



SANTAC

Southern Africa Network against Trafficking and Abuse of Children

STOP CHILD TRAFFICKING
“A Southern African Regional Conference
Exploring Strategies for Prevention and Intervention”

Kopanong Hotel and Conference Centre, Johannesburg, South Africa, 27 – 28 March 2007

SANTAC CONFERENCE DECLARATION

Representatives of Southern Africa Civil Society from 10 SADC nations, namely Angola, Botswana, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe, gathered with representatives of SADC governments, SADC secretariat, EU representatives, United Nations Agencies, International Development Agencies and representatives of embassies, in the first SANTAC (Southern African Network against Trafficking and Abuse of Children) conference on EXPLORING STRATEGIES for PREVENTION and INTERVENTION against TRAFFICKING and EXPLOITATION of CHILDREN in Southern Africa, held from 27 to 28 March 2007, at Kopanong Hotel and Conference Centre in Johannesburg, South Africa, under the patronage of Archbishop Emeritus Desmond Tutu and Madame Graça Machel.

The Conference was organized by SANTAC with the support of the International Federation of Terres des Hommes (IFTDH), Save the Children Norway in Maputo, Norwegian Embassy in Maputo, British High Commission in Maputo, International Organization of Migration (IOM) in Pretoria and European Union Commission.

Participants expressed their gratitude to the donors; to the civil society and government of South Africa for the warm hospitality; to the Johannesburg Child Welfare Society and to the Foundation for the Development of Community (FDC), for the co-organization of the event, and to the keynote speakers as well as the informative presentations at the auditorium and

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workshop sessions.

Participants to the conference noted that:

- Although human slavery which witnessed millions of people sold across oceans into the 17th and 18th centuries was abolished 200 years ago, human trafficking has once again resurfaced with greater sophistication and aggression;
- Southern Africa has a history and tradition of accepted migration, both internally and cross-border, which has often led to the movement of people, mainly men, across borders to seek better opportunities to support themselves and their families. Recently, not only men but women and children as well are increasingly forced into irregular channels of migration, leaving them vulnerable to human trafficking. With the high incidence of HIV/AIDS, more female and child-headed households are found within Southern Africa where many children have no access to education, or are forced to leave school early in order to care and provide for siblings;
- Often, families send their children to live with extended family members in other towns, cities or countries believing they will have better opportunities, ignorant of the possibility that this may also leave children vulnerable to cross-border trafficking, abuse, and exploitation;
- Differently from the recruitment methods used during the era of the classic slavery, today's sophisticated methods of recruitment include the use of deception, fraud and black-mailing of innocent and vulnerable people, who believe in the benefits and prosperity that migration can bring;
- While trafficking in persons is a global multi-billion dollar problem that is affecting all countries of the World, Southern Africa finds itself highly vulnerable to child trafficking due to a variety of vulnerability factors, among them: poverty, armed conflicts, unfair trade, natural disasters, limited access to schools, the increasing numbers of uncared for and/or unprotected children, unregistered children, gender inequality, sexual exploitation, cheap labour, and harmful traditional

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practices, including early and forced marriages.

- All these factors make the fight against child trafficking in the sub-region an even greater challenge;
- It is established that all Southern African Development Community (SADC) nations serve as sources, transit or destinations points. Today as many as 38,000 children in the region are trafficked. These children, as young as 10 to 18 years of age, are recruited within, into and out of countries against their will or under false pretences for exploitation in labour, commercial sex, forced marriages, illegal transportation and distribution of goods and services, as well as the removal of body parts, among others. However, despite the fact that all SADC countries have ratified the 182 and 138 ILO Conventions and CRC, and the majority have also ratified the United Nation Convention Against Organized Crime and its Palermo Protocol to prevent, suppress and punish trafficking in persons, to date none has domestic legislation or set policies against human trafficking;
- Child Trafficking is a gross violation of children's human rights. Children suffer direct physical and emotional harm which is inflicted upon them both by those who traffic them and during their subsequent exploitation. The effects of trafficking are not only witnessed in victims and their families, but they promote destabilization, corruption and insecurity, trans-national crime gangs and armed conflicts can also be taken in consideration.

It is in this light that representatives of Southern Africa Civil Society participating in the SANTAC conference, considering that all SADC countries are committed to the Convention on the Rights of the Child (CRC), the African Charter on the Rights and Welfare of Child, and other regional and international instruments for child protection and, thus, committed to the social, economic and cultural rights of children in any circumstance, declare and recommend that:

Legislation, Law Reform, Policies and Implementation

1. If not already completed, they sign and ratify international and regional instruments for protecting children especially against trafficking, abuse

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and exploitation; particularly the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially of Women and Children, supplementing the United Nations Convention on Trans-national Organised Crime (Palermo Protocol), and its optional protocols; the International Labour Organisation's (ILO) conventions 138 and 182, the Hague Convention for the adoption of Children and the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families;

2. Translate into domestic legislation and policies, all international instruments mentioned in Para. 1 and others, and provide the necessary resources to enforce and implement those legal instruments, particularly those related to trafficking, exploitation and abuse of children;
3. Commit themselves to prioritise the mainstreaming of child protection, and particularly of child trafficking, in all their national and regional social, economic, political and cultural programmes and activities within human rights principles;
4. Criminalise the worst forms of child labour within the context of ILO Convention 182 and 138, and adopt comprehensive programmes for its elimination with immediate effect;

Bilateral and Multilateral agreements

5. Establish and carry out bilateral and multilateral agreements against trafficking and exploitation of children in and between SADC countries and other regions for the protection of victims, detention and prosecution of traffickers and exploiters of children;
6. Harmonise legislations, define the crimes of trafficking and their various punishable elements and provide protection of trafficked children, including protection from summary deportation or return if this would pose a security risk to the children;
7. Work in regional networks to address the regional aspects of exploitation and trafficking of children and development from a human rights perspective and coordinate joint action;

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8. Strengthen and, where non-existent, create appropriate structures at and between border areas in order to prevent and detect human trafficking occurrences, as well as shelter and protect victims of human trafficking, particularly children;
9. Facilitate and promote cooperation and collaboration among the labour, transport, tourism, migration and police sectors in each SADC state member and between states to ensure safer mechanisms for migration and the elimination of child trafficking;
10. Establish appropriate national and regional policies and laws on migration to ensure the protection of migrants, particularly children and young women who oftentimes become victims of trafficking, abuse and exploitation;
11. Establish and implement national and sub-regional standard procedures on voluntary repatriation and reintegration of victims of child trafficking, as well as extradition and prosecution of child trafficking perpetrators in the light of Palermo Protocol;
12. Establish child-friendly criminal justice systems that are easily accessible for victims of trafficking;
13. Strengthen and, where non-existent, create, appropriate mechanisms for monitoring and ensure the implementation of the United Nations conventions, protocols and all other international and regional legal instruments for the protection of children in all SADC countries;
14. In case of adoptions, strengthen, and where non-existent, establish institutions and social services to monitor adoption procedures at national, regional and international levels to safeguard children's welfare in light of the Hague Convention;
15. In partnership with NGOs, inter-governmental organizations, religious institutions, private sector and others, strategise and implement an emergency plan of action to prevent trafficking of children and their sexual exploitation and during the Football World Cup, which will take place in South Africa, in 2010.

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Policy Change and Development

Southern Africa Governments are called upon to:

16. Actively work towards the Millennium Development Goals (MDGs), particularly those related to child protection, child welfare and education;
17. Address existing gender imbalance at policy and decision-making levels, including planning, budgeting, implementation, monitoring and evaluation; in order to provide better opportunities for girls and thus, prevent their trafficking.
18. In recognition that children are not just passive participants to their social status and circumstances, promote child participation in the prevention and protection programmes and intervention activities on child trafficking, abuse and exploitation;
19. Promote the involvement of existing socialisation structures such as families, community and traditional leaders, schools, and religious institutions in programmes and activities that promote the prevention and protection of children against trafficking, abuse and exploitation;
20. Draw on all sectors, directly or indirectly involved with child protection issues in both state (government) and non-state (civil society organisations: non-governmental organisations, community-based organisations, faith-based organisations, cultural organisations and other forms of association) to formulate joint multi-sectoral social (education/health/social welfare) economic, political and cultural programmes and activities that promote and enhance safe childhood;
21. Invest in practical research and documentation that facilitate appropriate policy and decision-making to prevent and eliminate child trafficking;
22. Develop national plans of action that include measures to bring about the change in perceptions regarding child labour;
23. Work with all stakeholders to develop programmes for recovery, rehabilitation and reintegration of children affected by traffic, abuse and exploitation;

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24. Strengthen and where not in place, establish policies which serve to fight corruption among and within public and service delivery institutions to ensure effective prevention of child trafficking.

Research, Public Awareness and Capacity Building

Government, Civil Society and the Private Sector are encouraged to:

25. Strengthen and, where non-existent, create, specialized institutions for protection of children including those at risk of trafficking and guarantee that these are manned by appropriately qualified personnel;

26. Make resources available for research on the informal sector and sectors that have been identified as employing trafficked persons in particular, such as agriculture and sex industry, as well as the domestic service sector;

27. Undertake research on issues and factors that contribute to the promotion of child trafficking including abuse, exploitation and body parts trafficking;

28. Undertake research focussed on demand and supply of trafficked children in all countries of the sub-region;

29. Develop adequate sensitisation and awareness raising programs and activities that target children, families and communities, on child trafficking;

30. Run awareness campaigns on child trafficking in destination countries aimed at the users of children's services;

31. Train paralegal staff to work in communities to assist children victims of trafficking and abuse;

32. Train and sensitise government officials on issues of children's vulnerability to trafficking and abuse;

33. Train and sensitive legislators about issues of child trafficking and abuse.

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34. In partnership with civil society, conduct research, identify and exchange best practices associated with child trafficking, vulnerability and development;
35. Develop guide-lines and promote the training for stakeholders including police, border guards, immigration officials, and others involved in detection, detention, reception and processing of migrants, on child trafficking in particular, and trafficking in person in general;
36. Promote inspection of immigration detention centres by the national human rights institutions;

To complement Government efforts, members of the Civil Society (NGOs, private sector, CBOs, FBOs, COs and children associations) and regional and international cooperating partners (NGOs/IGOs) are called upon to:

37. Define and adapt an integrated strategy to combat child trafficking that encompasses prevention and care and support of victims with clearly defined actions and responsibilities of different actors;
38. Promote child rights, informing communities of the importance of preserving these, as well as encouraging communities to respect and report violations of children's rights;
39. Improve advocacy and lobbying efforts to influence decision makers to adopt appropriate policies for child protection;
40. Put forward mechanisms to protect trafficked children's rights, such as giving them access to complaint procedures through structures and measures that do not bring them into direct contact with law enforcement and immigration officials, thus encouraging reports in cases of trafficking and abuse;
41. Provide access to temporary shelter for children victims of trafficking, abuse and exploitation, as well as psychological, legal assistance services and social reintegration;
42. Establish a community education programme for the prevention of child trafficking and abuse, with children as the main actors, consisting of

awareness building in schools and other places through drama, sports, dance, debates and speeches on harmful practices to children;

43. Create a regional social movement aimed at the prevention and combating of trafficking and abuse of children; and

44. Mobilize the necessary human and financial resources for the prevention and combating of trafficking and abuse of children.

Members of SANTAC are called upon to:

45. Define child trafficking, taking into consideration existing definitions and proposed definitions, as well as national, social and cultural contexts;

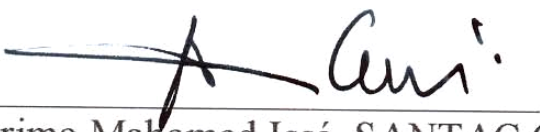
46. Collaborate towards a regional definition of child trafficking;

47. Collaborate to monitor and evaluate implementation of the recommendations of the present declaration.

Signed: 
Graça Machel, SANTAC Co-Patron



Signed: _____
Desmond Tutu, SANTAC Co-Patron

Signed: 
Abdul Carimo Mahomed Issá, SANTAC Chairperson

Kopanong Hotel and Conference Centre, **Johannesburg, 28 March 2007**