

## URGENT ALERT: SOUTH AFRICA May 2010

By Equality Now

### Urgent call: World Cup Soccer and Sex Trafficking A Volatile Combination

Nobuntu was born in Umthatha in the Eastern Cape of South Africa. At the age of 14, while staying with a friend, Nobuntu was trafficked into prostitution when her friend's brother sold her for R100 to a man who raped her repeatedly. She was later tricked into handing over her identity documents to a man who wielded total control over her, selling her to multiple men and threatening her with death if she tried to escape. At the age of 17, Nobuntu had a miscarriage and ended up in a hospital where she summoned the courage to escape her pimp. She contacted Ilitha Labantu, a local women's rights organization, which was able to provide her with legal aid and house her in its shelter. Currently Nobuntu is 18 years old and Ilitha Labantu is trying to help her institute a case against her pimp.



Nobuntu is only one of many victims of South Africa's thriving sex trade. Government and NGO reports have found that South Africa is a source, destination and transit country for sex trafficking: crime syndicates recruit girls from rural towns; runaways fall prey to traffickers; and women from Eastern Europe, Asia and around the world are brought in to and out of South Africa for the purpose of sexual exploitation. The United Nations Office on Drugs and Crime (UNODC) has reported that South Africa is the primary destination country for victims of trafficking in the Southern African region. Women and girls make up the largest proportion of victims of trafficking in and out of South Africa and poverty is a key contributing factor to their vulnerability.

Presently there is no law that effectively addresses human trafficking in South Africa which makes it challenging for girls like Nobuntu to obtain redress. While Penal Code provisions could be used to punish her trafficker, the law does not provide for preventive and rehabilitative services to victims, without which Nobuntu is vulnerable to further exploitation. Further, currently the police and the public often fail to understand and identify human trafficking, perceiving victims of human trafficking as runaways or criminals. The advent of the 2010 World Cup in June of this year in South Africa increases the vulnerability of girls like Nobuntu since the demand for exploitive sex will be at a premium. Human rights organizations anticipate that trafficking of women and girls both within and to South Africa will significantly increase during the World Cup. Months in advance of the World Cup, brothels have been inching closer to the stadiums, staking out prime locations for sexual exploitation. The media and human rights groups, such as Ilitha Labantu, have begun to report abductions of young girls, thought to be correlated with the expected demand for sex during the World Cup. South African police have already begun tracking potential traffickers.

Sex trafficking is a multibillion dollar enterprise fuelled by the demand for sexual services. Efforts to combat sex trafficking must therefore address demand and provide protection and services to victims, including programs that provide prostituted women, girls and their children with viable alternatives. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the "Palermo Protocol"), ratified by South Africa, requires States Parties to criminalize trafficking in persons and "adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking" (Article 9(5)). Similarly, Article 16 of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (the "1949 Convention") to which South Africa is also a party, requires it to "take or to encourage, through...public and private educational, health, social, economic and other related services, measures for the prevention of prostitution and for the rehabilitation and social adjustment of the victims of prostitution..." These international obligations are reinforced by

Section 9(1) of the South African Constitution which guarantees equality before the law and equal protection of the law.

The Government of South Africa is considering enacting legislation against human trafficking, currently in the form of the Prevention and Combating of Trafficking in Persons Bill 2010. This bill adopts a broad definition of human trafficking, conforming to international standards; provides for the provision of protection and services to victims; and criminalizes those who knowingly benefit from the services of victims of trafficking. Grassroots organizations, such as Ilitha Labantu which has successfully advocated for the enactment of laws that protect the rights of women and girls, have been supporting the passage of such an anti-trafficking law in South Africa and are currently in the process of launching campaigns to raise awareness about trafficking in anticipation of the World Cup. The initiatives of South African groups are supported by regional efforts such as those of Women and Law in Southern Africa (WLSA) and the Southern Africa regional Network against Trafficking and Abuse of Children (SANTAC) which are spearheading the Red Light Campaign calling on governments to enact policies and laws to combat trafficking and protect women and children.

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