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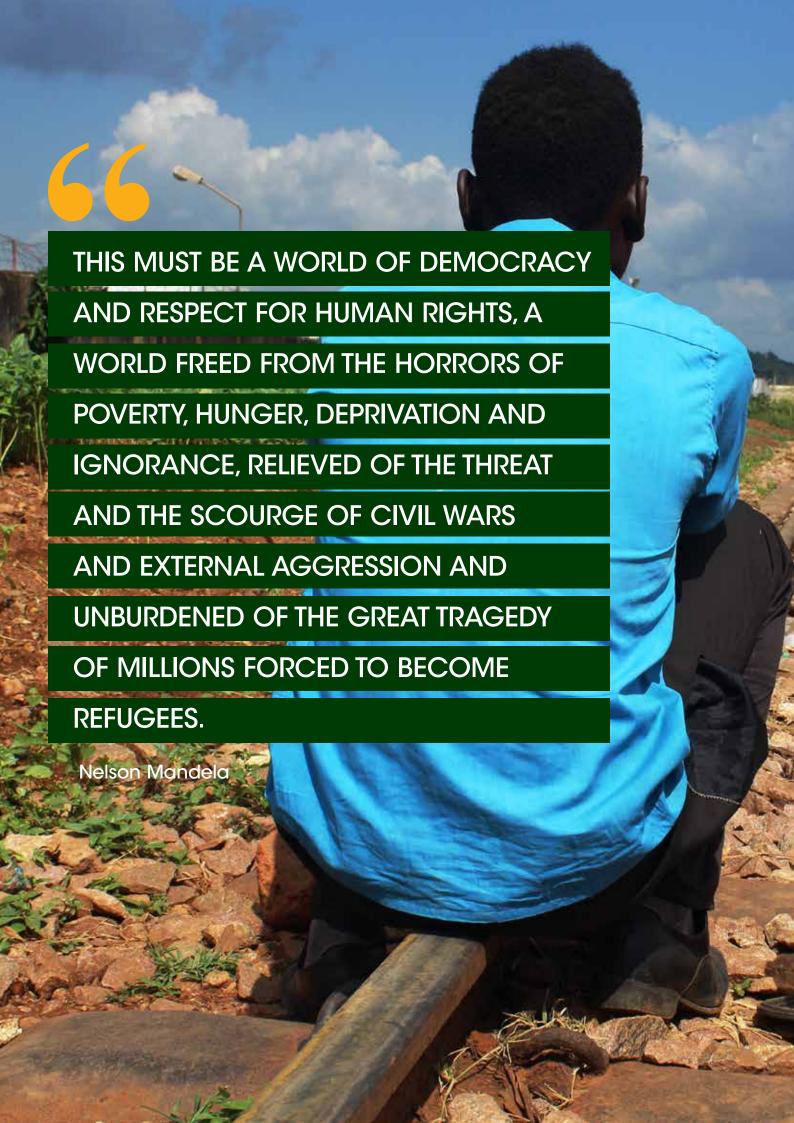
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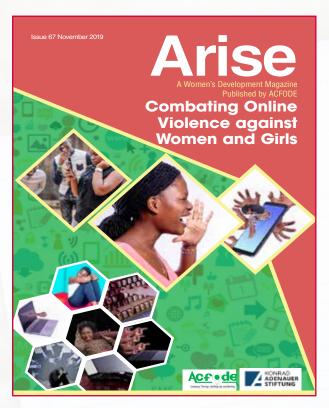


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LETTERS TO THE EDITOR





Dear Arise magazine editor,
I would like to express my sincere appreciation
for the edition on combating Online Violence
against Women and Girls. I found this edition very
interesting as the articles brought out what we are
going through with the increasing use of internet. I
learnt a lot in terms of how to protect myself from
such violence while online.

Agatha Twomu. MUK student

ello Arise team,
My name is Anita. I thank you for the edition On
Online Violence against Women and Girls. I have gone
through such experience from someone I trusted. He
destroyed my ego and self-esteem when he leaked
my nudes to his friends. I was never the same.
However, after reading this information, I am back to
my own self. I will not allow another person to take
advantage of me like before.

Dear editor,
Your edition on Online Violence against Women and Girls touched me. I am a father of four girls and imagining the violence they go through while online just breaks my heart. And yet at the same time I cannot stop them from using the internet. I made sure that they read this magazine to learn how to protect themselves from such violations. The theme

was very useful and timely in this era where internet

Pastor John Kulumba

is a necessary evil.

■ ello Arise editor,

Thank you so much for the edition on Combating Online Violence against Women and Girls. I happened to visit an office where I found the magazine on their reception waiting table. The articles were empowering to the girls and women to avoid being abused and violated via internet. Most girls take internet for granted and therefore don't mind what they post only to get shocked by people who take advantage of this naivety. As an IT expert, I found the advice very useful to internet users and how I wish every girl and woman would access it.

Xavier

FROM THE EDITOR



Beatrice Nyangoma (beatricenyangoma@gmail.com) Editor In Chief

Dear Reader,

Welcome to the 68th Edition of the Arise Magazine. I would like to congratulate you upon going through the COVID-19 pandemic successfully; we give the Glory to the Almighty Lord. We know that many of our brothers and sisters got stuck in foreign countries while others lost their lives due to this health emergency.

As the Arise Magazine team, we would like to acknowledge the fact that working from home has been a challenge just like it has been for everyone else.

In the wake of unemployment, the youth, especially women, have crossed over seas to find better employment opportunities being linked by labor export companies. However, most of them have been disappointed by the employers with some returning home without a single penny, others sexually harassed and others have failed to return home due to various reasons including the COVID -19 pandemic.

For those who have been abroad and have achieved something; how did they do it and what lessons can we learn from them?

It is against this background that this Arise Magazine edition focuses on unemployment, labor export companies and human trafficking.

We tell you how the trade is made, what labor export companies are saying and what our Members of Parliament are planning to do in a bid to improve the trade to reduce unemployment and have Ugandans protected while in the different countries of destination.

Despite the current circumstances related to the lock down and its aftermath, we hope for the best.

Enjoy the read.



n 2000, the United Nations General Assembly (UNGA) adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, also referred to as the Palermo Protocol or Trafficking Protocol. The Palermo Protocol, which is a protocol to the UN Convention against Transnational Organised Crime (UNCTOC), defines trafficking in human beings in article 3 (a) as:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other terms 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.



Composition of trafficking in human beings

According to the Palermo Protocol, trafficking in human beings has three constituent elements, being 'the act' (what is done), 'the means' (how it is done) and 'the purpose' (why it is done). Only a combination of these elements constitutes the crime of trafficking in human beings.

The act (What is done)

Recruitment, transportation, transfer, harbouring or receipt of persons. Contrary to a common misconception, people don't necessarily have to be transported across borders for trafficking to take place.

The means (How it is done)

Threat or the use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in

control of the victim.

The purpose (Why it is done)

Exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labour, slavery or similar practices and the removal of organs.

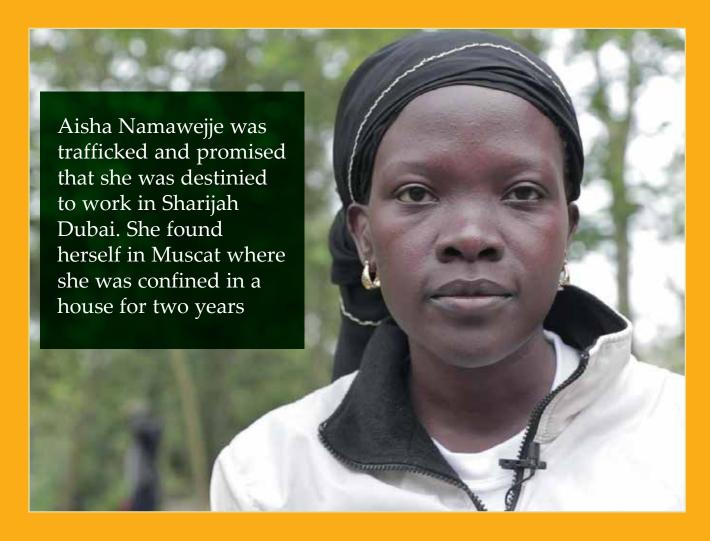
Indicators of trafficking in human beings

The whole process of trafficking in human beings is exploitative in nature, although this is not always evident, especially at the initial stages of the process. An important aspect of trafficking in human beings is the intended purpose: even if the purpose has not occurred yet, trafficking can be found and prosecuted, when it is clear that the intended purpose is exploitation.

Trafficking in human beings often

results in forced labour. The Forced Labour Convention No. 29 (1930) defines forced labour as all work or service which is not voluntary and is exacted under the menace of a penalty. According to the International Labour Organisation (ILO), menace of a penalty includes cases where penal sanction is applied, and sometimes it is of a psychological nature; or it may take the form of a loss of rights or privileges.

The ILO came up with a list of indicators to assist with the identification of forced labour and to overcome some of the practical confusion around freedom to leave and freedom of choice. The ILO argues that if two or more indicators are present, there is a strong indication of forced labour:



- Threats of or actual physical or sexual violence.
- Restriction of movement and confinement, to the workplace or to a limited area.
- Debt bondage, where a worker works to pay off debt or a loan, and is not paid for his or her services.
- Withholding of wages, i.e. refusing to pay the worker at all or making excessive wage reductions.
- Retention of passports and identity documents.
- Threat of denunciation to the authorities.

Trafficking in human beings in numbers Estimates by the United Nations Office for Drugs and Crime (UNODC) suggest that women form the majority of victims of trafficking in human beings.



The United Nations
Convention on
the Protection of
the Rights of All
Migrant Workers and
Members of Their
Families describes a
migrant worker as a
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or has been engaged
in a remunerated
activity in a state of
which he or she is not
a citizen.

- 51% of identified victims of trafficking are women, 28% children and 21% men.
- 72% of people exploited in the sex industry are women.
- 63% of identified traffickers were men and 37% women.
- 43% of victims are trafficked domestically within national borders.

Labour export

The export of labour, or externalisation of labour as it is locally called in Uganda, is when someone is seeking work or gainful employment in a state of which one is not a citizen, and when one's deployment outside the country would not negatively affect the local economy's output and competitiveness. The

individuals thus deployed are referred to as migrant workers.

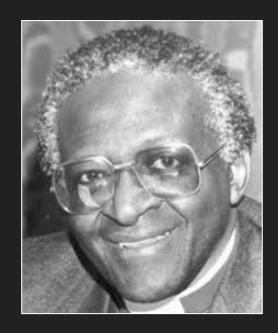
The United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families describes a migrant worker as a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a state of which he or she is not a citizen.

A migrant worker is defined by the ILO as a person who travels from one country to another with a view to being employed other than on his own account, and includes any person regularly admitted as a migrant for employment.

Drawing the line

The line between trafficking in human beings and labour export is, therefore, drawn basing on an understanding of the purpose and process of getting into employment or otherwise, and of the relationship between the employer and the employee for someone who is in a state of which he or she is not a citizen. This relationship is often based on humanity, to which the retention of human dignity is central.

Secondly, while trafficking in human beings is characterised by exploitation, labour export is guided by international labour instruments. The close connection between human dignity and work that defines labour export has its foundation in the Universal Declaration of Human Rights (UDHR), in particular in Article 23, other human rights instruments and international labour protocols and instruments.



IF YOU ARE NEUTRAL IN SITUATIONS OF INJUSTICE, YOU HAVE CHOSEN THE SIDE OF THE OPPRESSOR. IF AN ELEPHANT HAS ITS FOOT ON THE TAIL OF A MOUSE AND YOU SAY THAT YOU ARE NEUTRAL, THE MOUSE WILL NOT APPRECIATE YOUR NEUTRALITY.

Desmond Tutu



GEOPOLITICS CONFERENCE DISCUSSES HUMAN TRAFFICKING

By Davidson Ndyabahika



PANELLISTS EXPRESSED WORRY OVER
THE TROUBLING TRENDS IN HUMAN
TRAFFICKING IN UGANDA DESPITE THE
GLOBAL ACHIEVEMENTS REGARDING A
UNIVERSAL UNDERSTANDING OF HUMAN
RIGHTS.

uman trafficking was one of the topics discussed during the 2019 Kampala Geopolitics Conference. The two-day public event dealing with geopolitical problems in the globalised world funded Konrad Adenauer Stiftung. A great amount of time was spent discussing how trafficking can be managed on the continent.

Panellists expressed worry over the troubling trends in human trafficking in Uganda despite the global achievements regarding a universal understanding of human rights.

Since the abolition of slave trade, trafficking of persons has been illegal. Incidentally, it has become a more lucrative trade, generating roughly \$150 billion annually, according to the 2014 report of the International Labour Organisation (ILO).

With an estimated 24.9 million victims trapped in modern-day slavery globally, the majority – 16 million (64%) – are exploited for labour, 4.8 million (19%) are sexually exploited and 4.1 million (17%) are exploited in state-imposed forced labour.

Analysts say this level of exploitation ranges from slave-like working conditions, often affecting children and migrant workers, to the complete loss of freedom and self-determination, a context of de-facto imprisonment and forced labour.

Mr Ivan Bwowe, a lawyer and research fellow at the Great Lakes Institute for Strategic Studies (GLiSS), says that the destination for human trafficking, especially by external labour companies is mainly in the United Arab Emirates, and that it is impossible to turn a blind eye to such modern-day slavery.

He notes that trafficking in persons is a mutating crime and that it sometimes involves high-level corruption. He states that, for example, some of the external labour recruiting agencies are owned by high-profile government and security officials, making it difficult to fight human trafficking.

'Most of the trafficking through the labour recruitment agencies is to the Middle East. So how do we deal with it? There is a deliberate effort. And I want to tell you that one thing stands out almost all African countries is that there is high-level corruption

facilitating this trade. Particularly for Uganda, government officials, including those in security organisations, own these rackets, observes Mr Bwowe.

He adds, 'I am not saying that people should not move outside the country. But when they do, our respective governments all over should not only care for the remittances they get from those people because to me, it's not worth any life. We should seek to protect our citizens and also protect humanity.'

The 2019 Trafficking in Persons Report (TIP Report) by the U.S. Department of State indicates that the Government of Uganda does not fully comply with the minimum standards for the elimination of trafficking, despite making significant efforts to do so. It further shows that traffickers have previously exploited Burundian refugee girls in child sex trafficking rackets via prostitution in Uganda after the children transited through Rwanda in 2015. Some of these girls have reportedly been subjected to forced labour by way

of domestic work in Uganda.

The report also indicates that human traffickers disguising as external labour recruitment companies exploit victims in Jordan.

There was a reported increase in Ugandan trafficking victims following the implementation of a 2016 bilateral labour agreement between the Ugandan and Jordanian governments. Jordan relies on foreign migrant workers in several sectors, including construction, agriculture, textiles and domestic work.

'Some recruitment agencies fraudulently recruit victims from labour-source countries to Jordan, using false promises of money or other benefits. Forced labour victims in Jordan experience withheld or non-payment of wages, confiscation of identity documents, restricted freedom of movement, unsafe living conditions, long hours without rest, isolation, and verbal and physical abuse,' says the report.

Whereas Uganda and Kenya have maintained bans prohibiting their citizens from working as domestic workers in Oman, the TIP report shows that during the reporting period both Uganda and Kenya simultaneously engaged in negotiations with Oman on bilateral labour agreements that would provide a legal basis for Ugandan and Kenyan domestic workers to return to their home countries easily.

Jakob Christensen, the Programme manager of Awareness Against Human Trafficking (HAART) in Kenya, says that modern-day slavery is increasingly reaching dramatic dimensions. He calls for more integrated partnerships between countries and organisations involved in the fight against trafficking

66

Igove, who is also a senior immigration officer in the Ministry of Internal Affairs, underscores the need for the government to increase its funding towards supporting investigations and prosecution and other counter-trafficking work since the trafficking business is the most lucrative business, with traffickers reaping billions of dollars annually.

to be able to support some of the countries that might not have enough resources to crack down on the vice.

'If you don't take care of the victims, you won't have proper court cases. You are not going to hold the traffickers to account and this is difficult in countries where the police and prosecutors continue decrying underfunding because this area requires complex investigations,' says Jakob Christensen.

Agnes Igoye, the commandant, Uganda Immigration Training Academy, says there is need to have rehabilitation centres for the survivors of trafficking such as herself, having escaped human traffickers at 14 when the Lord's Resistance Army (LRA) raided her village.

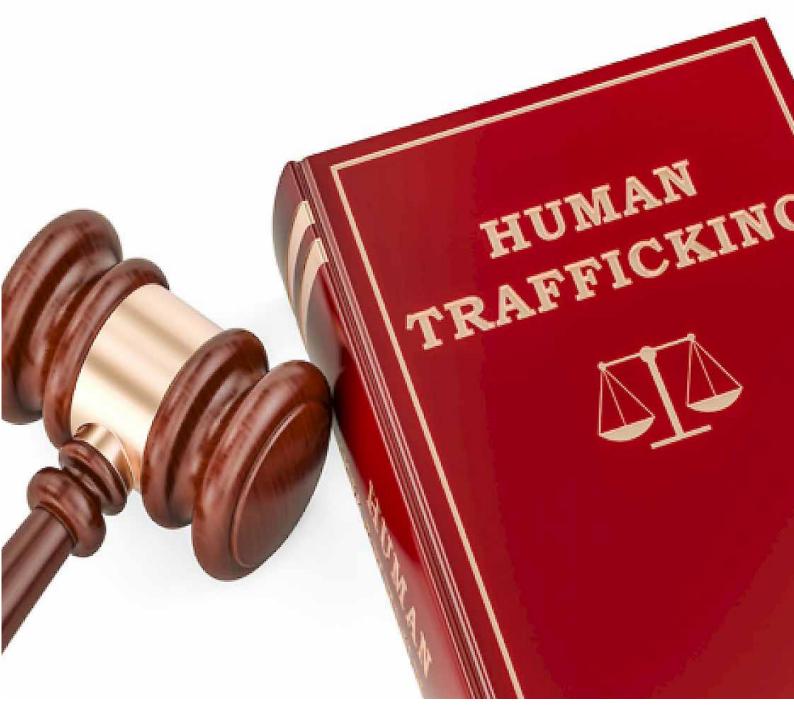
'Awareness is very key because traffickers are now moving to villages, to people who don't even know what is happening. Not everybody watches TV. I have met survivors who have told me that their attraction of being trafficked was just the excitement of

boarding an aeroplane. The trick is that there will be an air ticket, you will pay us when you start working. So the excitement alone! Some of the survivors of trafficking sell land, pay a lot of money that they could have invested here and made it, but they go out. So you have to prevent it from happening and when people are trafficked, you need those centres for rehabilitation,' Igoye says.

Igoye, who is also a senior immigration officer in the Ministry of Internal Affairs, underscores the need for the government to increase its funding towards supporting investigations and prosecution and other counter-trafficking work since the trafficking business is the most lucrative business, with traffickers reaping billions of dollars annually.

According to Igoye, despite making the people trafficked aware of the likely challenges, they remain vulnerable owing to the deception built into the 'lucrative' deals promised by the traffickers.

'I have interacted with officers who say, even when they see you, they try to advise against you going. Because right from passport office, our officers advise these excited people but they ask, "Is it your body?" but what they don't know is the deceit they are in, because they are going to return damaged. Therefore, we have to look at the underlying causes of why our people are moving in the first place. If you do not sort out the issue of unemployment, in this country or anywhere, it's going to be a challenge because people are going to move, she observes.



The Hon. Herbert Edmund Ariko, the Soroti Municipality MP, says that in order to address the ongoing attack on humanity, the government should devise mechanisms for repatriating Ugandan victims trapped in foreign countries.

Having been actively involved in the Modern Slavery Project, the Hon. Ariko says he is working on a Private Member's Bill that will strengthen and consolidate the existing laws in Uganda related to modern slavery.

He says the new law, which is only awaiting a certificate of financial implication, will provide individual penalties for each of the facets of modern-day slavery, including commercial sex exploitation, debt bondage, forced labour and child sexual exploitation.

'Currently we do not deal with the issue of repatriation of victims. We do not deal with the element of witness protection in prosecution. We are not dealing with creating direct penalties on companies, or external labour recruiting agencies that take people as a consequence of deception. We have not provided for the element where contractual terms of employment before people leave Uganda should actually be embedded

as far as the Uganda Employment Act is concerned, the Hon. Herbert Edmund Ariko remarks.

He adds, 'We are bringing in a law, because we feel the other one does not deal with all the facets of all modern-day slavery. Whereas trafficking in persons is criminalised under the Antitrafficking of Persons Act and has its penalty, the other ones can only be punished when you prove trafficking as a crime,' he argues.

EXPLORING THE GENDER ISSUES IN THE BUSINESS OF LABOUR EXPORT

By Brian Mutebi

Global working-age population, comprising women and men aged 15 years or older were in employment and 172 million were unemployed



3.3bn people (58.4%)

The global labour force, therefore, stood at 3.5 billion (61.4%)



3.5bn people (61.4%)

2.2 billion people (38.6%) of working age were outside the labour force, including those engaged in education, unpaid care work and those in retirement.



2.2 bnpeople38.6%)

Source: International Labour Organisation (ILO)

he ILO defines 'migrant workers' as international migrant individuals of working age and older who are either employed or unemployed in their current country of residence. Overall, migrants of working age constitute 4.2% of the global population aged 15 and older, while migrant workers constitute 4.7% of all workers.

ILO figures show that there were 164 million migrant workers in 2017. The majority of migrant workers – 96 million – were men, while 68 million were women. This represented an increase in the share of men among migrant workers from 56% to 58%, and a decrease by two percentage points in women's share, from 44% to 42%.

The youth (15 – 24 years) comprised 8.3% of migrant workers, and nearly 87% of migrant workers were of prime working age, between 25 and 64 years old.

The ILO noted that while labour migration brings many benefits to

migrant workers and their families, temporary migrant workers, many of whom are women (73%), are employed in low-skilled and low-wage sectors such as agriculture, domestic work, construction and manufacturing, experience the largest decent work deficits in terms of abusive and fraudulent recruitment practices, violations of their rights at work, wage penalties as compared to national workers, skills mismatches, and lack of social protection.

While growing numbers of women have been migrating autonomously in search of employment in the past two decades, the discrimination they often face because of their gender and nationality reduces their employment opportunities in destination countries compared to their male peers,' said Manuela Tomei, Director of the ILO, Conditions of Work and Equality Department, in ILO's Global Estimates on International Migrant Workers Report (2013-2017). The report is issued every five years; the next one will come out in 2022.

The ILO stated that paid work is a key factor the global economic growth and personal development. However, 'advances in these areas still elude a majority of workers across the world'. The agency also noted that being employed doesn't automatically lead to an improved living.

'A considerable proportion of the world's working-age population is at risk of poverty, and employment in such cases is a matter of individuals trying to meet their basic living needs and those of their families. Indeed, many workers find themselves having to take up vulnerable jobs, especially in the informal economy, which are typically associated with low pay and little or no access to social protection and rights at work.'

The proportion of women among migrant domestic workers stood at over 73%. This means that it is the women who comprise the majority





of the population that is not always guaranteed decent living since they often are simply 'trying to meet their basic living needs and those of their families.' In Uganda, the majority of reported cases of abuse and violence, including sexual violence of migrant workers in the Middle East countries, are women. Some have indeed died under mysterious circumstances, and only for their bodies to be returned by the authorities.

Brain drain in Uganda, or rather the exportation of labour to other countries, is significantly high. The country is ranked the 12th highest emigrant country for highly skilled expats in OECD countries. According to the World Bank's World Development Indicators, between 2012 and 2017 the net migration rate (the total number of immigrants less the annual number of emigrants, including both citizens and non-citizens) in Uganda was high, at -150,000. This means that many more people were leaving than entering the country.

Uganda, however, receives higher personal remittances as a share of GDP (4.0%) than the sub-Saharan Africa

average (2.7%). Most of this, though, is used for household consumption.

Gender-disaggregated data is hard to come by in Uganda. However, a study by the Uganda Parliamentary Forum on Youth Affairs (UPFYA) stated that 70,000 Ugandans, of whom more than 64% were youth, were recruited as workers in the Middle East countries (United Arab Emirates [UAE], Saudi Arabia, Jordan, Bahrain, Oman, Iraq, Qatar and Afghanistan) while 50,000 Ugandan workers sought jobs there on their own.

The labour export industry is one of the most lucrative industries worldwide and is estimated to be worth more than US \$613 billion globally, according to the World Bank. The biggest recipients of remittances are India, which receives \$69 billion per year, followed by China at \$64 billion, then by the Philippines at \$33 billion and, finally, by Mexico at \$31 billion.

Remittances to Uganda in 2018 grew to \$1.21 billion, boosted by receipts from labour exports to Middle Eastern countries. 'Out of the \$1.21 billion, more than half are remittances from the Middle East,' Dr Adam Mugume, Executive Director of research at the Bank of Uganda, told The East African newspaper.

Migrant workers by level of countries' GDP

- Of the 164 million migrant workers worldwide, approximately 111.2 million (67.9%) live in high-income countries;
- 30.5 million (18.6%) live in upper middle-income countries:
- 16.6 million (10.1%) live in lower middle-income countries: and
- 5.6 million (3.4%) in low-income countries.

Geographical concentration of migrant workers

60.8% of all migrant workers are found in three sub-regions:

- Northern America (23.0%);
- Northern, Southern and Western Europe (23.9%); and
- Arab states (13.9%).

FINDING JUSTICE AFTER HORROR ABROAD EXPERTS GIVE GIRLS

EXPERTS GIVE GIRLS TIPS ON HOW TO SURVIVE BEING TRAFFICKED

By Flavia Nassaka

welfth July 2019 is still stuck in Fridausi's mind. On this day her life was almost put to an end at her boss' house in Jordan. Fridausi Nakiteke, 23, had abandoned her teaching job and her three-year-old daughter two years before to seek an opportunity to earn a living working as a housemaid in the Asian country.

She narrates the horror she endured at the hands of the boss' daughter. She was made to work long hours without food or drink in addition to being denied medical treatment or rest when she suddenly fell ill. Her condition at the house would get worse when she tried contacting her employing agency to help her access treatment. The lady pounced on her in anger, tried suffocating her while hurling insults at her. She accused her of being lazy and announced that she would not give her a penny until she had proved that she could really work.

Part of the punishment for the alleged continued laziness "camouflaged" as sickness was to lock her up and cut off all communication between her and the outside world. Nakiteke narrates that she was only rescued when her sister, who was working in the same

country, contacted the agency after she sensed that her life was in danger since she had already briefed her. She would travel back to Uganda on 9 August 2019 without a penny. Her air ticket was only afforded through fundraising by family members back home in Uganda.

Nakiteke's story is not unique. Such experiences and worse have been the fate of several girls who have sought employment abroad. At a civil society organisation – Make a Child Smile Uganda – the executive director, Alex Sembatya, says he has rescued up to 600 girls like her who have come back with horrific stories and memories that have sent some into episodes of depression requiring mental health interventions.

He went to say that recently, he has rescued a girl from Dubai who was repeatedly raped by her Arab bosses but didn't know what to do. He has referred her for rehabilitation by counsellors.

'Many of these girls that are trafficked never really get to know how much they will earn, what job they will be doing. They rarely know who is taking them because instructions are usually given on phone. They don't know where to go to seek help. They are basically trapped,' he says.

'Getting out of the trap'

Lawrence Egulu, the Commissioner, Employment Services, at the Ministry of Gender, Labour and Social Development, says that to protect such workers, there is need for the government to sign bilateral agreements with governments in the Middle East so that in case anything goes wrong they will know where to start from.

He says Agreements between the Government of Uganda and the kingdom of Saudi Arabia and that of the Hashemite Kingdom of Jordan are already in place and agreements with other countries are being discussed. He says the ministry occasionally undertakes spot visits to these countries to establish where the workers are deployed.

'One thing that we are keen about is briefing labourers on what to expect when they travel in predeparture trainings. They have to be aware fully of what their contracts entail. They also have to go through only companies accredited by the Ugandan mission abroad, he says. He adds that they recently adopted a four-party employment contract system which makes recruitment companies in Uganda and recipient countries jointly and severally liable.

By end of 2018, the ministry had accredited up to 120 labour externalisation companies. Egulu says if one goes through and encounters problems, it is easy to follow through with the appropriate action.

However, Sembatya says that government officials take long to act. He instead advises girls to be vigilant as individuals and to look out for red flags in job offers that are commonly used to trap needy girls.

He says the latest trick used by traffickers is not to contact their prey as individuals as they used to do but to make use of companies that are actually accredited by the Ministry of Gender, Labour and Social Development.

'If someone tells you to send money to process your documents on their phone or speed up the process that you get all your travel documents swiftly in a matter of days or a week you should get worried. These traffickers will try as much as possible to avoid physical interactions,' he says. He warns those travelling that they should try as much as possible to seek clarity before leaving the country for they can run into serious difficulties once they are in a foreign country.

He says, for instance, that Ugandan missions in the Middle East remain largely ill-funded. As a result, in case someone needs help, they have to fund themselves yet this is a challenge since most of the trapped workers have all their belongings confiscated and

sometimes never have any money on them at all.

'Where to find help'

An online portal has now been developed to give out basic information. Philip Ayazika, who is part of the team at Policy, a civic technology organisation that developed and monitors the use of the platform dubbed 'Wetaase.' She says it was developed to give tips on, among other things, which companies are genuine and are accredited to help people get employment placements abroad. The portal has a live platform where one can call in through a toll-free line if one is stranded somewhere and this has been provided in seven languages.

Ayazika says the online platform came up after they conducted a survey in Kampala in 2017 and found that those seeking employment abroad lacked basic information, something that traffickers were taking advantage of to trap them.

In this study, he says, they also realised that people who are supposed to help the victims, such as legal officers like the police and judicial officers, were not conversant with the anti-trafficking law.

To him, curbing trafficking people should have more access to information and responsible officials should be available to answer any queries with minimum bureaucracy.

On his part, Sembatya recommends that the government should designate committees in countries where most of the girls or other workers are trafficked and to ensure that these committees hold meetings at least once every month to establish what is going on. This way, it would be easy to get people to sit up and listen before the

situation gets worse.

While he encourages individuals involved in some form of trafficking to come out and report, he says the witness protection programme in the country is still poor and yet the traffickers have money to buy their way out of trouble.

Both Ayazika and Sembatya say there is need to speedily handle cases already filed by those trafficked to ensure that they access justice.

Some work is being done in this area. For instance, at the Directorate of Public Prosecutions (DPP), a special prosecutor has been designated to handle these cases and more than one hundred judicial officers had been previously trained in how to handle human trafficking offences.

However, the prosecutor who coordinates these cases at DPP, Racheal Bukhole, says they are still handling only a small number of cases, although she doesn't give the exact number handled this year.

This could be because many victims are not yet aware of where and how to seek justice. In the month of January 2020, a total of 96 girls from different areas, with the majority from Karamoja, were rescued by the Uganda Police in Kenya as they headed for Somalia. Shortly before that, in 2019, 14 others had been rescued heading to the same destination.

INNOVATIVENESS WITH A JOB ABROAD

EX-SECURITY GUARD SHARES HOW HE MANAGED TO SAVE FOR HIS BUSINESS

By Flavia Nassaka



RONALD NEMBABAZI,
DIRECTOR NEMBABAZI REAL ESTATES AND
INVESTMENT LIMITED

hen he got to Dubai, Ronald Nembabazi realised that all the perks that his placing company promised while he was still in Uganda were a lie. This would impact on his targets because his plan wasn't to work abroad for long but to get capital that could enable him to establish something at home.

I went in 2012. When we arrived, they took us to where we were to stay. Early the next morning, the labour agency people came and told us to prepare

quickly, grab something to eat and then head for interviews. We asked them where the food was, their response was that this is Dubai, survival is for the fittest. Meaning we were to feed ourselves. That meant cooking, buying utensils, food and others. That was a huge cost. All they could give was accommodation and health insurance.'

With his 700-dirham monthly salary, which had to take care of his living expenses and his family back home, saving for his dream real estate business

became impossible, for he could hardly save a reasonable amount per month. Rarely would he save half of his salary each month.

The same problems were being encountered by his colleagues. Some would fail to raise enough money to travel back home for a vacation even when all companies gave their workers a free visa and an air ticket for the vacation. As a result, those leaving would borrow from friends and pay up the debt when they returned.



Nembabazi saw this as an opportunity as he, unlike others who send their savings home, was always saving his money in a bank account in the UAE. He embarked on lending out money and charging a 10% interest on the loans. Soon he became known for the business not only in his hostel but also by other workers in the town through referrals.

'This same interest they were giving is what I was lending out to others. The business started booming although it was being done low-key since, as migrant workers, it's illegal to engage in anything else than that you were employed for.'

He says he kept this money for a year and, together with his savings from the security guard job, when he returned to Uganda on vacation, he used it to buy a plot of land in Mbarara district. This investment would transform itself into a booming business currently running under the brand 'Nembabazi Real Estates and Investment Limited'.

When I went back to Dubai after buying this plot, I told my acquaintances that

I had bought this land. I started showing them pictures. The first two I showed the pictures said they were also looking for land. They asked me to link them up with brokers here. He says he linked them up but the brokers back in Uganda struck a deal with him to find them customers and earn a commission off each sale.

He says to increase his commission amounts, he opened a Facebook page where he would post adverts for plots on sale. Very soon more workers started asking him to connect them, something that prompted him to start a real estate company of his own.

He needed 50 million shillings to start this business and yet he had not saved that much when his three-year contract ended. He resolved to sign up for three more years before retiring to run his real estate business in 2018.

What started as two plots of land has now become a real estate company that is a household in the western Uganda business community.

'His advice to workers abroad'

With stories of family members and

friends spending money entrusted to them by workers abroad, Nembabazi encourages colleagues to instead save liquid money to invest in assets like land as its value simply appreciates and since it is not liable to ill actions such as misuse and cannot easily be transferred. He says he got this idea from his own experience. For the first two years, he sent money to his wife with instructions on what businesses to invest in. However, when he returned he found she was pregnant by another man and none of the businesses they had discussed was running.

To those seeking employment abroad, he says they should not think of being there forever. Instead, they should have clear targets in connection with what they need to achieve, and within specific timelines.

You can go now and they fire you next week. It's not a permanent job. When you go there, if you have a family you are taking care of, spare for them monthly stipends with clear budgets and then start saving immediately. Keep your money on your account because this is where it is safe only, not through anyone.



WHO IS RESPONSIBLE FOR THE EXPORTED LABOUR?

By Leah Kahunde

aving more Ugandans going out of the country to find employment was marred by abuse and soon the business became lucrative. Many companies opened shop with no regulation. Following several complaints from Ugandans claiming dishonesty by the companies, a move was made to start an association that would bring

together the industry players and this saw the birth of Uganda Association of External Recruitment Agencies (UAERA) in 2013.

Enid Nambuya, the Executive Director of UAERA, says that the association was formed to change the narrative about externalisation for labour because the industry was being run my men and yet it is women who go abroad more and get abused.

Since 2013, when the association was formed, it has registered over 190 recruitment companies. The association came up with guidelines on labour recruitment, such as advertising the jobs available in national media and

ensuring the safety of the people recruited while they work oversea.

One of the requirements for an agency to be registered by the association is registration by the Ministry of Gender, Labour and Social Development. This, according to Nambuya, ensures that companies are accountable to the people they take but it also eliminates cases of human trafficking.

'We are now emphasising that the people who are being recruited should also know the cultures of the destination countries. For example, in Saudi Arabia, women don't have the freedom of association so we have been getting cases of girls asking to return because of that.'

There is also the challenge posed by dispute resolution between the employers and the workers.

What is UAERA doing to further improve labour export?

Following the UK policy shift after Brexit, the UK government has now relaxed policies for labour export. For Ugandans, especially the professionals, this is the time to take advantage. According to Nambuya, the association is now working with the ILO and the International Organisation for Migration (IOM) to accredit and certify recruitment companies. This implies that the companies that will be accredited will be internationally recognised as recruitment agencies and there will be no shortcuts between the employee and the recruitment agency.

However, there are areas that we as an association of labour exporting agencies would like to see improved:

- The ratification of the Domestic Workers Convention.
- Respecting international labour laws in the countries of



Labour migration in itself is good if it's well managed. It helps governments ease unemployment, among other benefits. If done through proper channels, labour migration helps citizens get jobs outside of their home countries and are able to make a good living, contributing to development at individual, community and nation levels.

destination.

- Having labour attachés in the countries of destination.
- Widening the training period for workers going out of Uganda. Currently the training period is only seven days, but we would like to see this increased to at least 14 days.

Platform for Labour Action (PLA) is a non-governmental organisation that advocates for vulnerable workers. It is accredited by the Uganda Law Council to give legal aid to aggrieved workers. Grace Mukwaya, the Executive Director of the organization, says that workers' rights will continue to be abused as long as the country has no minimum

wage. The current minimum wage is only 6,000 Uganda shillings, which further marginalises the workers.

'Major cases that have been reported to us is non-payment of wages and this has been made worse by lack of awareness about contracts. Ugandans don't even know that even verbal contracts are legally binding,' Mukwaya notes.

Mukwaya further notes that PLA has since embarked on the training of local council (LC) leaders who are key in the sector.

The Human Rights Index in the Middle East countries has been very poor compared to other continents and so Uganda has to put up stringent measures to avoid the abuse of workers. If we are to protect our people we have to first assess the countries which do not respect workers' rights and, if possible, not send Ugandans there.

Mukwaya notes that if the labour export industry is to be improved, contracts signed with destination countries should also include commitment to respect workers' rights.

She adds that there is need to have an independent policy for domestic work since the current Employment Act does not cater for them.

Labour Export – What the International Organisation for Migration (IOM) Says

Brian Mutebi interviewed Jesca Angida, the programme officer, migration management with the IOM mission in Uganda, whose portfolio covers migrant protection and assistance as well as supporting labour migration management interventions in the country. She has served in this capacity for more than 10 years.

What is labour export and how does it differ from trafficking in human beings?

At IOM, we don't call it labour export but labour migration. It is people moving from one country to another in search of employment or job opportunities. If you moved from Uganda to Kenya for employment, you're a migrant worker. On the other hand, trafficking in human beings is a crime. It involves movement of persons from one point to another for purposes of exploiting that individual through deception, force or telling them half-truths - not giving them all the information so they make informed decisions whether or not to take up whatever you're telling them.

Labour migration in itself is good if it's well managed. It helps governments ease unemployment, among other benefits. If done through proper channels, labour migration helps citizens get jobs outside of their home countries and are able to make a good living, contributing to development at individual, community and nation levels.

Doesn't labour migration then lead to brain drain and its associated shortcomings?

It goes back to the way it's managed. There is a tendency to look at it from the brain drain perspective, but it should also be looked at from the brain gain perspective. In the process of earning money, people acquire skills, which they use back home. If you manage labour migration better, then you reap the benefits. There are countries that have done so: their citizens go to work

for short periods of time, come back and use at home the skills acquired, and do some development work. It is the responsibility of government to tap into these skills, manage the work flows so that if there are labour gaps, for example where more health workers leave the country, then such gaps are bridged.

What is the status of global labour migration?

According to ILO estimates, there about 164 million people globally who are migrant workers, of whom a significant number are men. We do not have exact figures at the global level but here locally in Uganda, more men take up what are considered manly jobs – hard-labour jobs like security jobs or working in factories – while women take on less labour intensive wok such as office, secretarial or domestic work.

What key gender issues exist in the business of labour migration and



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trafficking in human beings?

While globally we see more men as labour migrants, we also see more women working in riskier jobs such as domestic work, which is unregulated. Domestic work happens within the walls of the households and sometimes migrant workers go through abuses we never get to know because they are never reported. These jobs are dominated by girls or young women, meaning that it is women who are at higher risk of exploitation than men. Yes, men also work in risky areas such as security operations where the risk of getting shot or even death is high, but they work in the open space, say, factory or construction site, which are out in the public and can be seen. More women than men are trafficked for sexual exploitation or slavery.

What recommendation do you offer to women?

At individual level, get as much information as you can before you move or migrate. Sometimes because of the push factors, there is a tendency not to take time to know where you are going, the job you're going to do, under what terms, who is facilitating this movement, and whether or not it is really genuine. Or because of the excitement about the job, going abroad, some people do not take time to get as much information, including understanding culture of the destination country and whether or not they will manage to cope. One time I was on a plane to Addis Ababa and there were girls travelling to the Middle East. I asked them about what they were going to do but they were so excited to be on the plane

that they did not care what they were going to do. That is a problem. It is important to get as much information as possible about where you are going and what you're going to do. There are so many places you can go to verify if this individual or company taking you is genuine or not; seek guidance. And where possible, take up jobs with fewer risks.

Who are the key perpetrators of trafficking in human beings and what's their motivation?

Anybody can be a trafficker. But what we have seen is that it is usually the people you can trust, people you know, a friend or a friend to a friend, or an acquittance and sometimes even relatives. There are also organised criminal groups that have networks at source, in-transit and destination points. Trafficking may be done under the pretext of recruitment for jobs, marriage/romantic relationships, education or a better life but trafficked persons can end up exploited for criminal activity, or removal of body organs, or sexual exploitation/ slavery, forced labour. The operators of unlicensed labour recruitment companies/persons also increase the risks of persons to be trafficked and exploited. Trafficking in human beings is lucrative; it makes money for the traffickers, so the major motivation is to make money out of violating someone's rights and freedoms.

Given the lucrative nature of the business of trafficking in human beings, how do we make labour migration safe?

It is important we have laws and policies in place and enforcement is done to the dot. Strengthen enforcement and bridge capacity gaps – equip responsible agencies with skills and equipment necessary to do the work. Monitoring from government

has got to be strict, especially that in Uganda externalisation of labour is not solely facilitated by government but the private sector is also involved. Labour recruitment companies should do their work within given frameworks. Government should ensure that the number of labour recruitment companies licensed is manageable, that only those with the capacity are allowed to operate other than having so many players that are not easy to regulate.

I know government is trying to negotiate labour export agreements with some destination countries in the Middle East. But it should identify other destination countries and sign strong bilateral agreements with those countries.

What policy mechanisms exist for the smooth running of the labour migration business and curtailing trafficking in human beings?

At national level, there is the National Employment Policy and the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005 on externalisation of labour that needs to be enforced. In 2019, IOM supported the Ministry of Gender to review these regulations to address gaps or loopholes that can be exploited by traffickers and provide for stronger protection for migrant workers. A labour migration policy is important to provide national direction and quidance.

What should we expect from Africa's Gender Ministers meeting that took place early this year?

It was a meeting for the Ministers of Labour from the East and Horn of Africa region, convened by the Government of Kenya with support from IOM to discuss and harmonise labour migration polices in the East and the Horn of Africa regions. Governments

committed themselves to a number of issues that included revising laws to facilitate portability of social security benefits to include migrant workers; strengthening national statistical institutions and data collection to inform labour migration governance; establishing collaboration on diplomatic and consular assistance for migrant workers; and registration and regulation of private employment agencies, among others. We look forward to the implementation of these commitments.



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LEGISLATORS WEIGH IN ON ANTI-HUMAN TRAFFICKING POLICIES

By Joan Akello



Joanitah Joshirah Ndagire was trafficked to Oman through Lwakaka boarder via Kenya. She worked without pay, dehumanised and survived with scars.

gandan Members of Parliament (MPs) are of the view that the Ministry of Gender and relevant government agencies should set up more stringent policies to curb human trafficking.

The legislators laud government's efforts to streamline labour export by licensing companies and also signing memoranda of association (MOAs) with some of the destination countries.

By end of 2019 records indicate that Uganda exports close to 65,000 workers mainly to the Middle East countries of United Arab Emirates (UAE), Jordan, Saudi Arabia, Oman and Qatar, among others.

However, Uganda has signed bilateral agreements with only the UAE, Saudi Arabia and Jordan to ensure the safety and easy monitoring of Ugandans who work or will work in those countries, especially the domestic workers.

Some of the legislators say

that government has to sign more bilateral agreements with countries that benefit from the labour export, even though these would not be foolproof arrangements.

Mukono South MP, Johnson Muyanja, says that despite Uganda having the bilateral agreements with some of the Middle East countries, Ugandans continue to complain of sexual harassment, torture and poor pay or unpaid wages. Muyanja thereby argues that though the government has woken up, it is a little too late in 'cleaning up the labour export industry'. He, however, says the government can redeem itself by doing much more in the anti-trafficking campaign.

'Unfortunately for government,' Muyanja says, 'the human traffickers are usually a few steps ahead because they identify and manipulate the loopholes in established structures.'

He cites the recent clampdown on labour export companies by security agencies which resulted in government rescuing a total of 110 Ugandan girls who were heading to Somalia.

Muyanja, however, says the traffickers used licensed labour export companies to link up with Ugandans seeking to work abroad. There are currently 120 licensed external labour firms. He adds that the traffickers have also changed their routes from Busia-Kenya to Entebbe and Juba to move mostly girls to the Middle Fast.

Muyanja says the government should, therefore, regulate the competition among the labour companies and have rigorous monitoring mechanisms in place so that 'Ugandans can benefit from their sweat.'

Western Youth MP, Mwine Mpaka, agrees with Muyanja, particularly on the need to improve monitoring and supervision in the industry. Mpaka says that owing to poor monitoring, the industry has been infiltrated by human traffickers who now use the labour companies to get Ugandans who they later sell to clients abroad.

He says that it is difficult for even the government to track the Ugandans who have left under such circumstances because it has not been vigilant in following up on migrant workers.

Mpaka says the situation is worsened by the mismanagement of the External Recruitment Agencies Monitoring Fund. Labour export firms apparently pay 70 US dollars per Ugandan who gets a job abroad.

Set up in 2017, the fund was meant to facilitate the operations of a transit centre at Entebbe International Airport and in destination countries in order to support emergency medical, psychosocial and legal services as well as the repatriation of migrant workers.

Mpaka says that he has not heard of any Ugandan who has benefited from the Fund. Yet, some Ugandans have in the past had to ask for financial support to, among other things, return home, while some of them died after they failed to get medical treatment.

He has also raised the matter on the floor of Parliament.

In November 2019, Mpaka asked Parliament to establish a select committee to probe the mismanagement of the Fund. He noted that the Fund at the time had a total of shillings 600 million in its coffers.

However, he told the House that he had been reliably informed that the money was being paid into the personal bank account of one Adulaziz Musoke. Musoke is a labour officer at the Ugandan embassy in Riyadh, Saudi Arabia.

The issue was referred to the Parliamentary Committee on Gender, Labour and Social Development. The committee considered the issue and presented its report to Parliament.

However, the MPs noted that the committee should be given extra time to produce a more comprehensive report on the labour export issue.

Though parliament has not yet concluded the investigations into the fund, labour export has been one of the most debated issues in the House.

In July 2019, Parliament asked the Minister of Gender, Labour and Social Development to present a detailed status report on the exportation of domestic workers.

This decision stemmed from Mukono Municipality MP, Betty Nambooze's proposal that the government should ban labour export companies. She contended that the move would lead to the closure of private firms that traffic or facilitate the trafficking of Ugandans.

Nambooze made the proposal based on complaints made by 23 girls who claimed they had been hired by one of the agencies and were being sold to the highest bidders in the Middle East.

Nambooze told the House that the girls were thereafter handed over to families in Jordan who mistreated them. She noted that the 23 girls were allegedly taken off the airplane at Entebbe Airport in wheelchairs with broken limbs and scars all over their faces because they had been tortured in Jordan.

However, Mpaka disagrees with Nambooze, saying that the government should instead set up an effective monitoring system so that it can track Ugandans from the time they leave the country to where they eventually end up abroad.

Workers Representative, Agnes Kunihira concurs with Mpaka. Kunihira is also the vice chairperson of the Parliamentary Committee on Gender. She says that labour export is one of the ways to tackle youth unemployment, with 500,000 graduates expected to join the labour market annually against an average of 9,000 available jobs.

The latest World Bank Report entitled 'Uganda: Jobs Strategy for Inclusive Growth' says Uganda has to create at least one million jobs annually by 2030, in the light of the current demand of 650,000 jobs a year.

Against the backdrop of complaints of poor regulation and difficulties in curbing human trafficking, Arinaitwe Rwakajara (Workers Representative) has promised to present a Bill on the externalisation of labour.

In March 2019, Rwakajara got leave of parliament to bring the bill to regulate labour export by including the recruitment exercise and protection mechanism for the workers. He noted that the bill would address the gap in the Employment Act, 2006 because it does not provide for the protection and welfare of workers outside Uganda. Also, it would domesticate the International Convention on the Protection of All Migrant Workers and Members of their Family.

However, Rwakajara says that owing to the 'complexities in labour export', such as legal and financial implications, his legal team is still consulting stakeholders on the provisions of the bill.

'It is a year since I got leave to bring the bill, but it must

have watertight provisions,' Rwakajara says. He adds, 'Let's not rush because there are close to 100,000 Ugandan migrant workers who remit annually about \$ 244 million dollars.'

The Minister for Ethics and Integrity, Fr Simon Lokodo, says that in the absence of a labour export law, the Anti-Human Trafficking Act is good enough. He, however, says that it has not been implemented effectively because government officials have been 'compromised and bribed' by unscrupulous people who want to trade in human beings.

He cites immigration officers, police officers and also officials at the Ministry of Gender, Labour and Social Development as the public officers who 'connive with some of these companies to get clearance to trade in human beings.'

Street Talk

ONLINE STREET TALK, HOW CAN LABOUR EXTERNALISATION BE IMPROVED?

By Kenneth Kazibwe



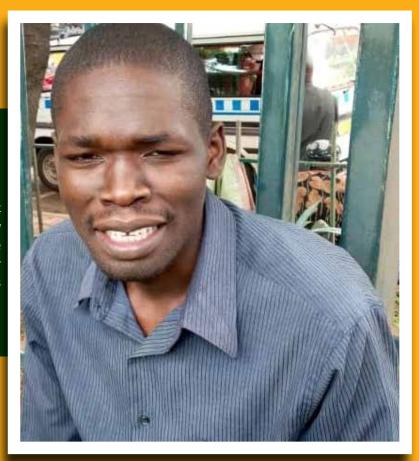
Annette Lekuru, Executive Director, Feminature Uganda

There is need for governments to formulate gender sensitive financial policies that break barriers limiting women's access to capital. Investing in skilling women to become entrepreneurs to empower them should be prioritized so that going to work abroad is the last thing one would consider because they would be in position to sustain them.

Women need 21st century skills that propel them towards succeeding in the fourth industrial revolution so that they get employment and avoid abandoning their families in the name of working from abroad.

Simon Mukasa

Government should create employment opportunities for Ugandans so that they don't go because they are desperate. Because where they all go laws governing the labour export companies seem to be weak and it is why they have exploited the loophole.



Joan Namaganda, Photo editor

It should start with us citizens to know of about labour externalisation. By the time one is taken to work abroad by a labour company, they should know about their rights and what to do in case they get problems while abroad. Government should also make it a point to ensure it follows up on its citizens who go abroad for work to ensure they are in good condition but also not cheated by employers.

Gabriel Buule, Journalist

Human Trafficking is one of the oldest trades in the world that recently it over took arms trade. This means that the beneficiaries will always look for means for the trade to survive. Apparently, labor exportation is another veiled form of human trafficking in Uganda. The only and major solution that can be put in place is to involve governments where labor is exported to and set clear guidelines for wage payments, welfare among other.

Moving forward, such jobs should be acquired through government to limit unscrupulous individuals operating as labor exporters.





Nalutaya Nora,

Business woman

Our education system should emphasise skilling the youth with business management skills. We spend a lot of time studying things that do not give us life skills. The money one invests to go abroad is good enough for them to start a small business but the challenge has been skills to grow and sustain those businesses. The government should consider investing in training its population on business management and changing people's mindsets about jobs abroad.

BOOK REVIEWS

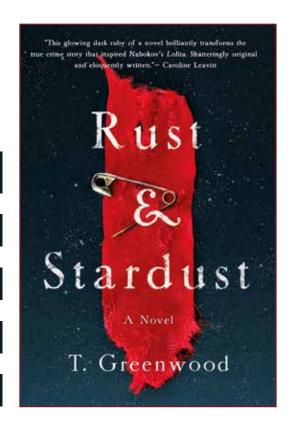
TITLE: HATERS: RUST AND STARDUST

AUTHOR: T. GREENWOOD

YEAR: 7 AUGUST 2018

PUBLISHER: ST. MARTIN'S PRESS

REVIEWER: BELINDA KYOMUHENDO



'The world was a terrifying and dangerous place, a world that could convince you to offer up your own child to the devil without even thinking twice.'

Rust & Stardust is based on the real-life kidnapping of 11-year-old Sally Horner and her kidnapper.

In Camden, New Jersey in 1948, 11-year old Sally Horner is desperate to be seen and establish friendships, to be part of the group. In order to be initiated into a group of girls, she is told she has to steal a notebook from a Woolworths store. Frank LaSalle, a seedy and convicted criminal recently released from prison, catches her in the act and misleadingly portrays himself as an FBI worker.

Sally believes LaSalle intends to take her before a judge, and LaSalle in turn poses as the father of one of the other girls and convinces Sally's mother to allow her to accompany his family to Atlantic City for a week-long vacation. What follows is the two tragic years Sally spends with LaSalle, as they travel across the country in an effort to elude the law, and he repeatedly abuses her. What adds even more heartbreak to the situation is the role Sally's own mother plays, falling prey to the conman herself. Choking on grief from the suicide of her husband, she's too easily persuaded to allow her daughter to be taken to the Jersey shore by a complete stranger. Or even worse, she is made to believe for the first few months that Sally is not only happily enjoying the beach, but is reluctant to leave.

With Sally subjected to physical, mental and sexual abuse at the hands of Frank La Salle, it's not easy to stomach her reality. T. Greenwood delivers her harrowing account of Sally's life on the road with unwavering intensity. Through alternating perspectives, she not only explores the young girl's feelings but

also the havoc that guilt and regret wreak on everyone close to the situation, from a brother-in-law playing amateur detective to a schoolteacher who suspects that something is terribly wrong with the new girl in her classroom.

A set of near-misses, dashed hopes and the people unwilling to take that extra step had my blood boiling in frustration. I wanted nothing more than to be able to save Sally – to give her the resourcefulness and strength to run, damn the consequences.

The book was very difficult to read at times; T. Greenwood uses a deft and sensitive hand along with beautiful writing to paint this sombre story with respect to Sally Horner and her family and to give them a voice in these disheartening and devastating events.

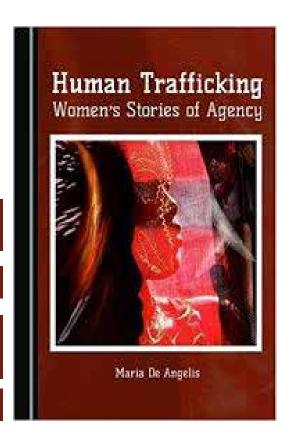
BOOK REVIEWS

TITLE: HUMAN TRAFFICKING; WOMEN'S STORIES OF AGENCY

AUTHOR: MARIA DE ANGELIS

PUBLISHED 15 JANUARY 2016 BY CAMBRIDGE SCHOLARS PUBLISHING

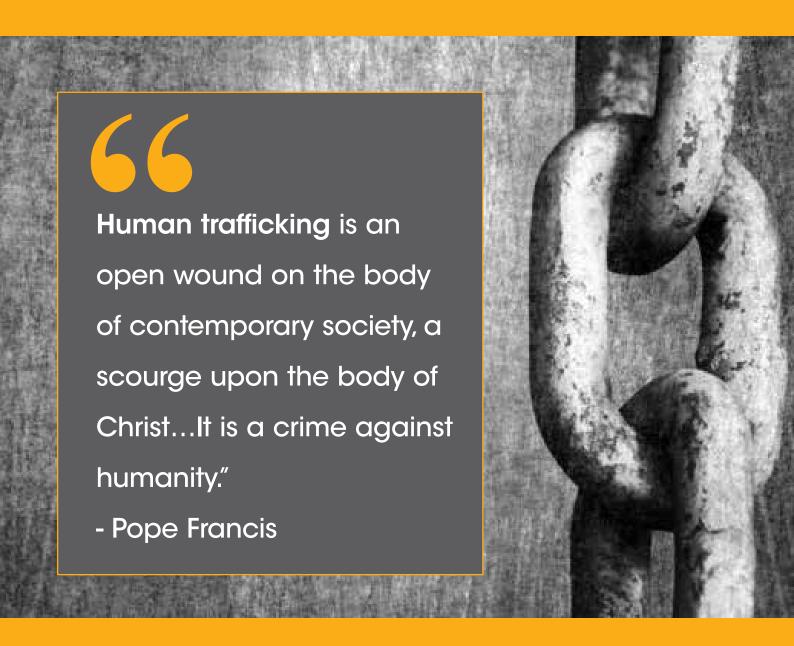
REVIEWER: BELINDA KYOMUHENDO



This book explores women's stories of agency in a lived experience of trafficking. The idea of agency is a difficult concept to understand, given the unscrupulous acts and exploitative practices which define trafficking. In response to the '3-P' anti-trafficking paradigm – to prevent and protect victims and prosecute traffickers – official discourse constructs agency in singular opposition to victimhood.

The 'true' victim of trafficking is reified in attributes of passivity and worthiness, whereas signs of women's agency are read as consent in their own predicament or as culpability in criminal justice and immigration rule-breaking. Moving beyond the official lack or criminal fact of agency, this collection of stories adds knowledge to agency constructed with, on and by women possessing a trafficking

experience. Based on the stories of twenty-six women, agency is seen to exist in relationship to women's victimisation under trafficking. Exploring well-being agency (women's physical safety and economic needs) and agency freedom (women's capacity to construct choices and the conditions affecting choice), women demonstrate agency in their identity, decision making and actions. Acknowledging the existence of a migration-crimesecurity nexus in contemporary human trafficking, the narratives of fifteen anti-trafficking professionals highlight how official actions mediate women's achievement of well-being and agency freedoms. This book will be of interest to students undertaking courses in modern slavery, human trafficking, human geography, police studies, social work and criminology.







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