

# **Southern Africa Network Campaign against Child Abuse**

## **Report on Regional Core Group Meeting**

**3 - 5 May 2006**

**Johannesburg**

### **1. Introduction**

The Southern African Network against Trafficking and Abuse of Children (SANTAC) held its first meeting as a legal network from the 3rd to 5th of May. This first Core Group Meeting of 2006 was held at Auckland Lodge in Johannesburg, South Africa and joined members of various member NGOs as well as civil society representatives. This three-day meeting served as an opportunity for Core Group members to present the current situation of trafficking and abuse of children in their countries through the presentation of Country reports; discuss successes, obstacles and challenges; exchange experiences; discuss the Regional Conference against abuse and trafficking of children to take place later this year; as well as discuss the way forward for SANTAC. Members also benefited from a Terre des Hommes (tdh) training session on Programme Cycle Management (PCM).

The meeting was also be an opportunity for members to hear from organizations such as the International Organization for Migration (IOM), about the current legal treatment of human trafficking in Southern Africa, lessons from other countries, and gaps in the current legal treatment at country level; the International Labour Organization (ILO) which deals with the demand issues of child sexual and economic exploitation; the United Nations Organization Office on Drugs and Crime (UNODC), who work against human trafficking in the region, as well as the United States of America Embassy on their Anti Trafficking in Persons (TIP) Programs. The aim of this meeting with international agencies working in the same field as SANTAC was not only to share current research findings, but also to discuss activities as well as areas for possible partnership at national and regional level, in the areas of legislation, agreements, research, training and reduction of socio-economic limitations of vulnerable children, their families and communities at origin countries.

The Meeting was opened by Judith Thombeni, Director of Terre des Hommes (tdh) South Africa. The countries represented at the meeting were Angola, Malawi, Mozambique, South Africa and Zambia (see annex 1 for list of participants on day 1 and 2). Core Group Members also had the opportunity to meet the new tdh Germany Regional Coordinator Felix Mulhanga, who congratulated SANTAC for their ongoing efforts in the fight against trafficking and abuse of children, and for impacting strongly in the lives of African children.

## **2. Retrospective**

This Core Group Meeting is the first meeting held since the creation of SANTAC in May 2005 in Maputo. Following on the decisions made at Kopanong 2004 and Girasol 2005, the following is a brief description of what has been achieved:

- Research has to be compiled and turned into a formal Regional Research Tool to be used by member and other as a credible information tool.
- The registration of SANTAC is underway; SANTAC has been registered and is awaiting publication in the National Bulletin in Mozambique.
- A Regional Conference against trafficking and abuse is set for later this year.
- In terms of capacity building this meeting was an opportunity for member to receive training in Project Management, offered by tdh. Access to resources is still in issue.
- SANTAC is also establishing linkages with various initiatives and institutions such as the African Union (AU) and the Southern African Development Community (SADC).
- There are still 8 countries involved in the campaign, namely: Angola, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe. The network plans to expand to Botswana and Lesotho, this year;
- Furthermore, there is a growing consensus that SANTAC must become independent.

## **3. Main aims of Core Group Meeting**

This first Core Group meeting of SANTAC as a legal institution, and had the following objectives:

- Balance of the activities developed and the impact of these, since the last Core Group meeting that took place in Maputo, in Hotel Girasol, in May 2005;
- Presentation of written reports by SANTAC members on the impact of their activities and networking process at regional and Country level;
- Task teams for the draft of final Declaration, Petition to the government of SADC countries, regional Conference Plan, resources mobilization for the Conference;
- Prepare the participation of Southern Africa in the International Meeting of Partners, to be held on the 22nd May 2006 in Germany that will count on the participation of two members of SANTAC (Zimbabwe and South Africa);
- Train the members of the Core group in Project Cycle Management (PCM), and exchange experiences about best practises among the different SANTAC countries;
- Create strategies for the Regional Conference, to take place towards the end of this year, in one of the SANTAC countries;
- Promote a consultative meeting with United Nations and other International Agencies, Embassy Representatives and International NGOS working or with special interest in domestic and cross-border child trafficking.

#### **4. Results Achieved**

##### Presentation of Regional and Country Reports

The Executive Director of SANTAC, Margarida Guitunga, presented the report on SANTAC's Regional activities. Core Group Members brought forward consolidated reports about their organisations and their work in the fight against trafficking and abuse of children in their countries. There were reports unavailable for the following countries: Namibia, South Africa and Swaziland.

##### Regional Activities Report

At the Girasol meeting 2005, it was recommended that SANTAC continue its activities as a legal institution. The legalisation of SANTAC is in process and will soon be published. The SANTAC name is now legal. A 2 year strategic plan was drawn up by the SANTAC Office, and approved by tdh. However, not all areas were covered by the budget. The areas covered included the media campaign, the website, research and campaign advertising. For the campaign advertising there was a budget for calendars which this year was used to print pamphlets. There was a suggestion for a SANTAC bulletin to be published regularly. The information for the bulletin will be sent by all partners to the SANTAC Office, where it will be compiled and sent to Merab Kiremire for editing. Only 2 bulletins will be published per year: the first in June and second in December.

In terms of institutional capacity the budget would have to increase if SANTAC Office was to leave FDC, as renting is very expensive in Maputo. As it is, the material being used at the office was bought during the Campaign period. There is no budget line for a much needed information officer as well as a security officer. This is important as FDC offices were robbed earlier this year. The budget includes the expansion of the campaign, as well as Monitoring and Evaluation visits. As of yet, the M&E visits have not started yet but the priority countries have been identified as Angola, Namibia and Zimbabwe. As for the expansion of the campaign, this year the countries targeted were Lesotho and Botswana. A desk study of trafficking made by UNESCO includes Lesotho, therefore a good country to start expansion.

SANTAC is developing strong linkages with the press. Through interviews and television debates, SANTAC is becoming a name already recognised by some institutions. There have been other initiatives that have open doors in terms of local resource mobilization. The 'Um kilo por menino' project was initiated in 2005 during a period of drought, where many Mozambican children, especially street children were starving. This highly successful initiative counted on goods and food donated through various shops. It was advertised intensively and children were at the front of this media campaign. There have also been strong efforts within civil society to work with the government to lobby and advocate against child labour. The Executive Director was invited to participate in a conference of the Community of Portuguese Speaking Countries (CPLP – Comunidade de Países da Língua Portuguesa) where the various Portuguese speaking countries' ministries of Labour gathered in the ongoing battle against child labour.

The SANTAC office also took part in the annual ceremony of the World Children Prize for the Rights of the Child (WCPRC). One Mozambican girl attended the event this year, where she was joined by hundreds of children from countries around the world, including South Africa.

### Country Reports

Each member presented a report on their organisation and the activities to which they are contributing against trafficking and abuse of children at country level. (See annex 2 for presentation summary)

### SANTAC legalisation

According to SANTAC's legal advisor, Jorge de Oliveira, last year things started very slow regarding legalisation due to the new Government in Mozambique. The name SANTAC has been registered, but it will take time for SANTAC's final registration.

### Membership and Membership Fees

Although Core Group Members did not discuss the necessary criteria for becoming a member of the network, it was decided different categories of members would be developed and this would determine how much they pay. The categories decided upon were: individual, single organisations, coalitions/networks, corporate organisations and honorary organisations. And the fees they would annually be outlined below:

- Individual members: US\$ 50
- Single organisation members: US\$ 100
- Coalition/Network Members: US\$ 300
- Corporate organisation members (also donors): US\$ 400
- Honorary organisation members: Free

Members agreed that it was necessary for SANTAC to have its own bank account with 3 signatories, the TDH, FDC and Executive Director of SANTAC.

### New Members

The Johannesburg Children Welfare became a new member of SANTAC. Two representatives, namely Lyn Perry and Carol Bews, attended the meeting on the 5th May.

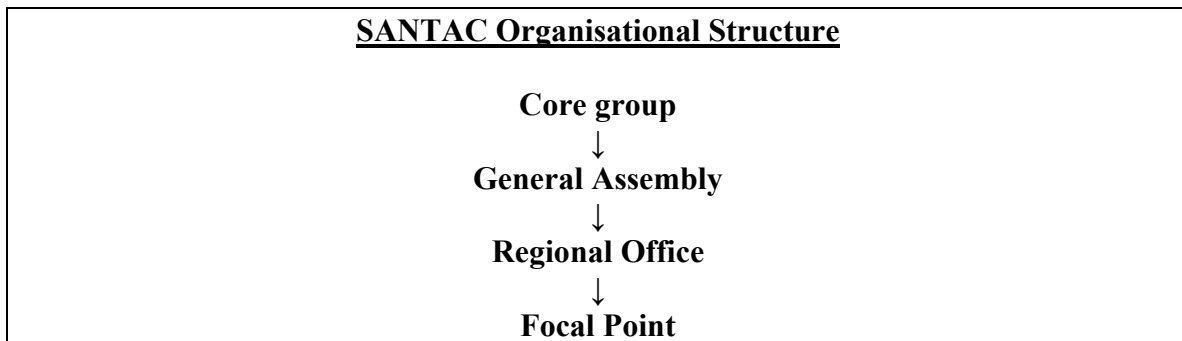
### Forming SANTAC at Country/National Level

There were conflicting views on the name SANTAC being used at national level. For example Angola would have a problem with having an institution like SANTAC at country level, in preference of an Angolan based structure/organisation affiliated to SANTAC. Two options were thus suggested for eligible members of SANTAC, a)

organisations in each country as single members; or b) organisations under a network representing various organisations. An issue was raised that if a network representing other organisations is corruptor incompetent, then there is a danger in corrupting the other organisations and thus corrupting SANTAC.

Members agreed that SANTAC's role at regional level is coordinate efforts to do joint work through giving members skills to work in national programs, as well as opportunities to change countries' experiences.

Members agreed that individual organisations can become members the regional coordinating office can work as focal point.



#### tdh training session on Project Cycle Management

Core Group Members received training in Project Cycle Management (PCM) or Logical Framework. This was a tdh initiative and was conducted by independent consultant Penny Ward. The training session was a way for members to discuss and exchange ideas on why some projects fail and how projects can be designed, implemented, monitored and evaluated successfully. Members agreed that the aim of a good Logical Framework was to have realistic and achievable goals.

#### SANTAC's challenges, strengths and weaknesses

Some of the critical issue or challenges identified were as follow:

- 1. Networking process** in some of SANTAC countries, particularly in complex and multifaceted societies like South Africa, for example. Also, networking process can be affected by the lack of commitment from the organizations involved, and other problems such as protagonist conflicts, different interests and hidden agenda of some organizations working on the same field. It was suggested that we should have a position, as members of a network, on whether we want to engage with other organisations and thus establish our role and the role of the other organisation.
- 2. Resources mobilization and spirit of competition:** the number of national and international NGOs is increasing in many SADC countries, taking advantage of

the favourable environment. Many of these organizations, who are supposed to bring the “know how” to help the capacity building of local organizations; act as centre powered and implementing agencies. This is the clearest evidence that SANTAC will face severe competition for funds with those whose institutions are privileged and have facilities to access resources from sources available in the country through bilateral and/or multilateral agreements in SADC sub-region. This is evident particularly in Portuguese speaking countries, due to the language disadvantage. The Group decided that it was important to produce our consolidated report and thus give SANTAC visibility at Regional level.

3. Community economic empowerment to face the vulnerability to trafficking demands: communities need alternate solutions, for abuse occurs often as a desperate measure.
4. Institutional responses to the traffickers and to the victims of trafficking.
5. Sustainability.

Members tabulated SANTAC’s Strengths and Weaknesses.

<b>SANTAC’s Strengths</b>
<ul style="list-style-type: none"> <li>• Grassroots organisations working directly with beneficiaries</li> <li>• Experienced members in children’s issues, advocating and mobilising local capacity with Regional and Global impact</li> <li>• Legal Regional Entity</li> <li>• Members of International Forum for Child Welfare; International Child Rights (ICR)</li> <li>• Individual members with connections and responsibilities in International and Regional bodies</li> <li>• Patron of 2004 World Congress for Child Rights and Family Law</li> <li>• Research and documentation (technical and regional information)</li> <li>• Presence in 14 SADC countries and actively involved in 8 of these</li> <li>• SADC Region children and youth involvement (incl. Mauritius, Madagascar and Tanzania)</li> <li>• Partner under the banner of Child Protection (areas of sexual abuse and trafficking)</li> <li>• Works with limited resources</li> <li>• Strong in lobbying and advocacy for the ratification and domestication of international legal tools (Convention for Rights of the Child/CRC, ILO Convention 182)</li> <li>• Strong relationship with the media</li> <li>• Lobbying and advocacy has produced research in 4 countries</li> <li>• Presence in the Economic World Forum</li> <li>• SANTAC not fully dependent on tdh and FDC (not claiming ownership)</li> <li>• Regional Director of tdh now African, previously foreign</li> </ul>

<ul style="list-style-type: none"> <li>• Voices heard, respected and responded by our development partners</li> </ul>
<b>SANTAC's Weaknesses</b>
<ul style="list-style-type: none"> <li>• Not all partners pulling together yet; still a bit fragmented</li> <li>• Poor communication systems</li> <li>• Donor dependent, especially on tdh</li> <li>• Weak resource base</li> </ul>

### Regional Conference on trafficking

The Regional Conference on Trafficking is to take place later this year. The Conference is a moment to lobby to governments and society to combat trafficking of children; and for governments to ratify international tools for the treatment of trafficking. She proposed a High-Profile Conference, as a way to gain more as decision makers will be present and with this type of event the results are often immediate. It is important to have a campaign at different levels to mobilise more stakeholders to put the issue of child trafficking and abuse on their agendas. Terre des Hommes Basil already donated 5000€ for the compilation of studies. Terre de Hommes Germany is mobilizing other International NGOs to support this initiative.

SANTAC was approached by OAFLA (Organisation of African First Ladies) in Lusaka, and offered to assist in the network's work in the field of child trafficking. OAFLA has identified Harvard Health Institute (HHI) as a potential donor for the Conference. A concept paper is in the making and will be sent to Harvard University. The Vice-President of the OAFLA is the Zambian First Lady therefore she would be hosting the Conference in Zambia. It was the consensus of the group that the Conference needs to centre on the movement of human beings as good and for services and the economic situation that drives the phenomenon of trafficking. Also focus on political issues that could contribute to the problem, such as the eradication of visas by the SADC. It is important to also examine the implications that some organisations, such as COMESA, may have in indirectly contributing to the trafficking.

Members concluded that the High-level Regional Conference would be held on the 27th September, for 3 days, possibly in Lusaka, Zambia. Apart from the fact that the First Lady of Zambia is also Vice-President of OAFLA, there is also another reason why the Conference should be held in Zambia. It was pointed out that Zambia is a transit country for people being trafficked to South Africa and Namibia. Zambia is literally at the centre of the trafficking route, which would put the Conference in context. There was a problem raised however, as to when the Conference should be held as this is a year of elections for Zambia.

### Collaboration with / Presentation by International Agencies

Four presentations were made to the Core Group (see Annex 3 for brief summary of these).

**Presentation 1:** An assessment of Laws and Policies to Combat Human Trafficking in Southern Africa., by Maciej Pieczkowski, International Organisation for Migration (IOM)

**Presentation 2:** Leyla Ones, United States Embassy Mozambique

**Presentation 3:** Trafficking in Human Beings: a UNODC approach and programme by Natalia Ollus, UNODC Regional Office Pretoria

**Presentation 4:** Child Trafficking in the Southern African Customs Union (SACU) by Dawie Bosch, ILO Regional South Africa

SANTAC's Vice-Chairman Merab Kiremire informed the Agencies that SANTAC would now begin a process of putting information together and gathering all research into a proper study. She added the importance of working toward the creation of a sub-regional Task Force on abuse, an act that would link all our efforts. She emphasised that SANTAC has very good capacities within its members.

Dawie Bosch, representing ILO, expressed that from the energies shown by SANTAC members, we could all benefit from working jointly, but this must be taken to the next level of practicality. He requested more information on the idea of the sub-regional task force; how such a task force/forum would link with the existence of regional structures. He emphasised that Regional Integration was absolutely essential. Natalia Ollus, representing UNODC, said that SANTAC had an opportunity to influence what is already happening in terms of the SADC, the African Union and National level Task Teams. The UN welcomes all efforts and indications, and a move towards putting things in practise should be made.

## **5. Resolutions and Way-Forward**

### Resolutions

1. High-Level Regional Conference on Trafficking to take place on 27th September, for 3 days in Lusaka, Zambia.
2. Consolidation of network in Namibia, Angola and Swaziland. Expansion to Lesotho and Botswana, due to a preliminary study by UNESCO that has shown prevalence of trafficking in these countries.
3. Increase actions on Lobbying and Advocacy for the establishment of legislation in these countries is critical, almost all countries have ratified legislation (Optional Protocols). No country, with the exception of Nigeria and Tanzania, has a law against trafficking.
4. Lobby and advocate that each country begins the process of establishing legislation.
5. An NGO consolidated report on the situation of trafficking in Southern Africa.

### Way-Forward

The Following are the immediate actions that Core Group members decided on as a way forward:

- Concept Paper to be drafted approved and sent to HHI, although SANTAC is still negotiating other partnerships to contribute to the Regional Conference.
- SANTAC to open its own bank account.
- SANTAC to start gathering information to prepare final study on trafficking in the region to be distributed at the Regional Conference.

## ANNEX 1

### LIST OF PARTICIPANTS

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## ANNEX 2

### Country Reports

#### *Zambia*

Presented by Merab Kiremire, MAPODE (Movement for Community Action for the Prevention and Protection of Young People against Poverty, Destitution, Disease and Exploitation)

MAPODE was created in 1997 in Zambia. In 1999 the organization was registered in Uganda and in 2004 in Namibia, although in the latter it is not yet functional, but research in the area has started.. However, Merab hopes to join Connie in the near future to conduct research in the Namibian/Angolan border, specifically the Rundo area. MAPODE's main objective is to mobilize and work with the communities, including its leadership and family in order to reach the family for the promotion of social and family values for the prevention & protection of young people against poverty, destitution, disease and exploitation. MAPODE has various programs that are highly known in the field of Child Protection, as well as various centres of interventions for young people at risk and training programs for homeless children. The Child Protection Advocacy Program, for example, uses radio, television and pamphlets to get their messages out. Due to all the success MAPODE had in Zambia since its creation, the organisation was asked to draft a preliminary law against trafficking in Zambia. This has been done and submitted and they anticipate that within a year Zambia should have a law against trafficking.

MAPODE uses public awareness campaigns in order to help confront governments with the problem. TdH funding is consistent and systematic. During consensus building workshop that brought together all stakeholders, MAPODE Alliance was formed. This Alliance aimed to work with the community; bring everyone on board at national level for policy making; and disseminate information through research and documentation. MAPODE hopes to build structures in partnership with SANTAC, CANGOC and OAFLA.

#### *Angola*

Presented by Connie Braithwaite on behalf of ADCP (Associação para a Promoção do Desenvolvimento Comunitário e Participativo no Sul de Angola)

This organisation was formed 10 years ago, and has as an objective the promotion, support and participation in Community Development actions with vulnerable communities. Based in Lubango, it works in partnership with UNICEF, the Provincial Government and the Catholic Church. The biggest problem facing this area is child labour.

In terms of trafficking the facility to acquire false documentation in Angola, may place the country as a point of passage in the route of trafficking. Children from the Democratic Republic of Congo, attempt to acquire Angola documentation in Luanda, in order to go

through to Namibia. There are also problems at Angola borders with the Republic of Congo and the Democratic Republic of Congo where children according to information obtained, the children are sent to Angola by their families.

The Government in partnership with UNICEF has begun training immigration officers at the border posts. Government has also brought in legislation stating that children cannot travel unless they have the consent of both parents. ADCP also plans to conduct a survey at the Angola/Namibia border, where it hopes to register all the children at the border.

### ***Zimbabwe***

Read by Nominise Gogo on behalf of Beryl d'Almeida.

The report is a summary of four research studies, supported by Save the Children Norway, conducted in the border towns of Beitbridge, Plumtree, Kariba and Nyamapanda.

In Zimbabwe the subject of trafficking of women and children for exploitation purposes is new and has not been researched properly. Discussion with police and immigration officers revealed that no reports had been made concerning any victims of trafficking for sexual exploitation.

The report concludes that much cross border activity by children is self willed and voluntary. Cases of involuntary, enforced, coerced movement of groups of children by people connected to organised networks have not been systematically exposed.

### ***Malawi***

Presented by Maxwell Matewere, Eye of the Child, MCCR (Malawi Coalition on Child Rights)

The goal of the MCCR is to address limitations in terms of opportunities given to children and contribute to positive lasting changes in the lives of children in Malawi. The MCCR is affiliated to the Malawi Government Technical Working Group on Child Protection, which was formed in April 2005 in attempt to strengthen coordination and linkage in Child Protection Programmes in Malawi.

A baseline study on child abuse in Malawi will be conducted starting from June 2006. The Coalition held its first meeting in April 2005 where the major output was the development of guidelines for combating trafficking. MCCR with coordination of Eye of the child hosted two training workshops against child trafficking to police and immigration officers in November 2005. A second meeting was organised in May 2005, where Government departments, NGOs and CBOs joined to share best practices.

The impact of Coalition activities include: changes in attitudes, behaviours, knowledge and practise; laws and law enforcements, develop children's abilities and self confidence; protecting children against abuse and HIV infection; reintegration of 32 street children;

increased people's knowledge levels due to IEC, which increase number of reported cases.

### ***Mozambique***

Presented by Carlos Manjate, REDE CAME (Rede contra o Abuso de Menores – Network against Abuse of Minors)

The Mozambican Network against Child Abuse is a group of organisations dedicated to mobilising forces and synergies within the Mozambican society in order to fight all forms of child abuse through advocacy, education and sensitisation. A Core Group comprised of 13 organisations was created after in 1996, with the financial support of tdh, after the First World Congress against Commercial Exploitation of Children, held in Stockholm.

By liaising with national and international partner organisations, the network was about to conduct direct and indirect mobilization or organisations and institutions at all levels due to their involvement in the fight against child abuse. It also longed to establish agreements with funding and technical assistance organisation such as tdh, Save the Children, UNICEF among others. In the area of legal reform the network has just signed an agreement with the Ministry of Justice to convene regular meeting with civil society in order enable a legal drafter to exchange views on anti-trafficking legislation. REDE CAME has also been involved with Save the Children UK and other local organisations in pursuing a program aimed at providing multisectoral assistance for children victims of abuse, with the overall aim of establishing protection units in Municipalities.

REDE CAME is increasing the number of presentations in workshops demanded by specific groups among these journalists, donors, government institutions, NGOs and the media. Last week the network was invited by the Ministry of Women and Social Action to make a presentation to the National Coordinating Council of Government officials within the areas of women and children. The network has also managed through the media and through the publication of various materials the dissemination of information to children and communities.

## ANNEX 3

### Presentation One: an assessment of Laws and Policies to Combat Human Trafficking in Southern Africa., by Maciej Pieczkowski, International Organisation for Migration (IOM)

Maciej Pieczkowski works most specifically within the South African Counter Trafficking Assistance Program which has four components including program assistance and protecting children from sexual exploitation.

IOM is the midst of finalising a book length report of 280 pages which is an assessment of laws and policies to combat human trafficking within 6 countries of Southern Africa. This report will be available on the IOM website ([www.iom.int](http://www.iom.int)) within the next 2-3 months. The study shows that laws already put in place are failing to be utilised to combat trafficking. The research was undertaken between June 2005 and March 2006 in 6 Southern African countries, namely: Malawi, Mozambique, South Africa, Tanzania, Zambia and Zimbabwe.

The aims of this assessment were to analyse laws, theory and practise; identify weaknesses in existing legislation; as well as document problems faced by police and prosecutors. The main objective was the identification of legal and practical barriers. The difficulties faced by such an assessment included, identifying and obtaining copies of relevant legislation in countries outside South Africa. There were also very few experts on the issue and even fewer with practical. Research revealed that in most countries no trafficking cases had been reviewed at national level. Only a few cases focused on trafficking, even though trafficking had taken place.

In most countries few existing laws mention trafficking. In South Africa, however, the Sexual Offences Bill containing a chapter that criminalises trafficking for sexual exploitation will soon be going to Parliament. In Tanzania, the Sexual Offences Special Provision Act of 1998 prohibits the buying, selling or bartering of a person for money or anything else. Note that this was out in place before the Palermo Protocol was signed. In the countries assessed there were certain laws that could be used to prosecute case containing elements of trafficking such as: Penal Code; Labour/Employment Law; Immigration Law; Child Protection Law; Sexual Offences Legislation; Anti/Corruption Law; Organised Crime Law; Local by-laws (i.e. regulation entertainment, etc). It is important to note that there are certain factors within some countries which may contribute to trafficking, such as in Malawi, Mozambique and Tanzania where illegal exit is not criminalised.

The gaps revealed in the Legal Framework were as follow:

- False labour recruitment by some 'Employment Agencies;' the role that these organisations and their officers play in trafficking is not addressed.
- Residency status of victims of cross border trafficking: existing provision in South African Immigration Law may allow victim to stay in the country for two

weeks whilst receiving assistance, as long as victim leaves the country within those 2 weeks.

- Legal provision specifically aimed at preventing trafficking or protecting human rights of victims of trafficking, with the exception of South African Children's Bill. However, officials are often unaware of possible protective measures.
- Coordinated strategy to identify and assist victims of trafficking.
- Absence of procedures and clear policies for handling case of victims of trafficking when they come to light (across region case are handled in an ad hoc basis with mixed results).

There some limitations that the assessment encountered including:

- Scope: existing laws too narrowly defined to apply to all trafficking situations (e.g. slavery not criminalised in most countries);
- Jurisdiction: relevant roles don't reach outside country;
- Awareness: police and prosecutors don't know how to approach cases of trafficking.

Maciej Pieczkowski suggested that when the report was published and available, it could be useful for members to pick out the country chapters and use it to raise awareness in their countries.

### **Presentation Two: Leyla Ones, United States Embassy Mozambique**

The US Government has had a growing interest in Trafficking in Persons (TIP), and Congress passed a Trafficking Victims Protection Act in 2000. The US Department of State established the Office to Monitor and Combat Trafficking in Persons (G/TIP) to combat trafficking worldwide. The Office established a Tier system to establish whether countries were compliant with international conventions against human trafficking:

Tier 1: countries in full compliance with TIP law

Tier 2: countries not in full compliance but making efforts

Tier 2 watch-list: countries that have failed to make significant efforts

Tier 3: countries that are not making any efforts at all to comply with international conventions against trafficking

When a Congress drops to Tier 2 watch-list, Congress starts considering sanctions. Mozambique is listed as a Tier 2 country.

Between March 2005 and February 2006 there are some positive things that Mozambique has done to combat trafficking in persons. There is a greater effort by the Ministry of Interior to make available law enforcement statistics (some interested parties keep informal statistics). Examples of law enforcement efforts are plenty. In March 2005, undercover officers arrested a man trying to sell a boy in the Mozambican city of Quelimane. There was also a case in which 35 abducted children were recovered and 18 of these have been returned to their families. It is important to note that there is a grey area between trafficking and smuggling.

There have also been great efforts made by civil society. REDE CAME provided training to the press. The most renowned University in Mozambique, Eduardo Mondlane University received funds from tdh among other to conduct a study on trafficking. The study 'Tata Mama, Tata Papa' was published last month. Dr. Carlos Serra, the editor of the book, has asked the US Embassy for funding for a study on internal trafficking.

In March the first trafficking related conviction was handed down to 2 men in the Inhambane province. They were sentenced to 8-9 months using penalties within the Penal Code. One Mozambican newspaper, Notícias, has journalists such as Jose Pacheco, taking a keen interest in the issue of trafficking. High level people are now mentioning trafficking in speeches or meetings. The Moamba victim shelter in Maputo province was recently inaugurated. Through USAID, the Embassy is funding an initiative to help the Ministry of Justice draft legislation against trafficking in Persons. The first draft should be ready by August 2006.

There are however some weaknesses in the fight against trafficking in persons in Mozambique:

- Mozambique ratified, at Assemble level, the Convention on Organized Crime and Optional Protocol, but have not yet delivered to the United Nations, rendering the ratification meaningless;
- In the Children's Protection Law there is no clause that deals with trafficking of children;
- More awareness must be raised in Mozambique about trafficking and smuggling;
- The issue is represented mostly by civil society.

There are some challenges in terms of resources, but it is important to establish how to do more with less. It could be useful to print brochures for judiciary and police officers citing articles within the Penal Code that can be used to deal with human trafficking. Also due to the large absence of qualified psychologists, social workers, counsellors, etc, a core group of volunteers could be established, and they could receive training on how to deal with victims.

**Presentation Three: Trafficking in Human Beings: a UNODC approach and programme by Natalia Ollus, UNODC Regional Office Pretoria**

This report was published by UNODC two weeks ago and can be found through the following link:

[http://www.unodc.org/pdf/crime/trafficking\\_persons\\_report\\_2006-04.pdf](http://www.unodc.org/pdf/crime/trafficking_persons_report_2006-04.pdf)

The United Nations Office on Drugs and Crime (UNODC), established in 1997, is a global leader in the fight against illicit drugs and international crime. The UNODC Global Programme against Trafficking (GPAT) launched in 1999, assists Member States in their efforts to combat trafficking in human beings.

Africa is predominantly a region of origin for victims of trafficking, more especially within Western Africa. UNODC's work against trafficking in persons in Southern Africa covers 11 countries: Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe. At the moment there are 3 UNODC trafficking in person's projects:

1. Assistance to law enforcement, prosecution services and courts in Southern Africa to implement the Protocol to prevent, Suppress and Punish trafficking in persons especially women and children. The Southern African Regional Police Chief Council Organisation (SARPCCO) and UNODC have joint project to increase the technical capacity of police and prosecutors in the SARPCCO Member States in the implementation of the UN Protocol. The development of training curricula, materials, tools and case studies for training law enforcement and prosecution, as well as the revision of existing UNODC training manual.
2. Assistance in the formulation and implementation of the SADC Declaration and Plan of Action against trafficking in persons; including training legal drafters regarding legislative developments.
3. Stop Child Trafficking Campaign in the Western Cape, through South African NGO Molo Songolo. Aims to prepare a study on trafficking in children; prevent trafficking in children; raise awareness; train stakeholders; provide support to victims and those at risk.

There are some UNODC materials that can be used to guide legislation or train professionals:

- Legislative guides for the implementation of the UN Convention against Transnational Organized Crime and Protocols thereto;
- Anti-Trafficking toolkit;
- UNODC Trafficking Training Manual.

These materials are available on the UNODC website: [www.unodc.org](http://www.unodc.org)

**Presentation Four: Child Trafficking in the Southern African Customs Union (SACU) by Dawie Bosch, ILO Regional South Africa**

The International Labour Organisation's (ILO) Programme towards the Elimination of the worst forms of Child Labour (TECL) works within the Countries of the Southern African Customs Union (SACU), namely: Botswana, Namibia, Lesotho and Swaziland (BNLS). The International Programme on the Elimination of Child Labour (IPEC) has programs in other countries including Mozambique and Zimbabwe and also works with other NGOs. TECL works mainly with government, labour organisations and businesses.

The Global Report under the Follow-up to the Declaration on the Fundamental Principles and Right at Work 2006 ([www.ilo.org/declaration](http://www.ilo.org/declaration)), launched in on May 4th, concluded that the end of child labour is within reach. Although the report focuses on child labour, child trafficking falls within this issue. ILO's view is that much progress has been made in global efforts to end child labour, and it has declined by 11 per cent over the last four

years to 218 million. The most significant improvement in terms of the fastest decline has occurred in Latin America and the Caribbean. Progress in Asia has been marginal and least progress has been made in Africa, particularly Sub-Saharan Africa. In 2000 in Sub-Saharan Africa the estimated number child labour was 28 million, which increased in 2004 to 49.3 million. The improvement in Latin America can be attributed to a variety of factors including political commitment, program implementation and the growing economy.

The role of the UN Agencies in trafficking:

- UNODC: custodian of UN trafficking general
- IOM: focus on regional activities (cross border trafficking)
- UNICEF: children in general
- ILO: trafficking in children seen as Worst form of child labour (purpose of labour exploitation)

There was a question raised as to whether ILO defined commercial sexual exploitation of children as a form of child labour. There is much debate around 2 forms of crime against children: a) commercial sexual exploitation, e.g. prostitution, child pornography; b) child is used to commit a crime. However, the Convention drafted in 1999, firstly defined children as all those below the age of 18 (17 and below), and listed the Worst forms of child labour as follows:

- Commercial sexual exploitation
- All forms of slavery or practices similar to slavery (bonded labour)
- Using children in illegal activities (drug activities, housebreaking gangs)
- Children in very hazardous activities (to be defined by each country; “usual” production methods may be hazardous to children because of their higher vulnerability).

Child work is work that is not bad for the child’s health, schooling or development; e.g. reasonable household chores that do not affect schooling. Child Labour is work by a child exploitative, hazardous or otherwise inappropriate for the child’s age; detrimental to the child’s schooling; detrimental to the child’s social, physical, mental, spiritual or moral development. Worst forms of Child Labour can be defined as commercial sexual exploitation of children; children used to commit; child trafficking; very hazardous work. In the Child Labour context, it is vital to prioritise action to address child labour. As for the Worst forms of Child Labour ratifying states must immediately take ‘time-bound measures’ to secure the prohibition and elimination of the worst forms of child labour.

In South Africa ILO plans to expand on-the-ground projects already taking place in Gauteng, as well as to assist with legislation dealing with child trafficking. In the BLNS countries there is on-going research on child trafficking and assistance on drafting of national strategies. At Regional level TECL assists other UN agencies in addressing issues regarding trafficking in children.

In South Africa moves are being made towards protecting children from Worst forms of Child Labour. The Children's Act was adopted by Parliament but has not been signed into law. The Sexual Offences Act is a tool that may be in use soon. At the moment there is also the drafting of a comprehensive Trafficking in People Bill that has yet to be published.