Trafficking in Persons in South Africa

South Africa ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (commonly referred to as the "Palermo Protocol") which obliged Parliament to pass legislation that deals with all forms of Trafficking in Persons.

As a result the Prevention and Combating of Trafficking in Persons Act 7 of 2013 was passed and, with the exception of section 15, 16 and 31(2)(b)(ii), came into operation on 9 August 2015. This Act is the first statute that comprehensively addresses Trafficking in Persons in South Africa.

The Act establishes the offence of Trafficking in Persons and other related offences, creates penalties for Trafficking in Persons, provides for protection and assistance to victims of Trafficking in Persons and provides for the return and repatriation of foreign victims of Trafficking in Persons.

Trafficking in Persons involves the ACT of selling, recruitment, transportation, delivery, transfer, exchange, leasing, harbouring or receipt of a person and can occur over international borders, but can also occur within the borders of a country. This ACT is done by MEANS of threats, force, coercion, by abusing a person's position of vulnerability, abuse of power, fraud, abduction, kidnapping, deception, payments and is for the PURPOSE of exploitation.

It is a crime that ruthlessly exploits women, children and men for numerous types of activities including all forms of slavery or practices similar to slavery, sexual exploitation, forced labour, child labour, servitude, the removal of body parts and the impregnation of a female person against her will for the purposes of selling the child once the child is born.

In addition to this, the crime of Trafficking in Persons occurs where a person adopts a child, whether this is facilitated or secured through legal or illegal means, or concludes a forced marriage with another person for the purpose of the exploitation of that child or other person.

The trafficking of human beings can be described as one of the greatest scourges facing the world today and is fuelled by greed and corruption. It is increasing due to the prevailing socio-economic conditions, porous borders, immigration patterns and flourishing organised criminal activity in South Africa.

Victims of Trafficking in Persons are lured with money, deceived by false promises, abducted, solicited by friends to join in an "earn money", sold by their families, tricked into believing they are the trafficker's girlfriend and then they are exploited. They are controlled using drugs, Juju, voodoo practices, rape, torture, beatings, isolation, debt bondage, blackmail, threats of death and violence to their families back home if they speak out or try to escape.

The signs that a person may be a victim of Trafficking in Persons include:

- Evidence of being controlled
- Evidence of inability to move or leave a job
- Bruises or other signs of physical abuse
- Fear or depression
- Not speaking on own behalf and/or non-English speaking
- No passport or other forms of identification or documentation
- Is hungry-malnourished or inappropriately dressed (based on weather conditions or surroundings)
- Shows signs of drug addiction
- Receives little or no payment for work done
- No days off or work excessively long hours of work
- Have no access to their earnings

The majority of victims of TiP in South Africa are women and children (although there are men). Traffickers tend to target vulnerable people. Women and children in South Africa are particularly vulnerable due to their poor economic positions and, in the labour market, due to their relative lack of education and training.

Therefore traffickers target people and areas where there is poverty, unemployment, child headed households, few educational opportunities, gender discrimination, and lack of alternative lifestyles.

These factors make people seek a better lifestyle, better employment opportunities, safer financial futures and to seek out the perceived "glamorous" lifestyles portrayed in the cities.

Victims of GBV are particularly vulnerable to TiP as they are desperate to find jobs in order to get out of abusive relationships and therefore are more likely to take risks.

Since the commencement of the Prevention and Combatting of Trafficking in Persons Act, South Africa has seen many different types of Trafficking in Persons cases.

There have been cases of women who have been encouraged to become addicted to drugs and then prostituted to men by their traffickers to support their addiction. The traffickers retain the money earned and the women only get their next fix of drugs (sexual exploitation). Young girls have been brought into South Africa from foreign countries and forced to work as domestic servants in exchange for food and shelter (domestic servitude). Girls have been forced into marriage at young ages where they are raped and forced to perform labour (forced marriages).

Women have been tricked with offers of jobs as servers and bar ladies only to discover that they are expected to become prostitutes (sexual exploitation). Foreigners have been brought into the country to work long hours for pathetic wages, locked into factories under threats of their illegal status being revealed and dismissal if they refuse to work (labour trafficking).

As parents, it is essential that you:

- **Know your child's whereabouts at all times.**
- **Teach your child your first and last name.**
- **At a very early age, teach your child their name, address and telephone number.**
- **Show you children the nearest police station.**
- **Teach them how to call 10111 for help (and the TIP helpline number below).**
- **Make sure your children know how to make local and long-distance telephone calls.**
- **Never leave children alone in a car, not even for a few seconds.**
- **Establish strict procedures for picking up children at school, after movies, at friends' homes.**
- **Establish a family code word that only you, your child and a trusted relative or friend knows.**
- **Teach your child to ask for the code word when approached by someone offering them a ride.**
- **Have photographs taken of your children at least four times a year.**
- **Make a note of birthmarks or other distinguishing features.**

- **Have your child fingerprinted and store the prints in a safe, easily accessible place in your home.**
- **Teach your children to never leave home without your permission.**
- **Teach your children never wander off, to avoid deserted places, and to avoid shortcuts through alleys. They are safer in groups.**
- **Tell them to never give any information to anyone especially over the telephone including their name and address, or indicate they are alone.**
- **Remind them to keep doors locked and admit only authorized people into the house.**
- **Teach them - If accosted by a stranger in a mall to scream 'This is not my Daddy/ Mommy' or 'Stranger', to drop to the floor and practice this with them. This is the one time all manners can go out of the window.**
- **Remind your children to never accept a lift from someone you don't know, even if the child knows them.**
- **Talk to your children about being aware of strangers or vehicles loitering nearby in a simple, non-threatening way.**
- **Listen to your child when he or she discusses anyone new they have met or spoken with when you weren't around.**
- **Very small children should play only in areas away from the street, such as a backyard, or in a play area supervised by a responsible adult.**
- **Remind your children to come straight home from school unless you have made other arrangements.**
- **Teach them never to enter anyone's home without your approval.**

For more information on Trafficking in Persons or to report Trafficking in Persons, you can contact the National Human Trafficking Hotline on 0800 222 777 or go to:
www.0800222777.org.za or www.a21.org
www.nationalfreedomnetwork.co.za

All cases of TiP must be reported to SAPS.
10111 or report the matter at your nearest police station.