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Fostering Recruitment Agencies' Ethical Practices and Accountability, Recruitment Oversight Mechanism to Prevent Trafficking in Persons



The National Employment Authority (NEA) is pleased to share the information from the recently concluded forum, which took place on September 14 and 15, 2022, at Simba Lodge, Naivasha, as part of the partnership with the International Organization for Migration (IOM) to Monitor and Combat Trafficking in Persons. The forum's general goal was to promote access to essential services for victims in an environment that supports their holistic growth, development, and resilience.

The agenda for the meeting, which primarily included representatives from the Ministry of LAbour,

National Employment Authority, Ministry of Foreign Affairs, the Minister of Immigration, Counter Trafficking In Persons (CTiP), and labor attachés, was as follows:

Identifying referral procedures for migrants in difficult circumstances; the necessity for protection and support for migrants who are vulnerable to violence, exploitation, and abuse; the role of consular services in protecting migrants; case management; and NEAIMS referral pathways.

Looking back at Kenya's efforts in this area, it is important to note that both intra- and inter-regional mobility of skilled and low-skilled workers characterizes labor migration in Kenya. For regular, irregular, and forced migration, the nation serves as a source, transit point, and destination. In 2019, it was estimated that four million Kenyans were living abroad, with over 200,000 of them estimated to be in the Middle East. At least 30,000 Kenyans need attestation services every year, with 83% of the applicants being female.

Kenya has institutional, legal, and policy frameworks designed to make labor migration voluntary, secure, and regular. The wide policy framework for the best use of the nation's human resources for national transformation is one of the many things that the Kenya Vision 2030 offers. The National Employment Policy and Strategy for Kenya, the Medium-Term Plan III (2018–2022), the National Diaspora Policy, the draft National Migration Policy, and the draft National Labour Migration Policy are all attempts to harness and utilize the potential of Kenya's migrant workforce and integrate them into the national economic grid. They also offer the foundation for getting rid of trafficking in persons (TiP).

The Ministry of Labour, through NEA, with assistance from the International Organization for Migration (IOM) and International Labour Organization, has attempted to increase ethical recruitment in Kenya's recruitment industry with the recently launched Oversight Mechanism (O/M) and Community Feedback Mechanism (CFM). The O/M offers a platform to encourage the detection, monitoring, and reporting of unethical PRA activities and unethical recruitment techniques. To ensure that CFM has a platform for soliciting, receiving, and/or channeling complaints and community feedback on labor migration and TiP, as well as promoting knowledge and awareness among labor migration cycle actors and input into the O/M, regulatory and monitoring roles have been set in place with the support of NEA's participation. **NEA's DISTRESS REPORTING FORM and - Toll-FREE No.: 0800222223 available on NEA's integrated system www.neaims.go.ke** have assisted in reducing distress issues among migrant workers among the several measures adopted by the Kenyan government. The government has managed complaint cases and information on trafficking as well as alerting migrants of dangerous recruiters and deterring unethical practices. In the long term, this will reduce cases of migrant worker trafficking by creating a demand for ethical recruitment in targeted communities in Kenya.

Addressing the demand for labour across the world, the meeting focused on building and incentivizing ethical recruitment practices. It was noted that IOM will work closely with the government of Kenya, private recruitment agencies (PRAs), and all stakeholders involved in Kenya, to provide training, tools, and support to shift towards ethical recruitment, using IOM's International Recruitment Integrity System (IRIS)



.The aid against trafficking in persons tied to the various consular services available: replacement travel documents; advice and support in the event of an accident, serious illness, or death; advice and support to victims of serious crimes abroad and arranging for next-of-kin notification; visitation contact with detained nationals; liaison with local police officials in the case of nationals abducted or missing abroad; funds to distressed migrant workers were put forth in ensuring an enabling environment to protect Kenyan migrant worker.

Ways forward agreed upon were:

- A unified platform for promoting the identification, monitoring, and reporting of unethical recruitment practices and illegal activities should be maintained.
- NEA to strengthen the regulatory and monitoring roles.
- A multi sectoral platform for soliciting, receiving, and/or channeling complaints and community feedback on labour migration and TiP knowledge and awareness amongst actors in the labour migration cycle, and input on the importance of ethical recruitment to be enhanced.
- It is important that NEA improve public awareness which can be shared through the NEA websites.
- There is a need for national government administration officers (NGAO) to partner with the local community in promoting OM and CFM at county and sub-county levels.
- Information about the OM, CFM, and Toll-Free Line should be disseminated in Job Centres, Huduma Centres, Kenya's Missions Abroad, and NEA officers at national, county, and sub-county levels.

It is clear that due to the broad range of stakeholders with distinct roles, there is a need for clarity on the coordination mechanism and the case management process should be coordinated at various levels: international, regional, national, county, sub-county, ward, locational, and community levels.

Kenya's initiative in assisting a victim (and their family) through direct support and referral to other services for comprehensive intervention in risky situations, and building partnerships for case management through a multi sectoral approach is still on.

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