levels to ensure an integrated approach to combat human trafficking?
- Is there cooperation between the government and intergovernmental bodies, NGOs, and civil society actors to combat human trafficking?
- Is there a regional plan of action to combat human trafficking? Does this plan establish a specialised unit for the coordination of efforts to combat human trafficking?

5. Human trafficking records

- Are there initiatives to gather and analyse data on human trafficking? Do you know if there is a statistical record or other type of record about human trafficking at the national and district levels?
- Do you have this kind of information at your institution? What information do you have?



6. Perception about human trafficking and the state's role in this issue

- Which of the counter-trafficking measures taken by the state do you consider relevant and effective?
- Do you consider that the processes of assisting VoTs, prevention actions, protection of VoTs, and prosecution of the crime are efficient?
- Do you consider that the crime of human trafficking has risen or reduced in the last three years? Why?

7. Law enforcement (only for officials of the MINIJUST, RNP, DGIE, NPPA, and the judiciary)

- How does the law define human trafficking?
- Does the law enforcement response take into consideration:
 - victim cooperation,
 - witness protection at all stages of legal proceedings, and
 - cooperation between different agencies?
- Does the law allow VoTs to obtain compensation for damage suffered?
- Do the law and/or administrative practices provide information to victims about the status of criminal and other legal proceedings?
- Is the status of criminal and other legal proceedings considered prior to any repatriation of the victim?
- Is there a special unit/s within existing law enforcement structures with a specific mandate to combat human trafficking?
- Has the government established joint investigation units with any country for the purpose of investigation, prosecution, or judicial proceedings?
- Has the government entered into an extradition agreement with any country for the purpose of surrendering traffickers or offenders of related crimes?
- Is there regular training of police, prosecutors, judges, and customs and immigration officials on human trafficking and investigative techniques?



INTERVIEW GUIDE FOR VICTIMS OF HUMAN TRAFFICKING

Note to the researcher: This guide is a tool for the application of semi-structured interviews. The main topics and the highlighted questions should not be investigated explicitly as they are key points that will be sought to respond to the objectives of the research according to the authorisation and willingness of the interviewee.

Thank you for agreeing to participate in this study on trafficking in Rwanda conducted by Never Again Rwanda on behalf of the International Organization for Migration (IOM). We are gathering data to assess the situation of human trafficking in Rwanda, for the last three years, in order to determine the magnitude of the phenomenon, its characteristics, and its associated factors. The purpose of the research will be to formulate specific recommendations to strengthen the local and national prevention and response to human trafficking.

Please note that all information given in this interview will be kept strictly confidential and is only for the use of the IOM. Information will be used for statistical purposes only.

Do you voluntarily accept to participate? (Yes/No)

We are very grateful to you for giving your time to help us in this study.

CONFIDENTIALITY

The research team endeavours to keep absolute reservation on the data, names, or references to the person interviewed, and agrees to the use of that information under the terms and conditions which the interviewee considers pertinent, and only directed to fulfil the objectives of this investigation.

Name: _____ Signature: _____

Reference information

Date: Day____ Month____ Year____

Name: _____

Age in years: _____

Gender: _____

Birthplace country: _____ Province: _____

District: _____

1. Vulnerability factors

- Education level
- Family context
- Employment status



2. Human trafficking situation

- Recruitment
 - How did the trafficker(s) approach/deceive/persuade you?
 - Who recruited you?
- Deprivation of liberty
 - Was there coercion (in order for the person to accept and not report/not escape)? What was it?
- Transfer
 - How were you transferred?
 - Routes and means of transportation
 - Who transferred you?
- Exploitation
 - Which activities were you forced to do?
 - In which place or places?
 - Were you paid?
 - What was your schedule/work planned?
 - Did you meet other VoTs?
 - Who were the exploiters?
 - Did you know other networks or people that exploited others the same way you were exploited?

3. Reporting/rescue

- Did you report your situation?
 - How did you become free? Did you escape or were you released?
 - Which authority released you (if applicable)?
 - Which authority did you approach? Why (if applicable)?
 - Do you think the authorities acted efficiently in your case?
 - Investigation
 - Prosecutions
 - What institutions participated in your case? At which stages?
 - Do you feel protected by the authorities?
 - What should be strengthened regarding the protection of victims of trafficking (VoTs)?
 - Are there reasons that prevented you to seek assistance or report yourself to the relevant institutions for assistance?



4. Current work and family situation

- Are you currently working?
- What is your job?
- Who do you work with?
- Do you currently live with members of your family? Or do you communicate frequently with your family?
- What is your current family socio-economic situation?

5. What do you think should be done to improve the prevention of human trafficking and offer assistance to VoTs?

INFORMED CONSENT

Has the researcher provided you with information about the research project and the voluntariness of the interview for you to decide if you want to contribute and in what way? (Yes/No)

Have you been notified that the information will be used in an anonymous and aggregated way? (Yes/No)

If the informant is a child or adolescent, was the consent of his/her parents or legal guardians obtained? (Yes/No)

Declaration of the interviewee:

I, _____, confirm that the research project has been clearly explained to me and I agree to be part of it.

Signature: _____ Date: _____

Declaration of the researcher:

I _____, confirm that I have carefully explained the nature and requirements of the research project to the person I am going to interview.

Signature: _____ Date: _____



Annex 5: Recommendation letter

REPUBLIC OF RWANDA



MINISTRY OF JUSTICE
B.P. 160 KIGALI

Kigali, 27 JUL 2018
N° 23202/08.25 /IJ/IJCD

TO WHOM IT MAY CONCERN

The Ministry of Justice has signed a MoU with the International Organization of Migration (IOM) on the implementation of the project related to improving knowledge, enforcement and coordination in Counter-human trafficking.

It is in this regard that the Ministry of Justice recommends “Never Again Rwanda”, a peacebuilding and social justice Non-Governmental Organization that has been contracted by the International Organization of Migration (IOM), to carry out a study on the situation of human trafficking in Rwanda in order to determine the magnitude of the phenomenon.

This research will contribute to strengthening the approach of the Government of Rwanda and Civil Society Organization in the country in improving counter-trafficking measures.

Any assistance to Never Again Rwanda relating to this research will be highly appreciated.



BUSINGYE Johnston
Minister of Justice/Attorney General



Annex 6: Research visa

REPUBLIC OF RWANDA



**NATIONAL INSTITUTE OF
STATISTICS OF RWANDA**
P.O. Box 6139 Kigali
Tel: +250-571035 Fax: +250-570705
E-mail : info@statistics.gov.rw

Kigali, **02 AUG 2018**

N° **0424** /2018/10/NISR

Dr. Joseph Ryarasa Nkurunziza
Executive Director
Never Again Rwanda
KIGALI

Dear Sir,

RE: VISA Approval

Reference is made to your letter dated June 8th, 2018 requesting authorization to conduct a study on "*Human Trafficking in Rwanda.*"

After examining your request and according to the law N° 45/2013 of 16/06/2013, stating on statistical activities organization in Rwanda, we have the pleasure to inform you that the Visa is granted. Therefore, the findings should not be considered as official statistics as it is a pure qualitative study. However, the NISR would also encourage you to work closely with the Ministry of Justice (MINIJUST) for contextual support.

Thank you for your collaboration.

Yusuf MURANGWA
Director General



CC: - Ministry of Justice

Website : <http://www.statistics.gov.rw>



**END HUMAN
TRAFFICKING:**

No one is
Free until we
are all **Free**



- Rwanda -



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