

MRC Research Seminar

**PROSTITUTION IN SOUTH AFRICA:DEVELOPING A
RESEARCH AGENDA**

Leriba Lodge, Pretoria. 14-15 April

TSIRELEDZANI

Programme of assistance to the South African Government to Prevent, React to Human Trafficking; Provision of Services for Research on Deepened Knowledge and Understanding of Human Trafficking and Provide Assistance to Victims of the Crime”

(NPA04-08/09)

Programme of Assistance to the South African Government

**DEEPENED KNOWLEDGE AND UNDERSTANDING OF
HUMAN TRAFFICKING**

Scope of Project

This report provides the first comprehensive assessment of human trafficking in South Africa

The project was undertaken from December 2008 to December 2009 (with a 3-month no-cost extension to March 2010).

The fieldwork was undertaken between September and March 2010

Focus of Study

South Africa the main focus

Lesotho

Swaziland

Zimbabwe

also included

Research Objectives

- Identify trafficking trends in order to develop appropriate responses;
- Identify national legislative measures, policy frameworks and women's and children's rights instruments;
- Analyse counter-trafficking responses regarding human trafficking in the SADC region and other countries with comparative features;
- Identify the profile of the victims and characteristics and motives of the agents in human trafficking
- Identify the purposes for human trafficking and the key driving factors;

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- Identify socio-economic aspects of the demand and cultural values and practices influencing human trafficking;
- Identify the interrelation between human trafficking and migration relation issues in the context of globalization;
- Identify the linkage between organised crime networks and corruption, and human trafficking;
- Identify indicators for a national Trafficking Information Management System ;
- Make recommendations on the outcome of the above results.

Research Team

Human trafficking is a cross-cutting social problem

Multidisciplinary research team:

Anthropology

Criminology

Demography/Migration

Law

Organised crime

Psychology

Sociology

Methodology

Quantitative and qualitative data: surveys, interviews, documentary and open source materials.

Key informants included: law enforcement officials, immigration and customs officials, embassy officials, social service representatives, government representatives, NGOs, international organisations, victims of trafficking and other relevant parties thought to have information on trafficking in persons.

“Innovative Methodologies”

- To research what is largely a hidden crime, a component of the data-gathering was intelligence-led.

Research Challenges

Scope of project

First meetings with researchers were held in April 2009

- Workshops to arrive at appropriate methodologies
- Appointment of fieldworkers
- Training on definition of trafficking by IOM
- Data collection instruments designed
- Approval by HSRC Ethics Committee

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Difficulties in accessing key government informants

- Lack of contact lists
- Protocol required to access government officials

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Data bases

No basic national-level data on victims of trafficking or traffickers available

(IOM only source of any statistics)

SA Responses to Human Trafficking

- Signing and ratifying (on 14 December 2000 and 20 February 2004 respectively) the **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.**
- The Prevention and Combating of Persons Bill is awaiting ratification.
- Currently the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No 32 of 2007) deals with certain elements of the Protocol definition.

Tsireledzani Programme

- Established by the NPA - Answers the call for a collaborative, multi-agency, long-term co-ordinated strategic action
- A multi-sectoral **National Task Team** has been established
- **National Action Plan** (Dec 2010?) is being developed.
- **Human Trafficking Desk** has been established and
- Multi-stakeholder **Provincial Task Teams** are being rolled out in the provinces.

(The first Provincial Task Team established in KwaZulu Natal has been cited as an example of best practice.)

Victim-centred Approach

- Manifest in the **Victim's Charter**
- **Thuthuzela Care Centres** (one-stop, integrated response to violent sexual acts against women and children)

Best Practices

- KZN Provincial Task Team
- Thuthuzela Care Centres

http://www.unicef.org/southafrica/hiv_aids_998.htmlhttp://www.unicef.org/southafrica/hiv_aids_998.html

- Human Trafficking Awareness Week (2006)

(Global best practice, US TIP Report 2007)

- SAs Witness Protection Programme

(UNODC Toolkit to Combat Trafficking in Persons 2008)

Key Findings

- 1. Unclear scale of the problem (quantitative data)**
 - Criminal and hidden nature of the crime
 - Lack of official systems for recording data

(Conflicting positions –

numbers established before resource allocations vs processes, procedures, mechanisms established in order to determine numbers)

2. Trafficking streams

➤ Long distance flows: To SA from outside of Africa

Thailand, Pakistan, Philippines, India, China, Bulgaria, Romania, Russia, Ukraine

Almost exclusively women – sexual exploitation

Trafficked through airports – mainly OR Tambo

➤ Trafficking from within the continent

Short distance flows: Mozambique, Zimbabwe, Malawi, Swaziland, Lesotho

Longer distance flows: Angola, Burundi, Cameroon, DRC, Ethiopia, Nigeria, Rwanda, Senegal, Somalia, Tanzania, Uganda.

Women, girls, boys – variety of exploitative purposes

Trafficked through land borders

➤ Domestic trafficking

From rural areas to cities

Women, girls, boys – prostitution, domestic servitude, forced labour, begging, drug trafficking, other criminal activities

➤ SA as transit country

Victims smuggled through Lesotho and Swaziland borders to SA then on to other foreign destinations

➤ South Africans trafficked abroad

Ireland, Israel, Macau, Netherlands, Switzerland, Zimbabwe

(Documented cases – small numbers)

3. Victims of trafficking

Women constitute the largest group in all streams

(Mirrors findings of global UNODC.GIFT [2009] study)

Victims of intercontinental trafficking – largely for sexual exploitation

Victims trafficked from Africa and domestically – a variety of forms of exploitation

Young girls feature prominently in all trafficking streams

Demand for under age girls – lower risk in terms of HIV, ‘sexual desirability of youth’

Men and boys trafficked from Lesotho for illegal mining in Kimberly and Welkom

Young boys used to smuggle drugs

4. Forms of exploitation

Prostitution

Pornography

Forced marriage

Domestic servitude

Forced labour (exploitation in agricultural, security, hospitality, retail sectors)

Begging

Drug smuggling

Body parts (muti)

Ritual sacrifice (religious rituals, satanic cults)

5. Traffickers

- International organised crime syndicates from Eastern Europe, South East Asia, East Africa
- Well organised local networks – taxi drivers, truck drivers
- White males
- Female facilitators
- Family members
- Parents
- Enablers - Cables, Malaichas, Gumagumas

6. Links to other criminal activities

- Strong link between trafficking for prostitution and drugs – women addicted, sell drugs to clients

7. Enabling factors

- The collusion of border and other immigration officials a key factor facilitating factor

8. Vulnerabilities and cultural practices

- Primary factors poverty and economic equality
- Traditional norms - family patronage; forced marriages; virginity testing

8. Link between trafficking and HIV/AIDS

- Victims seldom know or disclose their status
- Difficult to establish when victim was infected
- Double stigma of a positive HIV status and status of being trafficked

Recommendations

- **No uniform definition of trafficking** - lack of understanding on the part of both lay and professional personnel. (Trafficking is generally associated with prostitution or confused with the smuggling of persons.)
- **Recommendation: Ensure that the South African government formalises and adopts a national definition of trafficking which is accepted and practised across all sectors.**

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- **Lack of nation-level data**

The lack of official statistics is a major obstacle to the accurate assessment of the magnitude of trafficking in South Africa or any country in the region, particularly the SADC countries.

Recommendation: Implement a Trafficking Information Management System to enable the collection of systematic, national-level data that will address the problem in terms of prevention, protection and prosecution.

- **Coordinated cross-sector response**

Recommendations:

- 1. Complete the National Action Plan** and indicate responsibilities for its implementation.
- 2. Complete** the establishment of the **Provincial Task Teams** in all provinces to ensure the coordination of anti-trafficking activities at provincial and local levels.
- 3. Appoint a National Coordinator on Human Trafficking** as a priority to establish and facilitate the implementation of National procedures and related activities. The functions of the National Coordinator shall be determined by the National Action Plan.

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- **Lack of NRMs and TRMs and/or standard operating procedures (victim identification and assistance)**

(identified as a major obstacle in the identification of victims and their referral to required assistance)