

POVERTY

Article 25: Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

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Human Trafficking in South Africa:

ROOT CAUSES AND RECOMMENDATIONS



Human Trafficking in South Africa: Root Causes and Recommendations

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Foreword

UNESCO contributes to the global fight against human trafficking by encouraging more effective and culturally appropriate responses based on research and community participation.

The basis of this policy-paper is a combination of qualitative analysis of interviews with stakeholders in 2004-2005 completed with a critical review and analysis of available literature on human trafficking, especially of women and children in Sub-Saharan Africa.

A first version of the policy-paper was presented to a variety of stakeholders during a regional workshop on “Human Trafficking in Southern Africa (Lesotho, Mozambique and South Africa): Root Causes and Policy Recommendations” organized by UNESCO in Pretoria, South Africa on 22-23 November 2005. Based on the comments gathered during the workshop, the paper was further improved through complementary research and analysis in May 2006 - March 2007.

It is intended to serve as a tool for advocacy and awareness-raising to fight human trafficking in South Africa, with concrete recommendations to be implemented by a wide range of actors working to fight human trafficking in South Africa (including the government, international and local organizations).

ACRONYMS

| | |
|---------|---|
| ASI: | Anti-Slavery International |
| CATW: | Coalition Against Trafficking in Women |
| CIA: | Central Intelligence Agency |
| DRC: | Democratic Republic of Congo |
| ECPAT: | End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes |
| GDP: | Gross Domestic Product |
| ILO: | International Labour Organization |
| IOM: | International Organization for Migration |
| NCACA: | National Campaign Against Child Abuse |
| NGO: | Non Governmental Organization |
| NPA: | National Plan of Action (for children) |
| NPA: | National Prosecuting Authority |
| PRSP: | Poverty Reduction Strategy Paper |
| RAPCAN | Resources Aimed at the Prevention of Child Abuse and Neglect |
| SADC: | South African Development Community |
| SALRC | South African Law Reform Commission |
| SAMP: | South African Migration Project |
| SAPS: | South Africa Police Service |
| STI: | Sexually transmitted infection |
| SWEAT: | Sex Workers Education and Task Force |
| TECL: | Towards the Elimination of the Worst Forms of Child Labour |
| TVPA: | Trafficking Victims Protection Act |
| UK: | United Kingdom |
| UN: | United Nations |
| UNESCO: | United Nations Educational, Scientific and Cultural Organization |
| UNICEF: | United Nations Children's Fund |
| UNIFEM: | United Nations Development Fund for Women |
| US: | United States |
| USAID: | United States Agency for International Development |
| USDA: | United States Department of Agriculture |
| USDOL: | United States Department of Labor |
| WFP: | World Food Program |
| WHO: | World Health Organization |
| ZAR: | South African Rand |

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Map of South Africa

1 Introduction

1.A. SUMMARY

Trafficking in human beings, especially women and girls, is not new. Historically, it has taken many forms, but in the context of globalization, has acquired shocking new dimensions. It is a complex, multi-faceted phenomenon involving multiple stakeholders at the institutional and commercial level. It is a demand-driven global business with a huge market for cheap labour and commercial sex confronting often insufficient or unexercised policy frameworks or trained personnel to prevent it. The primary driving force for the supply is poverty, with associated poor education standards and lack of employment opportunities that propel vulnerable people into the hands of traffickers. The trafficking industry, responding to growing demands for cheap, malleable labour and an expanding, globalized sex industry guarantees a ready supply to satisfy that demand.

South Africa provides a market for the services of trafficked persons from regional and extra-regional locations.¹ Armed conflict and associated dislocation, political and economic upheaval, food insecurity, lack of education and employment opportunities and the blight of the AIDS epidemic make South Africa a magnet that attracts migration from across the continent. Organized crime syndicates, local traffickers and refugee populations exploit this vulnerable population for the sex industry, agricultural and industrial labour and organ harvesting. South Africa is also a transit and source country for the international market in the trafficking of humans. As a transportation hub, South Africa offers direct flights and shipping to Europe and Asia. The scale of growth of the traffic in human beings from Africa to Europe and the Middle East suggests that South Africans, as with many other African nationalities, are already feeding this transnational business.² There is also evidence of internal trafficking.

The legacy of the apartheid regime has to be deconstructed and, most importantly, legislation and policy put in place to ensure the continued establishment of a system that

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1. Rossi, ed. (2003) *Trafficking in Human Beings, Especially Women and Children, in Africa*, UNICEF Innocenti Research Centre.
 2. Idem.

not only complies with international norms and standards but reinforces locally, culturally appropriate responses. South Africa participated in the First World Congress against Commercial Sexual Exploitation of Children (CSEC) held in Stockholm in August 1996. There was also participation in the Terres des Hommes International Campaign against Child Trafficking launched in 2001, under the patronage of Graça Machel and Archbishop Desmond Tutu. Following these events, a number of programmes were established in different areas such as awareness-building, protection, social reintegration, and rehabilitation. Despite the Government's participation, human trafficking remains a critical problem in South Africa. Prevention calls for an integrated and multi-sectoral approach that addresses migration and trafficking within the context of overall national and development policy. An integrated approach to combating trafficking through gender-sensitive and rights-based approaches to provide livelihoods for women needs to be explored.

1.B. KEY FACTS

Country Profile³

| | |
|--|---|
| Total Population | 47.2 million (2004 figures) |
| Urban population | 58.8% (2004 estimate) |
| Ethnic groups | black African 79%, white 9.6%, coloured 8.9%, Indian/Asian 2.5% (2001 census) |
| Life expectancy at birth | Female: 48.2 years (2004 estimates) Male: 45.7 years |
| Infant mortality (<i>under 1 year</i>) | 54 deaths/1000 live births |
| Adult literacy | Female: 80.9% Male: 84.1% |
| Population living on less than US\$1/day | 10.7% |
| Combined gross enrolment ratio for primary, secondary and tertiary schools | 77% |
| Children under height for age (<i>under 5 years</i>) | 12% |
| Population with sustainable access to improved sanitation | 65% |
| Population with sustainable access to improved water source | 88% |
| Births attended by skilled health personnel | 84% |
| Doctors | 77 per 100,000 |
| Maternal mortality | 150 per 1000 live births |
| Refugees by country of asylum | 30 000 (2005 figures) |
| Seats held by women in Parliament | 32.8% |
| Women in government at ministerial level | 41.4% |
| Ratio of female to male earned income | 0.45% |
| Girls in education | 89% primary: 68% secondary: 16% tertiary |
| Prevalence of HIV and AIDS in adult population (age 15-49) | 18.8% (2005 estimates) |
| Human Index Rating | 121/177 |

3. Information in this table is from the UNDP (2006) *Human Development Report and the CIA World Factbook*.

1.B.1. Human Trafficking: International

- Human trafficking data are often debated as the methodologies used to produce them are not always scientific. The UNESCO Office in Bangkok decided to trace the origin of these data to clarify the situation.⁴ It is thus possible that the following figures may not be correct.
- 2005 US State Department figures estimate that 600,000-800,000 people are trafficked annually across international borders. Approximately 80% are women and girls, of whom 50% are minors. The vast majority of those trafficked under 18 years of age are girls.⁵
- UNICEF estimates 1,200,000 children were trafficked globally in 2000.⁶
- People are trafficked for many purposes – sexual exploitation, begging, underpaid and exploited forced labour in the agriculture, manufacturing and construction industries, domestic service and organ harvesting.
- Transnational organized criminal syndicates and networks are responsible for the bulk of human trafficking, which is linked to a range of other trafficking – drugs, firearms and consumables – and other criminal activities - money laundering, smuggling and political bribery and corruption.
- Trafficking in humans is a lucrative business. Estimated profits are between US\$7-10 billion annually.⁷
- Trafficking operations range from tightly structured and controlled hierarchical groups involved in transnational trafficking of various commodities, to formations of ‘core’ groups, with a loose network of ‘associates’ seeking maximum profit opportunities, specializing in human trafficking.
- Weak state structures, resulting from the upheaval of transitional economies contribute to an environment favouring predatory criminal organizations. Parallel structures that substitute for state security dominate such economies and flourish through fear and intimidation.
- The widespread reach of these networks and perceptions of their ability to retaliate against ‘victims’⁸ and their families reinforces their clandestine nature, difficulty of investigation and lack of evidence.
- Armed conflicts destroy livelihoods, damage national economies and cause mass population movements. Through heightened insecurity, wars increase the vulnerability of women and children, promote dramatic survival strategies such as prostitution and often involve the abduction of women and children into armed groups/factions. Increased poverty for survivors, particularly widows and female headed-households, is an endemic feature of armed conflicts.

4. UNESCO Bangkok, Trafficking in Persons Project, <http://www.unescobkk.org/>

5. US Department of State (2005) *Trafficking in Persons Report, 2005*.

6. UNICEF (2006) *State of the World's Children: Excluded and Invisible* <http://unicef.org/sowc06/index.php>

7. US Department of State, *Ibid*. It is important to note this report uses a statistical method based on “plausible estimates”; the only reliable figures are those related to seizures and confiscation (which require the crime to be consumed, detected and tried through the legal system).

8. The word ‘victim’ is typically regarded as disempowering. The term ‘trafficked people/persons’ is the term of choice on this report and efforts have been made to use it as much as possible. However, in some circumstances the term ‘victim’ has been considered appropriate for use.

- Migration as a response to armed conflict and insecurity results in large refugee populations, exposing the most vulnerable to an array of dangers - sexual violence, recruitment into armed forces and trafficking.
- Stringent entry requirements have increased the regulation of population movements. When would-be migrants fail to meet these requirements, they may resort to illegal means, giving rise to people smuggling and trafficking.
- The increase in demand for cheap labour continues to attract people flows from poorer to more prosperous locations. As a result, with populations moving in search of employment, with the attendant opportunities for exploitation, there is often overlap between trafficking source, transit and destination sites.⁹
- The globalized commercial sex industry has greatly expanded and become integrated with other aspects of modernization. The demand factors dominating commercial sex work require a constant supply of women and children. The commercial sex industry is often inextricably linked with tourism, both domestic and foreign, and some countries are specifically promoted for “sex tourism”.¹⁰
- Widespread gender discrimination that denies women their rights, as well as attitudes that consider women and girls inferior and weak and thence objectify them, and tolerate violence against women support the existence of trafficking practices that deliver women and girls into appalling living and working conditions.
- Destitute families, unable to support their children, are vulnerable to persuasion to hire out or sell them, girls being most vulnerable to commercial exploitation.
- In spite of international conventions, there remains indifference and a lack of domestic commitments to protect those most at risk through legislation, awareness and information, and training of the authorities responsible to provide protection.

1.B.2. Human Trafficking: South Africa

- South Africa is the regional powerhouse, with a GDP (US\$159.9billion) four times greater than its southern African neighbours, and represents approximately 25% of the continent’s GDP.¹¹
- From September 1999 to June 2005, the average economic growth rate was 3.5%.¹² It also ranks 42/117 countries for global competitiveness.¹³
- South Africa is a source, transit, and destination country for men, women, and children trafficked for forced labour, sexual exploitation and organ harvesting.¹⁴

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9. D’Cunha, Jean (2002) *Trafficking in Persons: a gender and rights perspective*, Expert meeting on trafficking in women and girls.
 10. Corner, Lorraine (2002) *A Gender Perspective to Combat Trafficking*, Strategy Paper on an Integrated Approach to Livelihood Options for Women & Girls, Seminar on Promoting Gender Equality to Combat Trafficking in Women and Children, Bangkok.
 11. World Economic Forum (2005) *Global Competitiveness Report*.
 12. South Africa Government online: http://www.southafrica.info/doing_business/economy/creditratings-260805.htm
 13. World Economic Forum (2005), *Ibid*.
 14. US State Department (2006) *Trafficking in Persons Report*, Released by the Office to Monitor and Combat Trafficking in Persons.

- Estimates of 247,000 children working in exploitative labour, including prostitution, which makes children exposed and vulnerable to the deception and exploitation of traffickers.
- Estimates of 30,000 child prostitutes.¹⁵ Once involved in the criminal environment children can be emotionally intimidated, physically moved and trapped into trafficking.
- Traditional migration patterns of labour to South Africa from surrounding states, the practice of children being loaned/sent to better-situated family members to be raised; and casual border procedures contribute to acceptance and expectations of unregulated cross-border movement.
- Extensive and difficult land and sea state borders challenge the capacity of existing security forces.
- Retrenchment of thousands of migrant labourers to surrounding states from South Africa's mines and farms over the past decade has fuelled the regional unemployed labour force.
- Practical outcomes of armed conflict in neighbouring and extra-regional states include an influx of refugees (27,000 in 2004).¹⁶
- In spite of overall economic growth, poverty, both urban and rural, is the most visible cause of trafficking in humans, particularly women and children.
- Many children live in communities excluded from the free market economy. In some peri-urban areas more than half the adult population is unemployed, and those in employment earn below-subsistence wages.¹⁷ In such contexts people resort to risky survival strategies and become more vulnerable to human trafficking.
- Gender discrimination remains in spite of a progressive Constitution that guarantees human rights and gender equality.¹⁸
- Anti-trafficking legislation to align domestic law and penalties with international standards (Palermo Protocol) is being developed.
- Estimates of 1,200,000 AIDS orphans (2006 data).¹⁹
- Estimated national adult (15-49 years) HIV prevalence is 18.8%.²⁰
- Organized transnational criminal groups are well-established, trading in various commodities, including human beings.

15. Molo Songololo (2000) *The Trafficking of Children for Purposes of Sexual Exploitation*.

16. UNDP (2005) *Human Development Report*.

17. O'Connell Davidson and Sanchez Taylor (1995) *Child prostitution and sex tourism: South Africa*, ECPAT.

18. Constitution of South Africa: Chapter 2 Bill of Rights, sub-section Equality [1-5].

19. www.unaids.org/en

20. *Idem*.

2 Context and Issue

WHAT IS TRAFFICKING?

The first internationally agreed upon definition of trafficking is embodied in the *UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention Against Transnational Organized Crime (2000)*, as follows:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

The consent of a victim of trafficking in persons to the intended exploitation...shall be irrelevant where any of the...[fore-mentioned] means...have been used.

The recruitment, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in persons,' even if it does not involve ...[any of the above listed means].

"Child" shall mean any person under eighteen years of age (Art. 3).

Key Features of the Protocol:

- Defines trafficking as a crime against humanity, marked by the **intent to deceive and exploit**,²¹

21. See International Criminal Court, Rome Statute: Article 7: Crimes Against Humanity.

- Expands the range of **actions** considered part of the trafficking process – **recruitment, transportation, transfer, harbouring, and receipt** of persons in end-institutions;
- Addresses a wide range of means used, from blatant force to subtle inducements that capitalize on vulnerability, to achieve ‘consent’;
- Makes **consent to the intended exploitation irrelevant**, where any of the means outlined in the definition are used;
- Acknowledges **men** are also trafficked, though it emphasizes trafficking in **women and children**; (*Article 2*)
- Recognizes a **range of purposes** of trafficking, in addition to sexual exploitation;
- Contains **rights-based** and protective social, economic, political and legal **measures to prevent trafficking, protect, assist, return and reintegrate** trafficked persons, and to **penalize trafficking** and related conduct; (*Articles 6, 7, 8, and 9*)
- Calls for **international cooperation** to prevent and combat trafficking. (*Articles 9, 10, 11*)

While its human rights provisions could be expanded, enriched and made obligatory on States, the Protocol is nonetheless an important step towards locating trafficking within a rights framework.²²

Consent is deemed irrelevant where any of the ‘means’ of trafficking – namely threats, the use of force, coercion, deception, fraud or abuse of power – is used. In adopting this stance the Protocol acknowledges that a wide range of mechanisms may be used to ensure the cooperation of victims; from overt force and violence to more subtle inducements that capitalize on an individual’s vulnerability to achieve consent. While the trafficking of adults is distinguished by deception or coercion, all recruitment, transportation, transfer, harbouring or receipt of children under the age of eighteen for the purposes of exploitation is considered trafficking – even where coercion, deception or abuse of power are absent.

The ‘validity’ of adult – particularly female – consent remains highly contested, with much of the discourse on trafficking portraying women as helpless victims without agency. Responses to the debate regarding the degree of agency that trafficked women exercise has a significant effect on prevention and protection strategies.

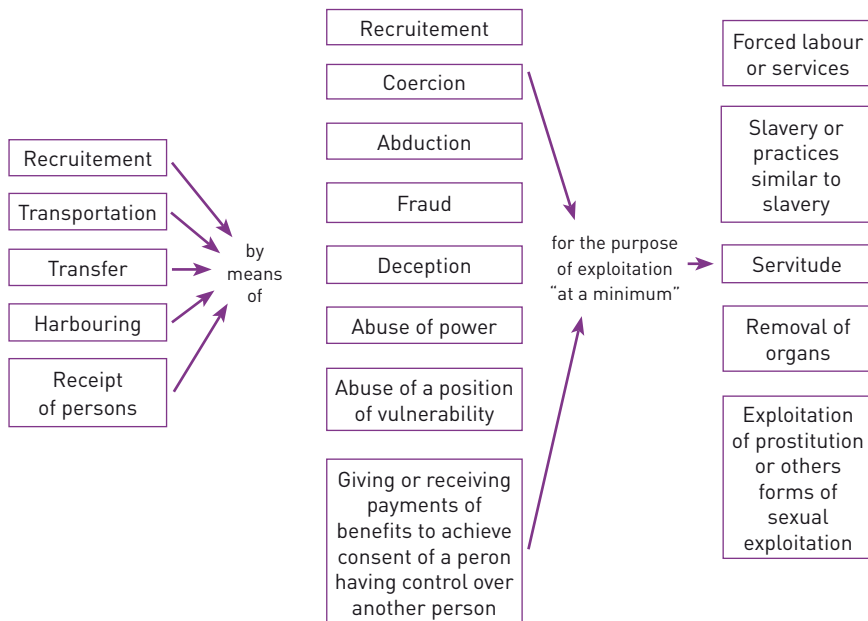
In adopting a broad view of the activities that might constitute trafficking, the Palermo Protocol is the first international instrument to extend the concept of human trafficking beyond prostitution.

Historically the trafficking debate has focused on distinctions between a criminal or a human rights/protection-based approach. The Protocol confirms the need to recognize these as being essential rather than exclusive, and that both preventive and responsive activities need to be linked and integrated in order to combat trafficking.

The Protocol focuses on exploitation as a key element to define trafficking, although it proves impossible to define and explicitly determine at what point exploitation begins. This can create problems of precision in the determination of the responsibility of perpetrators if law enforcement personnel are poorly trained and lacking in awareness.

22. UNIFEM Asia (2002) *Trafficking in Persons: A gender and rights perspective*, Briefing Kit.

Elements of the Palermo Protocol's Definition of Trafficking



Source: Trafficking in Persons: An Analysis of Afghanistan, IOM Kabul, 2004

The Palermo Protocol definition can be applied to both internal and cross-border(s) trafficking and sets the legal framework for the prosecution of non-organized trafficking, in the sense of local, and spontaneous or opportunistic rather than as a part of large organized crime syndicates.

There are numerous other international instruments guiding governments on how to address trafficking in persons.

The following table provides additional detail on the rights violated in the context of human trafficking and the corresponding legal instruments.²³

23. This table is adapted from the *Human Rights Standards for the Treatment of Trafficked Persons* published by the Global Alliance Against Trafficking in Women (GAATW) and from *International Perspectives and Nigerian Laws on Human Trafficking*, Olaide Gbadamosi Esq, Network for Justice and Democracy.

| Human Rights Usually Violated in the Context of Human Trafficking | Corresponding International Legal Instruments and Articles |
|--|--|
| Right to Health and Social Services | <ul style="list-style-type: none"> • Articles 22 and 25 (1) of the Universal Declaration of Human Rights (UDHR) • Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) • Article 24 of the Convention on the Rights of the Child (CRC) • Article 12 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) • Article 5 (e) (iv) of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) |
| Right to Education and Training | <ul style="list-style-type: none"> • Article 26 of the Universal Declaration of Human Rights (UDHR) • Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) • Article 18 of the International Covenant on Civil and Political Rights (ICCPR) • Articles 28, 29 of the Convention on the Rights of the Child (CRC) • Article 10 of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) • UNESCO Convention Against Discrimination in Education |
| Right to Liberty of Movement and Freedom to Choose one’s Residence | <ul style="list-style-type: none"> • Article 13 (1) of the Universal Declaration of Human Rights (UDHR) • Article 12 (1) of the International Covenant on Civil and Political Rights (ICCPR) |
| Right to a Decent Work | <ul style="list-style-type: none"> • Article 23 of the Universal Declaration of Human Rights (UDHR) • Article 8 (3) of the International Covenant on Civil and Political Rights (ICCPR) • ILO Convention 29 • Article 23 (1) of the Universal Declaration of Human Rights (UDHR) • Article 7 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) • Article 11 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) |
| Right to Freedom from Slavery | <ul style="list-style-type: none"> • Article 4 of the Universal Declaration of Human Rights (UDHR) • Article 8 of the International Covenant on Civil and Political Rights (ICCPR) • United Nations Slavery Convention Supplementary Convention on the Abolition of Slavery, the Slave Trade and institutions and Practices Similar to Slavery |
| Right not to be Tortured and/or Submitted to Other Cruel, Inhuman or Degrading Treatment or Punishment | <ul style="list-style-type: none"> • Article 5 of the Universal Declaration of Human Rights (UDHR) • Article 7 of the International Covenant on Civil and Political Rights (ICCPR) • Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment |
| Right to Peace and Security | <ul style="list-style-type: none"> • Article 3 of the Universal Declaration of Human Rights (UDHR) |
| Right to Non-Discrimination | <ul style="list-style-type: none"> • Articles 1, 2 and 7 of the Universal Declaration of Human Rights (UDHR) |
| Right to Access to Justice | <ul style="list-style-type: none"> • Article 6 of the Universal Declaration of Human Rights (UDHR) |
| Right to Freedom of Expression and Participation | <ul style="list-style-type: none"> • Articles 19 and 21 of the Universal Declaration of Human Rights (UDHR) |

2.A. WHAT IS THE CONTEXT OF HUMAN TRAFFICKING IN SOUTH AFRICA?

No analysis of the phenomenon of human trafficking in South Africa can be adequate without consideration of the following:

Liberalization of Social/Cultural Mores

Although the activities associated with prostitution (soliciting, procuring, brothel keeping, etc.) are still illegal in South Africa, the policing of prostitution has been dramatically relaxed in recent years and all the tiers of the sex industry's characteristic hierarchy can now be found alongside each other in major cities such as Cape Town and Durban.

O'Connell Davidson, J. & Sanchez Taylor, J. (1995) *Child Prostitution and Sex Tourism*, South Africa, ECPAT.

The repressive sexual ideology of the apartheid years, that sanctified heterosexual relationships within marriage, stigmatized prostitution and confined all sexual encounters within its rigid racist boundaries, has changed dramatically. Since 1994 the strict sexual mores and conservatism have relaxed under one of the world's most progressive Constitutions, that guarantees protection from discrimination on the basis of gender and of sexual orientation.²⁴

Homosexuality, taboo and criminalized under the apartheid dispensation, has crossed racial boundaries and is legally protected. Cape Town has emerged as a centre for cruising in bars, discos and saunas, with homosexual sex reputed to be available for the price of a mobile phone, food, cars and the chance of a better life.²⁵

Even the South Africa Police Service (SAPS) recognizes the phenomenon and gives online advice to men and boys, including "*Do it in the light, boys.*"²⁶

The 2003 documentary "*Four Rent Boys and a Sangoma*" features transactional sex among five men in Johannesburg. The producer, Catherine Muller, claims poverty as the leading reason for male prostitution, and comments: "*The phenomenon of the black township rent boys having sex for money is very new.*" [BBC News, 5 November 2003].

The change from clandestine, illegal encounters to a more permissive environment, increased publicity and inter-racial activity is also new. Increased homosexual activity exposes vulnerable, impoverished young black men and children to human rights abuses. The intricacies of racial dominance by more affluent and powerful clients also remain significant.

The relevance of these societal shifts in attitudes and behaviours, alongside relaxed policing, has the potential to escalate the supply side of 'victims' for the predatory human trafficking business.

24. Constitution of South Africa: Chapter 2, Bill of Rights, sub-section Equality (1-5).

25. See Mail and Guardian, May 28 1998, "*At play in the rent-boy trade*" discussing how "the male-to-male escort industry is booming, servicing clients who are typically middle-aged, affluent, white-and most often married," and the "rent-boy trade" or male-to-male massage industry. See also media accounts of 2004 shootings of nine men in gay massage parlour in Cape Town.

26. www.mambaonline.com

Perceptions of South Africa as a Trafficking 'Hub'

Traditional migration patterns from neighbouring states into South Africa as well as the more recent 'magnet' effect of South Africa readily contribute to perceptions of South Africa as a trafficking hub. What may previously have been tolerated as conditions of labour, the risks of migration or as acceptable chances to take in the search for opportunity and improved living standards are now, under the spotlight of 'human trafficking,' likely to be perceived very differently.

As Anderson and O'Connell Davidson explain, 'trafficking falls within a continuum of experience. This ranges from people who are transported at gunpoint, then forced into labour through the use of physical and sexual violence or death threats, to people who are not deceived or coerced in any way, are well paid and work in an environment that respects and upholds their human rights. Where in this continuum the abuses associated with trafficking become unacceptable varies according to one's political and moral values.'

Anderson, B. and O'Connell Davidson, J. (2002) *Trafficking – a demand led problem?: A Multi-Country Pilot Study, Save the Children.*

Poised at the foot of Africa, with a stable, democratic government and enlightened legislation; well developed and maintained national and international transportation systems; leading the continent in industrial development and technology; glittering with modern cities and amenities and their attended bustle and glamour, South Africa inevitably attracts migration from across the continent. In many cases it is a continent torn by years of war, loss and suffering, by the spectre of HIV and AIDS, collapsed social services, endemic disease, disrupted families and bleak prospects for survival.

Whatever the truth about conditions of relative wealth and poverty that lie behind South Africa's image, it is the image that counts. Along with the migrant populations come the attendant exploiters to capitalize on their vulnerability, ready to satisfy the demands of the diverse and complex 'rainbow' society – which may well be turning South Africa into the 'hub' of human trafficking.

The Scale of Research

However, the accuracy of this assertion is hard to prove with any certainty. Reliable data is sketchy. There are no official statistics on human trafficking in South Africa. Official police records, as in many countries, subsume human trafficking data into statistics on a range of crimes including abduction, kidnapping, rape, assault and immigration-related offences.²⁷

A small number of studies have examined the topic of human trafficking, mostly with a focus on trafficking for sexual exploitation. Even within this narrow exploration of the end results of human trafficking, the focus has been primarily on children.

Only recently have studies on trafficking for the purposes of labour exploitation been initiated. This highlights the paucity of information on the trafficking of boys and men, as

27. Pharaoh, Robyn (2006) *Getting to Grips with Trafficking: Reflections on Research in South Africa*, ISS.

it can reasonably be assumed they are a primary market for trafficked labour. At the same time, given the history of migration of women in the domestic labour market in South Africa, it is important for research to be conducted that separates and distinguishes as much as possible between exploitation for labour in the sex industry and in other segments of the labour market. It is understood that grey areas exist as what may be identified as domestic labour can readily evolve/deteriorate into sexual exploitation by employers within the private realm.

There are no official statistics of child prostitution, and therefore no gender breakdown, so it is impossible to know with any accuracy the scale of boy/girl prostitution. In 2000 Molo Songololo estimated the total figure at approximately 30,000.²⁸ While prostitution and human trafficking are not synonymous, there is an evident and crucial connection. Without specific and reliable gender disaggregated data there remains the risk of conflating the figures while failing to provide for appropriate preventive and responsive action.

There are no official figures or studies on trafficking for the purpose of organ harvesting. Media attention has been given to high visibility accounts of ‘muti’ killings and the consensual (but illegal) organ transplants which have both blurred the boundaries with trafficking.

The studies used as a basis of knowledge about trafficking in South Africa are:

- Study by the children’s support and advocacy organization, Molo Songololo, on the trafficking of women, 2000;
- Second study published by Molo Songololo in the same year on the trafficking of children under the age of 18;
- IOM study on the trafficking of women and children in Southern Africa, published in 2003.

All three examine the trafficking of women and children for the purposes of sexual exploitation.²⁹

In all cases the number of trafficked persons consulted for evidence is few, while additional information is included from discussion with service providers, law enforcement, parents, children, NGO and government representatives. Such studies provide useful preliminary data on trends and patterns and highlight the possibility of, and potential for, widespread human trafficking. However, given the slim statistical evidence, their primary use is to identify future areas for research.

Research on such intimate topics is, by definition, difficult in any society. The additional overlays of fear of further abuse and recrimination; fear of loss of employment and income; the clandestine and illegal nature of the business; taboos on revelation of cultural practices; conflicting priorities (for example: attention to the HIV and AIDS epidemic) and competition for resources hinder the conduct of thorough and methodologically sound research.

28. Molo Songololo (2000) *The Trafficking of Children for Purposes of Sexual Exploitation*.

29. Other sources of data include a 2003 review by UNICEF on the trafficking of women and children in Africa, and four provincial situational analyses on the commercial sexual exploitation and trafficking of children in South Africa conducted in 2005 on behalf of the ILO’s Towards the Elimination of the Worst Forms of Child Labour (TECL) programme – but the former, in particular, draws heavily on the preceding reports. Robyn Pharaoh (2006) *Getting to Grips with Trafficking: Reflections on Research in South Africa*.

2.A.1. Geographical Dynamics of Human Trafficking in South Africa

According to the 2003 IOM Report “*Seduction, Sale and Slavery: Trafficking of Women and Children for Sexual Exploitation in Southern Africa*,” using data from informants in the sex industry and official migration statistics, nine distinct patterns of trafficking activity have emerged in Southern Africa:

1. Trafficking of women from refugee-producing countries to South Africa;
2. Trafficking of children from Lesotho to towns in the Eastern Free State of South Africa;
3. Trafficking of women and girls from Mozambique to Gauteng and Kwa-Zulu Natal;
4. Trafficking of women from Malawi to Northern Europe;
5. Trafficking of girl and boy children from Malawi to Northern Europe;
6. Trafficking of women and girls from Malawi to South Africa overland;
7. Trafficking of women from Thailand to South Africa;
8. Trafficking of women from China to South Africa;
9. Trafficking of Eastern European women to South Africa.

While profiles of both trafficked persons and traffickers varied considerably, the tactics used to recruit, deceive, transport and exploit the victims remained similar. They are tempted with plausible promises of employment, income, educational opportunities, or shelter and care within adoptive families.

Traffickers have been able to exploit the context of historical migration patterns in the region which is complemented by both the geographical situation of South Africa as well as income/opportunity disparities.

South Africa as a Destination Country: From SADC Countries

Lesotho: Conditions where 56% of the population live on US\$2/day or less,³⁰ HIV prevalence of 23.2% in adults,³¹ over 14,000 AIDS orphans, and declining household incomes and increased poverty since the retrenchment of migrant labour in the 1990s, provide both motive and opportunity for human trafficking. The capital, Maseru, historic locale for the sex industry, especially under the restrictions on inter-racial sex during apartheid, is 20km from the international border with South Africa and 157km from Bloemfontein in the Eastern Free State.

Unregistered children can be readily moved over a porous border, also alleged to be subject to corruption.³²

Women and girls, responding to a boom on the textile industry in Maseru and economic pressure following the return of migrant labour, moved to the border towns in search of work. Insufficient jobs, low educational standards and the decline in employment possibilities left them prey to traffickers. Abductions and employment inducements saw these women and children trapped over the border working in farms and private houses as forced labour or in the sex industry of major cities.

30. UNDP (2005) *Human Development Report*.

31. UNAIDS (2006) *Report on the Global AIDS Epidemic*.

32. IOM (2003) *Seduction, Sale and Slavery: Trafficking of Women and Children for Sexual Exploitation in Southern Africa*.

Children are taken across the border in private cars to asparagus farms and border towns in eastern Free State.³³ There they are held captive in private homes, where they suffer a particularly “sadistic and macabre” sort of exploitation. The children are often locked in the house and left alone during the day; at night they are violently raped and verbally and sexually assaulted by groups of white men. They spend between one night and one week in such conditions,³⁴ after which they are returned to the streets of border towns in eastern Free State.³⁵

Mozambique: traffickers based in Maputo also actively target recruitment of both sex and non-sex-workers from among Mozambican young women working in the informal sector, in local markets and trading. A female accomplice, possibly known to the victim, may assist – typically offering employment as waitresses or domestic help in South Africa. Maputo sex workers are also specifically recruited for sale to brothels in Gauteng and KwaZulu-Natal.³⁶

In addition to Maputo and the southern provinces of Mozambique, Nampula province is another main site of recruitment of young women for the sex industry. Prostitution is common, largely as a result of the pre-independence occupation by the Portuguese army. Girls are also sexualized at an early age and prostitution, as elsewhere, becomes a survival strategy. Little is known of how they are recruited, or whether both established sex workers and those with no experience of sex work are included.

Mozambican victims include both girls and young women between the ages of 14 and 24. They are offered jobs as waitresses or sex workers in Johannesburg, and pay their traffickers ZAR 500 (US\$70) to smuggle them across the border in minibus taxis either at Komatipoort or Ponta do Ouro. They stay in transit houses along South Africa’s border with Mozambique and Swaziland for one night where they are sexually assaulted as an initiation for the sex work that awaits them.

IOM (2003) *Seduction, Sale and Slavery: Trafficking of Women and Children for Sexual Exploitation in Southern Africa*.

Swaziland: Young girls have been lured to South Africa from Swaziland for forced prostitution.³⁷ Also Swaziland, along with Lesotho and Botswana, are suspected to be transit countries for the importation of trafficked Chinese women into South Africa.

Malawi: Trafficking victims, both children and adults, are lured into exploitative situations by offers of lucrative jobs within Malawi or in South Africa. Women in prostitution reportedly draw underage children into prostitution.

33. IOM (2003) *The Trafficking of Women and Children in the Southern African Region: Presentation of Research Findings*, Pretoria, South Africa.

34. Jonathan Martens, Maciej (2003) “Mae” Pieczkowski, and Bernadette van Vuuren-Smyth (2003) *Seduction, Sale, and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa* (Pretoria, South Africa: IOM, Regional Office for Southern Africa, May 2003).

35. IOM (2003) *The Trafficking of Women and Children in the Southern African Region: Presentation of Research Findings*, Pretoria, South Africa.

36. UNESCO (2006) *Human Trafficking Especially of Women and Children in Mozambique: Root Causes and Policy Recommendations*, Poverty Paper Policy Series.

37. Victor Khupiso (9 March 2003) “Girls Lured into Prostitution,” *Sunday Times* (South Africa).

Women and girl children are recruited along major transportation routes in Malawi by long distance truckers who promise marriage, jobs, or educational opportunities in South Africa. Once in Johannesburg, the victim is held as the trafficker's sex slave in a flat in the Central Business District (CBD), and he will bring clients to the flat who will pay him to have sex with her. Malawian businesswomen also traffic women and girl children overland to brothels in Johannesburg.

IOM (2003) *Seduction, Sale and Slavery: Trafficking of Women and Children for Sexual Exploitation in Southern Africa.*

South Africa as a Destination Country: From Extra-Regional Countries

There is evidence of women and children being trafficked from extra-regional countries both by organized trafficking syndicates/businesspeople (e.g. from western Africa) as well as by men established in South Africa as refugees, who exploit their family members on arrival. The size and organization of these operations vary.

By regional standards, South Africa hosts a relatively small number of refugees, but remains an attractive place of asylum because of its economic prosperity. Wars, civil unrest, natural disasters and economic collapse have provoked refugee movements from the Great Lakes region, the Horn of Africa as well as closer regional neighbours such as Angola and Mozambique.

Male refugees who arrive in South Africa typically experience isolation, employment difficulties and, ultimately, a struggle to survive. Some of them turn to their 'clan' group for protection and support. In addition to positive contributions, the clan system also facilitates commercial exploitation. The sexual exploitation of women, in order to earn an income is undertaken by some refugee men, using clan-based traffickers who help facilitate the female relative's journey to South Africa. On arrival, after often long and dangerous journeys, the women are forced into becoming sex workers to support their male relatives.

South Africa as a Destination Country: From Outside Africa

There is evidence of women and girls being trafficked from both Thailand and China to work in the South African commercial sex industry. The Western Cape province of South Africa is a key trafficking point for people brought from Asia and the Middle East bound for North America.

Asia: The scale and type of recruitment varies from small-time traffickers, to 'second wave' trafficked women acting as recruiters to large scale organized crime. Typically vulnerable women and children are recruited from poor families in Thailand with false promises of credible jobs in South Africa. On arrival they are forced to repay the 'debt' incurred to bring them to South Africa, are sold and rented out to brothels, bars and nightclubs.

Chinese women and girls likewise, are recruited from among poorly educated and unemployed village communities. Enticed with offers of working in upmarket hotels or to study English, they are trafficked into the sex industry in clubs and restaurants owned and operated by mafia type of organization, as well as into forced labour in farms, factories and sweatshops.

Recruited by Thai agents in Thailand, victims may be unwitting young women from rural Thailand, or ageing female sex workers from Bangkok. The former are promised restaurant jobs, while the latter are told of the money to be earned in sex work in South Africa. They travel by air, either directly from Bangkok, or through Hong Kong, Kuala Lumpur, and Singapore to Johannesburg International Airport (JIA), where they are met by a Thai or South African agent who sells them to brothels throughout the country.

IOM (2003) *Seduction, Sale and Slavery: Trafficking of Women and Children for Sexual Exploitation in Southern Africa.*

Europe: Russian and Bulgarian agents recruit women from Eastern Europe to work in upmarket clubs and brothels in South Africa.

South Africa as a Source Country: To Destinations Outside Africa

Trafficking is not all one-way. South African women have also been trafficked into the commercial sex industry overseas. The scale of this kind of operation is unclear, but from existing reports, it appears that it is linked to the Chinese international mafia.

Nicola, a 24-year old South African woman escaped her captors in Macau....reported encountering nine other black, white and coloured South African victims in Macau aged between 18 and 21, who were forcibly prostituted in Macau's saunas....the trafficking operation... is run by two South African nationals and two other associates who are connected to at least three Chinese nationals with links to local organized crime networks in Macau. They target for sale young women in their late teens and early twenties who have experience as strip dancers or sex workers in Johannesburg.

IOM Pretoria (May 2004) *EYE on Human Trafficking.*

Children from South Africa are also trafficked to European countries. For example, *The Observer* reported in February 2001 that under-age South African children are being used in brothels in London. These children had apparently been taken to London with the consent of their parents who received weekly or monthly payments from the pimps who forced their daughters into prostitution.

South Africa as a Source Country: Internal Trafficking

Much of the human trafficking in South Africa is from internal sources. Increasingly unsustainable livelihoods in the rural sector, limited job opportunities, the rising numbers of AIDS orphans, family breakdown, violence, and systemic gender discrimination that limits opportunity, information and participation for women and girls, all contribute to the creation of a ripe environment for human trafficking. The poverty and limited possibilities available create the supply while the burgeoning sex industry and need for all kinds of cheap labour nourish the demand.

“Susannah” was raped by her stepfather when she was 11 years old. The exploitation at home spurred her to run away. On the streets, she was recruited by a gang in Cape Town, South Africa, managed by Nigerian organized-crime syndicates. For girls, initiation into the gang includes being raped and prostituted by the boys in the gang. In the gang life, Susannah was introduced to drugs and repeatedly raped. By the time Susannah turned 12, she had already been betrayed by her family, raped at home and on the street, and was addicted to drugs.

Sojourners Magazine, September/Oct. 2005.

Internally, girl children are often recruited from impoverished areas of the country. Typically employment agencies use agents who operate in rural areas, recruiting both adults and children. They promise jobs as shop assistants, office workers or domestic workers. On arrival in the city the recruited persons discover the situation as being very different and that they are effectively in debt bondage to their employer, and must work, often for a minimum periods of two years, to repay expenses incurred for travel and other expenses.³⁸

South Africa as a Transit Country

The Western Cape province of South Africa is a key trafficking point for people brought from Asia and the Middle East bound for North America.

2.A.2. Routes and Transportation

A number of relatively small-scale trafficking networks operate using minivan taxis to smuggle both migrants and women across local borders. They are based at transit houses in the border region between Mozambique, Swaziland and South Africa and operate through a network of accomplices in Johannesburg, Maputo and in the Lebombo region who recruit, transport and accommodate and transfer young women.

African Routes into South Africa³⁹

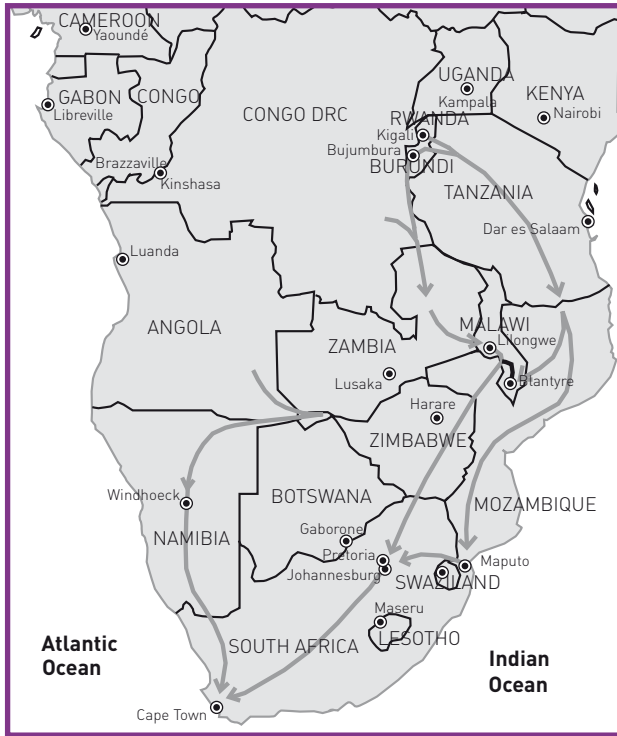
While these routes refer specifically to those used by refugee populations from central Africa, they also reflect some of the routes commonly used by regional and extra-regional trafficking operations.

I walked from Bukavu to Burundi. Then I took a boat for two days to Mbala in Zambia, then to Lusaka by taxi. In Lusaka I paid for a visa to Zimbabwe. After arriving in Harare by truck, I left for Messina where I took the train to Johannesburg and then to Cape Town. For the whole trip I paid US\$500.

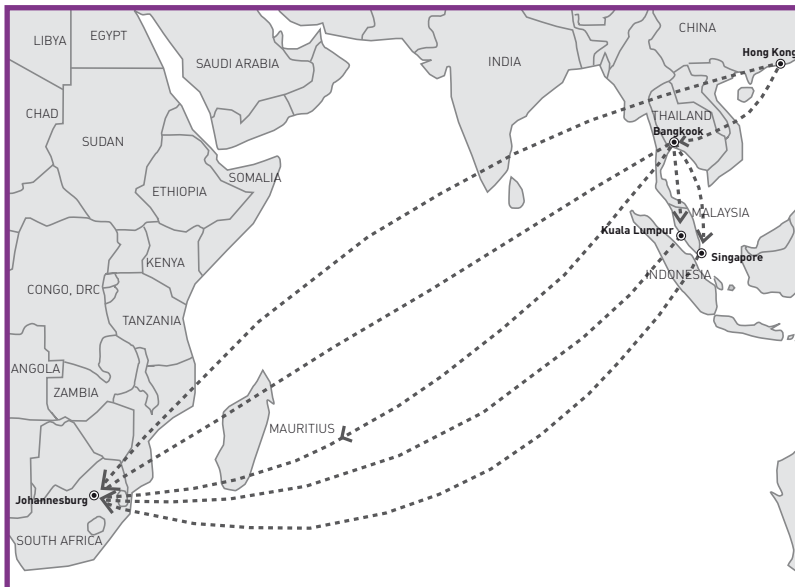
Interview with trafficking victim from Rwanda: December 2002

38. Koen, K and Van Vuuren, B. (2002) *Children in Domestic Service, the case of Western Cape*, Terre des hommes, Switzerland.

39. As recounted by thirteen victims from refugee-producing countries in interviews conducted between October 2002 and February 2003 in IOM (2003) *Seduction Sale and Slavery: Trafficking in Women and Children for sexual exploitation in Southern Africa*.



African Routes in South Africa



International Routes to South Africa

International Routes to South Africa⁴⁰

This is one example of direct air routes from Asia to South Africa. There are also routes from Asia via neighbouring states, direct air routes from Europe as well as sea routes from East Africa via Mozambique to South Africa and overland routes from elsewhere in Africa.

2.A.3. Main Agents of Human Trafficking

Traffickers

The trafficker is the link between supply and demand, on the one hand increasing supply through the recruitment, deception, transportation and exploitation process and on the other, boosting demand by providing easy access to ‘victims’. For both legal and practical purposes, this includes everyone involved in the human trafficking chain from the point of recruitment to the point of exploitation/use and re-use of labour or body parts. This includes recruiters – by whatever means and whatever scale - as well as transporters, receivers, pimps and brothel-keepers, corrupt border guards and producers of false documentation, all those benefiting as the trafficked persons pass through their hands. In some instances friends and family members of the victim of trafficking, or former trafficked persons play an active role in the trafficking of human beings.

Human trafficking is committed by males and females of varying ages and ethnic, social and economic backgrounds, operating within varying degrees of organization.

Whatever the scale and means of the operation, for traffickers, the process is a systematic, well-organized economic phenomenon, involving the displacement and movement of persons solely to profit (directly or indirectly) from the exploitation of the trafficked person’s labour or person. All are direct perpetrators of the crime of human trafficking. Traffickers play different roles over varying lengths of time, and may have an extensive or limited role in the trafficking process.

African traffickers face low risk of arrest, prosecution or other negative consequences. They have exploited the lack of rule of law, the non-implementation of existing anti-slavery laws, and corruption of judicial systems.⁴¹ These lapses allow perpetrators to go unpunished. Prosecutions are rare and fraught with difficulties.

Traffickers are trading in Swazi and Mozambican women in Nkomazi District, a collection of densely-populated rural settlements scattered south of Kruger National Park in South Africa, and within close proximity to the borders of Swaziland and Mozambique. The trafficking syndicates consist of Swazi and Mozambican men, known locally as ‘mareyane’, who are responsible for recruitment, and their South African bosses, who may own minivan taxis or have contacts among drivers. Although many have lived in Nkomazi for a considerable period of time, and know the South African side of the border well enough, they rely on their specific knowledge of certain parts of Mozambique and Swaziland, and their contacts along the border, to facilitate the trafficking of women and girls to South Africa.

IOM Pretoria (May 2004) *EYE on Human Trafficking*.

40. Idem.

41. Fitzgibbon, Kathleen (2003) “Modern Day Slavery? The Scope of Trafficking in Persons in Africa” *Africa Security Review*, Vol. 12 No 1.

These comparatively weak sanctions encourage many to continue with human trafficking. They are the ones who promise the parents and the children decent jobs in cities with good wages, but never fulfil such promises. Involved in the trafficking network, are often women acting like eventual employer or intermediary. They either travel from village to village where they know poor people are willing to leave for employment in town or to send their girls or boys. The terms of the contract are rarely clear between the trafficker and the parents of the victims in case of trafficking in children. Parents only know that their child is going to work and earn money to provide for the need of the remaining members of the family in the village without being informed on the living and working conditions of the child.

The methods used by the traffickers to recruit women and children can be abductions, clan-based recruitment, peer pressure or recruitment through newspaper ads.

Organized Crime - National

Current research on trafficking in South Africa indicates an array of national players, some of them opportunists who combine their trafficking activities with other legitimate employment, (e.g. long distance truck drivers), many who are known to the trafficked person and their family, family members themselves (refugees), law enforcement officials, and others who belong to cross-border networks that may or not feed into large-scale regional operations. Much is speculation in this area, and it is not difficult to imagine a scenario of fluid, individual or group arrangements that form, mutate and develop according to shifting circumstance.

Organized Crime - International

In the 1990s criminal groups were increasingly recognized as major factors in the increasing crime rate in South Africa. From the original trade in shark fins and abalone a number of Hong Kong based triads emerged in the harbour cities, Johannesburg and Pretoria. By 2001 there was a well-developed trafficking network in narcotics, money laundering and prostitution. Within these rigid structures, trafficking-based activities were divided between three groups – one of which concentrated on gambling and prostitution.⁴²

How the territory is shared, the trade in human beings organized between South Africa and its neighbours and extra-regional countries, and the scale of other international incursions and interests in the region remains unclear.

Organized crime - Transnational

Both the documented and alleged presence of transnational trafficking operations, linked to mafia and other organized criminal groups in Russia, Bulgaria, Brazil, Nigeria, China and Europe are a reason for serious concern. Trafficking in humans between Africa and Europe and the Middle East is significant and on the increase. The market for organs for transplant is extremely lucrative and difficult to detect.⁴³

The organized crime linkages are, by definition, difficult to trace and confirm. It is a dangerous area of investigation for obvious reasons, but the need for detailed research is vital to ensure relevant and timely prevention.

42. Gastrow, Peter (2004) *Trafficking in Persons*, South Africa Law Commission, Issue paper 25, Project 131.

43. Anecdotes of organs, in small ice-pack containers, transported in overhead luggage bins on airplanes

Extended global linkages between trafficking networks and sectors of the crime industry and business, conspire against successful pursuit and prosecution of traffickers while ensuring free rein for traffickers. If perceptions should develop of organised criminal network's infiltration of state or business structures, it would seriously damage public confidence and compound the difficulties of combating human trafficking.

More research into the "trafficker" is required in order to develop appropriate prevention strategies.

Trafficked Persons

These are the 'victims,'⁴⁴ all the women and children and men who are deceived, transported and delivered into the hands of those who exploit them for profit. The complexity of actors and dynamics of the human trafficking markets is also the key factor that make trafficking so difficult to detect and combat, and which makes victims so difficult to identify and assist. Victims of trafficking can be male or female, of varying age groups, coming from different backgrounds, and targeted for different purposes.

Trafficked victims are either coerced or deceived into a trafficking situation depending on the explanatory factors at play. Broadly, poverty,⁴⁵ war, lack of information, gender imbalances and a high level of demand for cheap labor and sexual services put a certain demographics at higher risks of being trafficked. Women and children happen to be the main component of this group.

The situation of children in domestic service has received some attention in South Africa, therefore more information is available on this group of trafficked persons. Children in domestic service often "work 12 hours a day, seven days a week. In addition to doing housework some of them were also expected to do other work such as work in the employer's shop, take care of an elderly person or disabled child or perform work for members of the extended families."⁴⁶ Anecdotal evidence suggests further that "some children are even held captive where they work, and some are reportedly subject to sexual violence."⁴⁷ In addition to these conditions, child domestic workers can also experience the following circumstances at their places of employment:⁴⁸

Accommodation

- They lack privacy.
- Most do not have appropriate and separate accommodation.
- Some have accommodation in sheds in the backyard, with no access to separate access to bathrooms or toilets.

Sleeping arrangements

- Some sleep in garages together with other children and adult employees.

44. In this 'victim' is judged an appropriate term to capture the conditions of life that expose a person to such extreme vulnerability.

45. Poverty is one of the main explanatory factors for human trafficking but this is not always the case as some trafficked persons can be kidnapped.

46. Department of Labour (2002) *Towards a National Child Labour Action Programme for South Africa*, Discussion Document, Pretoria., p.25.

47. Idem.

48. Koen, K. and Van Vuuren, B. (2002) *Children in Domestic Service the Case of the Western Cape*, Terre des hommes, Switzerland, p.34-35.

- Reports of children who sleep in disused dog kennels.
- Several reports of children who sleep on the floor either in the kitchen or in the lounge.
- Some sleep under kitchen tables.
- Some sleep in storerooms or garages where merchandise for shop is stored.

Food Provision

- They eat alone and after family.
- They are given porridge as a staple diet.
- They do not eat the same food as the family.

Punitive Measures

- Some children experience physical and verbal abuse.
- They have money deducted from their wages for purchase of toiletries and clothes.
- They are accused of laziness or of having stolen clothes and have their wages withheld, as punishment.
- Some children are humiliated in public.
- Children are not allowed to leave the house alone, often accompanied by employer.
- Some are beaten.

Users

The users of trafficked victims are the people who arrive at the end of the trafficking chain. They can either be prostitute users, head of a farm or a shop who need access to cheap labour. Users may act as individuals or are networked through access to other illegal activities – prostitution and sexual abuse of children and forced labour. They may be unaware or unconcerned about trafficking or not perceive themselves as part of the trafficking network.⁴⁹

According to UNICEF, “very often they [the users] do not perceive themselves as part of the trafficking network, although they are, in fact an engine in the machinery of exploitation. All aspects of the role of users require further research”.⁵⁰ In South Africa, it is the sexual exploitation of children and its different actors that has received most attention in the research on human trafficking. As a result we know more about trafficking in children for sexual abuse than for other purposes.⁵¹

Users may act as individuals or are networked through access to other illegal activities – prostitution and sexual abuse of children and forced labour. They may be unaware or unconcerned about trafficking or not perceive themselves as part of the trafficking network.⁵²

49. Andrea Rossi, ed. (2003) *Ibid.*

50. UNICEF (2003) *Trafficking in Human Beings, Especially Women and Children in Africa*, p.9, Innocenti Research Center.

51. There is thus a need to undertake detailed studies on the trafficking in children for all exploitative purposes. See Annex 1 “Profile of Sexual Exploitation of Children”.

52. Andrea Rossi, ed. (2003) *Ibid.*

2.A.4. Purposes of Trafficking in Human Beings in South Africa

While it is clear that many women and children are trafficked specifically to work in forced prostitution, and others are recruited to work in the agriculture, manufacturing or service industries for little pay in appalling conditions, the distinctions between the two become blurred, especially in the case of girls and young women recruited to work as domestics who are also sexually abused by their employers. The sexual exploitation may be planned and organized for profit or may be occasional, unpredictable and without a commercial transaction. While the distinction in no way diminishes the suffering or the abuse, the significance of the difference arises in terms of the prosecutorial and conviction process.

Human Rights Watch⁵³ has documented gender-based violence of women working on South African farms, where there was widespread sexual harassment and sexual assault by owners, managers, co-workers, neighbours and family members. In this environment, with entrenched attitudes regarding the dominance of men, women are low in the farming community hierarchy and have few options open to them. To which extent the labour of women and girls in such a context is a result of 'trafficking', is open to interpretation, but the conditions of such labour are akin to forced servitude. The power imbalance in these circumstances and the opportunity for persistent abuse and exploitation further demonstrate the complexity of definition and investigation.

In 2003, the Children's Institute at University of Cape Town, claimed $\frac{3}{4}$ of South Africa's children live in poverty, and that "poverty, unemployment and inequality are increasing in South Africa." It also claimed that the trafficking of children for sexual exploitation occurs mainly within South Africa's borders, with 4-17 year olds as the predominant target group.⁵⁴

According to the ILO, with 80 million (41%) Africa has the highest percentage of child labourers in the world. Between five and 14 years old, the largest percentage is young girls engaged in domestic work. Many of these children are victims of trafficking for forced labour, put in exploitative situations by intermediaries and powerful agents known to their families. The practice, probably based on the traditional practice of 'placement' saw children being sent to live with relatives as a mutual survival strategy. The child might profit from living in a more secure family that could provide for shelter and education and training opportunities⁵⁵ – or the child might provide essential labour and support to elderly relatives. This practice is in many cases a 'grey zone,' readily abused by traffickers who can earn between \$50-\$1,000 for a child delivered to the 'employer,' with profits varying according to destination and use of the child.

Trafficked children may start out as runaways or street children and end up being enticed into sex work.⁵⁶

53. Human Rights Watch [2001] *Unequal Protection: The State Response to Violent Crime on South African Farms*.

54. Save the Children [2003] *The Situation of children in South Africa*, The Children's Institute, University of Cape Town.

55. Briefing note on the situation of human trafficking in West Africa, Joint Expert Meeting on Human Trafficking in West Africa, ECOWAS Plan of Action Follow-Up, Lomé, Togo, December, 2002.

56. O'Connell Davidson, J. and Sanchez Taylor, J. (1996) *Prostitution and Child Sex Tourism: South Africa*, ECPAT International.

"Though some may be kept as prisoners in such brothels, many are so damaged by the long-term, repeated physical and sexual abuse to which they have been subjected that they remain with their Madam 'voluntarily'". In Durban for example children are often prostituted from rooms in cheap hotels and tenement blocks and there may be several layers of third party involvement in their abuse. At its most simple, this type of child prostitution involves a Madam/pimp who works two or three children from a rented flat in a tenement block.

O'Connell Davidson, J. and Sanchez Taylor, J. (1996) *Prostitution and Child Sex Tourism: South Africa*, ECPAT International.

While trafficking in humans for sexual exploitation and for forced labour constitutes the vast majority of incidents, there is an increase in the trafficking of humans for body parts, or organ harvesting. There is an international trade in organs for transplant operations, as well as a local trade in specific body parts such as genitalia, heart, eyes and skull, for use in traditional medicine, 'muti'⁵⁷ where these organs are believed to cure ailments from impotence to HIV and AIDS to infertility as well as to increase influence and wealth.

The more lucrative international business involves organ harvesting for transplantation. In what is predominantly a south/north system, organs (typically kidneys) are kept in cold storage and airlifted to reception centres. Numerous countries are implicated in this complex supply and demand business, in Latin American countries, Europe, Asia and the Middle East.⁵⁸ The accommodation amenities in South African transplantation clinics at private hospitals are reputedly of very high quality. With dialysis and transplantation surgery increasingly in the domain of the private sector, negative consequences of social equity means those with the financial means to acquire transplant organs do so. The poor provide them for a few dollars.

Nancy Scheper-Hughes⁵⁹ describes a case in 2003 where a poor black woman from New York who needed a kidney transplant, and the donor, a male, single parent from the slums of Recife, Brazil were exploited by brokers who brought them to South Africa to undertake the transplant operation. The case highlights the global market in bodies, organs and tissues and the accompanying high risk of organ harvesting from poor and needy clients to satisfy both the wealthier client and the unscrupulous brokers and accompanying cast of surgeons and associates.⁶⁰

It has to be stressed that information on the scale of human trafficking for body parts in South Africa remains poorly documented.

57. Term commonly used to refer to traditional medicine.

58. Scheper Hughes, Nancy (27 June 2001) *The Global Traffic in Human Organs*, A Report Presented to the House Subcommittee on International Operations and Human Rights, United States Congress.

59. Scheper Hughes, Nancy (2006) "Kidney Kin," *Harvard International Review*.

60. In August 2005, four South African transplant surgeons and associates were charged under the Human Tissues Act. (Scheper Hughse, Nancy (2006) "Kidney Kin" *Harvard International Review*, winter 2006).

2. B. WHAT ARE THE ROOT CAUSES OF HUMAN TRAFFICKING IN SOUTH AFRICA?

The supply and demand equation is typically described in terms of “push” and “pull” factors. These factors have a global resonance, but vary in local emphasis and scale. While armed conflict distorts and magnifies conditions of hardship and insecurity and creates fertile conditions for trafficking in all commodities, it is ultimately poverty, high unemployment and lack of opportunity – the quest for a means of survival – that is the engine driving trafficking in humans. The push/pull factors - two sides of the same coin - that make women and girls particularly marginalized are rooted in systemic gender discrimination. It is important to remember that these explanatory factors can be mutually reinforcing and that some of the causes can also be the consequence of others. More research is required into the mechanics of these causes.

Women and girls are more susceptible to fall into trafficking because of:⁶¹

Factors Contributing to Demand (Pull Factors)

- women’s perceived suitability for work in labour-intensive production and the growing informal sector which is characterized by low wages, casual employment, hazardous work conditions and the absence of collective bargaining mechanisms;
- the increasing demand for foreign workers for domestic and care-giving roles, and lack of adequate regulatory frameworks to support this;
- the growth of the billion-dollar sex and entertainment industry, tolerated as a ‘necessary evil’ while women in prostitution are criminalized and discriminated against;
- the low risk-high profit nature of trafficking encouraged by a lack of will on the part of enforcement agencies to prosecute traffickers (which includes owners/managers of institutions into which persons are trafficked);
- the ease in controlling and manipulating vulnerable women;
- lack of access to legal redress or remedies, for victims of traffickers; and
- devaluation of women and children’s human rights

Factors Contributing to Supply (Push Factors)

- unequal access to education that limits women’s opportunities to increase their earnings in more skilled occupations;
- lack of legitimate and fulfilling employment opportunities particularly in rural communities;
- sex-selective migration policies and restrictive emigration policies/laws, instituted often as a “protective” measure, limit women’s legitimate migration. Most legal channels of migration offer opportunities in typically male-dominated sectors (construction and agriculture work);

61. UNIFEM Asia (2002) *Idem*.

- less access to information on migration/job opportunities, recruitment channels, and a greater lack of awareness of the risks of migration compared to men;
- disruption of support systems due to natural and human created catastrophes; and
- traditional community attitudes and practices, which tolerate violence against women.

Supply and Demand

The global reach and scale of trafficking in humans is the ‘underside of globalization.’⁶² Globalization has created powerful market demand for cheap, low-skilled labour in sectors such as agriculture, food processing, construction, domestic service, labour-intensive manufacturing, home health care, sex work, the service sector in general,⁶³ and the entertainment sector (circuses, begging, camel jockeying). Such demand exists in both industrialized and developing countries. The types of work where trafficked labour is used tend to be located in sectors where it is easier to maintain highly exploitative working conditions that are gross violations of human rights and labour standards, in locations and conditions that are difficult to monitor.

High Profits

Modern day slavery thrives because of its profitability. The US State Department estimates it generates \$7-\$10 billion annually,⁶⁴ the third largest profits behind arms dealing and narcotics. It is also easier to move human cargo across borders than drugs or weapons which are seized when found. Human beings can be constantly re-used and re-trafficked – not so for drugs. Trafficking is, by definition, a complex, clandestine, underground business, constantly changing and evolving both in response to demand and to remain sufficiently flexible to elude arrest and prosecution.

Low Risk

By its very nature trafficking is secret and dangerous, which helps explain the inadequacy of reliable information. Victims are afraid of retaliation from traffickers or recrimination within their families and villages - which have often provided funds for the journey they anticipate will take the woman to the job that will help support the family - and the stigma of prostitution. As a result few will bear witness against the traffickers. Fear and mistrust of police, the lack of documentation and fear of complicity also play a part in maintaining the victim’s silence. Most victims are poor, illiterate, from marginalized populations and are ignorant of their rights. Traffickers exploit not only bodies but the deepest anxieties and disadvantageous life conditions of the victims.

62. Stopping Forced Labour: Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, International Labour Conference, 89th session 2001, ILO Geneva

63. Taran and Moreno-Fontes (2002) *Getting at the Roots. Stopping Exploitation of Migrant Workers by Organized Crime*, Paper presented at an international symposium on The UN Convention Against Transnational Organized Crime: Requirements for Effective Implementation, Turin, Italy, 22-23 February 2002, ILO.

64. It is important to note this report uses a statistical method based on “plausible estimates”; the only reliable figures are those related to seizures and confiscation (which require the crime to be consumed, detected and tried through the legal system).

Permeable Borders

A tradition of movement and migration to South Africa for trade and work as well as ignoring illegal activities such as smuggled goods, vital to survival in the war years,⁶⁵ contributes to acceptance and expectations of unregulated movement. Porous borders, combined with civil and political unrest and a lack of economic opportunity, have ensured a consistent southward flow of both legal and illegal migrants in southern Africa. Trafficking victims are difficult to distinguish amid these flows. Police/border officials are believed to be complicit with traffickers, accepting bribes for the passage of undocumented travellers. However, it is significant to note that the absence of domestic law, the lack of referrals and witnesses, and the high risk of acting against well-funded criminal structures causes hesitancy and limits the ability of law enforcement officials to act.

"The policeare South African or Mozambican soldiers who patrol the border region. The trafficker has a contact among them to whom he pays ZAR 150 to allow the whole group to pass, much cheaper than going through the border post itself. [The traffickers] laugh at passports. The soldiers often take any valuables and money being carried by the young women and migrants from which, according to one source, traffickers receive a share.

IOM (2003) *Seduction Sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa*.

Feminization of Migration

Historically men from neighbouring states migrated to South Africa in search of employment. Women were marginalized and obliged to stay in the rural areas, concerned with reproductive and community labour with increased workload, thus entrenching patriarchal values. With increased population mobility, lack of opportunity at home and better livelihood opportunities elsewhere, women are increasingly likely to migrate. Migration can lead to women's empowerment. But because of migration policies more favourable to men and because of recruitment made in men-dominating sectors, it tends to increase their exposure and vulnerability to being trafficked.

2.B.1. Push Factors

Poverty

An increased demand for cash incomes reduced economic opportunities in rural areas, the reduction of subsidies and other protective means, loss of traditional livelihoods, especially in agriculture combine with more personal and subjective rationales. Young women with some education are aware of the gap between urban and rural life, reject the drudgery of enforced domestic work as daughters in the family and increasingly have access to information about the lack of opportunity and how others live their lives.

65. Chingono, M.F. (1996) *The State, Violence and development: the political economy of war in Mozambique, 1975-1992*.

The way these dimensions impact on one another is contextual, but they ultimately contribute to major migration of young women and girls – not just of men, as it used to be. Many of them are at a high risk of being trafficked. Disappointed by the lure of livelihoods, failing to find an acceptable means of survival, desperate, and innocent to the trafficker's tricks of duplicity and false promises, they become trapped in the spiral of modern slavery.

The positive impact of macro-economic stability has allowed for greater resources to be put into social welfare services, such as nine million more people having access to low-cost houses and 5.5 million having access to child care and old age grants, as well as far more people having access to formal education institutions and skills development opportunities. Yet widespread poverty, crippling backlogs in social services and unemployment remain problematic.

HIV and AIDS

Recently, the links between poverty, violence, and trafficking have been compounded by the effects of HIV and AIDS. Women and girls trafficked for prostitution are among the most vulnerable groups exposed to HIV infection. Insufficiently informed, seduced or forced to have unprotected sex, once infected with HIV, they are often left without care or support.⁶⁶

- Trafficked women and girls are more vulnerable to HIV infection.
- Trafficked persons, particularly children, are unlikely to be able to negotiate condom use.
- Trafficked persons may be forced to endure sexual practices, like anal sex, most associated with HIV transmission.
- Trafficked persons may be or often are forced to have sex with multiple partners.
- Violence in commercial sex is common, especially where women or children are forced to have sex against their will. Injuries sustained as a result of forced sex may increase vulnerability to HIV transmission.
- The physically immature bodies of young children are extremely vulnerable to injuries. Such injuries increase their risk of infection.
- Many trafficked persons have other sexually transmitted diseases. This heightens the risk of contracting HIV by up to a factor of 10.⁶⁷

The vulnerability of those trafficked to sexually transmitted diseases is compounded by their inability to receive medical testing, treatment, counselling or other health services. Their inability to understand or speak the language in a foreign land, their poverty and lack of freedom may also impede access to health care.⁶⁸ Thus they become an infection risk to future partners and any child they conceive. This is of particular significance when it is mothers and other female 'carers' who are sick.

Children are particularly impacted by the loss of the professional generation as well as by losing their parents. As infected parents become unable to provide for their children, and relatives shun them or are also unable to provide support, the children suffer emotional

66. Rossi, ed., (2003) *Idem*. UNICEF Innocenti Research Centre.

67. Burkhalter, Holly (2003) *Sex Trafficking and the HIV/AIDS Pandemic*, Physicians for Human Rights, before the House International Relations Committee www.phrusa.org/campaign/aids/news062403

68. *Idem*.

neglect before the parents die, in addition to having to care for them and assume responsibilities they are ill-equipped for. Children also suffer the distress of their parent's death and the need to adjust to a life of minimal support and possibly social stigmatization.

Family poverty is here compounded by the loss of labour, the high cost of medical care and funerals. Families eat less and sell their assets.

Possibly deprived of their inheritance, shunned by family, stigmatized and poorly educated with limited marketable skills, AIDS orphans become socially isolated and rejected. They have limited survival opportunities and are extremely vulnerable to abuse and exploitation. This is particularly true of girls who may have been forced to leave school early to fulfil their socially ascribed role of 'carer.' Uneducated and unskilled, they become prey to unscrupulous employers and thence to trafficking. Children are subsequently more exposed to traffickers and trafficking – and ultimately to HIV and may be infected and affected on a large scale.

Gender and Age Imbalances

Since 1994, South Africa has made some progress towards the achievement of women's advancement and empowerment. Change has been more dramatic in some areas than in others. So for instance in 1998 a mere four years after the advent of democracy, women constituted 25% of legislators compared to 3% during apartheid and women in civil society have aimed to raise their profile at each general election since 1994. This is evidenced by the 50/50 campaign run by women's lobby organizations that seek to have equal representation of women in all levels of government. However, while there has been progress in this regard and there is pressure from civil society, there are still fewer women than men in positions of authority and influence in all spheres of South African society. Indeed some women's realities "continue to be characterized, among other things, by race, class and gender-based access to resources and opportunities defining the political, social and economic imbalances and inequalities in society that women are confronted with."⁶⁹ This is more a consequence of patriarchal norms and values still prevalent in society than of women's class positions. Women and also children in this matter are often perceived as inferior to men and consequently are often subjected to violence, exploitation and abuse.

There is thus an anomaly in South Africa that whilst the constitution guarantees equality and a number of laws have been enacted to enforce women's rights to equality with men, societal norms and values do not always encourage women to claim their right to equality. This is particularly so as "Gender relations are not something that can be changed by laws alone. Gender is about the relations between women and men, girls and boys. It is about how we are socially constructed by our experiences and the world we live in. Our opinions and attitudes, and those of our mothers, fathers, caregivers and educators, are primary determinants of how we relate to each other. Our culture and traditions, too, have a strong impact".⁷⁰

Addressing issues that are confronted by marginalized groups of women such as immigrant women, women victims of trafficking and women sex workers is also an important part of redressing the imbalances between men and women within South African society.

69. Kehler, J. (2002) *Rights and Realities: A Handbook of Women's Rights in South Africa*, NADEL: Cape Town, p.14.

70. Commission on Gender Equality (2001) *Gender Opinion Survey*, Johannesburg.

In South Africa, as we already mentioned not only are women thought to be inferior but children are too. An “important root cause, related also to the context which makes children vulnerable to abuse and neglect more generally is the deeply patriarchal ethos which pervades South African society. Rigid social constructions of masculinity and femininity and a profoundly conservative ethos relegates women and children to positions of being ‘owned’ (and therefore disposable at the whim of the ‘owner’) and there is limited recognition of even women, and still less of children, as human beings with rights in their own right. There is a sense of entitlement around sex and sexual activity - almost as though that’s what women and children are there for, and they shouldn’t complain about it.”⁷¹

Discriminatory Cultural Practices and Beliefs

The Constitution of South Africa protects against direct or indirect discrimination on the basis of sex, gender or sexual orientation and also provides against subjection to slavery, servitude or forced labour. However, traditional practices often remain valued while societal norms and values do not encourage women to claim their right to equality. Addressing the issues confronted by marginalized women (trafficked women, sex workers, immigrants and refugee women) is an important part of redressing the imbalances between men and women in South African society.

While the origins of traditional practices are rooted in belief systems and perceptions of morality and socially required behaviours that may be linked to survival needs. Their practice is often harmful, particularly to girls and women.

- Early marriage: When poverty is acute, a young girl may be regarded as an economic burden and her marriage to a much older man can be a family survival strategy. In some communities the bride’s family may extract lobola (brideprice) from the groom, or the groom’s family, for their daughter.

There is also a risk of trafficking linked with early marriage when men do not have the possibility to find young girls in their community. Child marriage can, itself, lead to destitute poverty of women through divorce, separation or abandonment. Very often, the only option for girls and women in situations of extreme marital stress is to run away.

- As young girls are perceived as more erotic than adult women, they are exposed to abuse by adult men. Virgins are also believed to be HIV-negative. Men dating young girls are often seen by society as rich, so such relationships gain social recognition for the men as well as the girls. Such inter-generational relationships are more acceptable than those established with prostitutes, and young girls place less demands on the men who abuse them. These relationships do not have the commitment and family obligations that would usually characterize relationships between adult men and women.

“At the local level, deep-rooted practices of gender discrimination lead to a cultural climate where the practice of trafficking is perceived as morally acceptable. When these

71. Thanh-Dam Truong (2006) *Poverty, Gender and Human Trafficking in Sub-Saharan Africa: Rethinking Best Practices in Migration Management*, UNESCO, p. 114.

cultural attitudes and practices go hand in hand with poverty-stricken living conditions, trafficking in women and children is likely to flourish. Trafficking of girls and women, very often under conditions of violence and deprivation, can also be connected to the high prevalence of overall violence in public and private spheres against women.”

*Adapted from *Process and steps towards comprehensive legislation on trafficking in persons in South Africa*, paper presented by Louisa Stuurman, South African Law Reform Commission, at the Child Trafficking Expert Workshop held at the UNICEF Innocenti Research Centre, Florence, Italy 20–21 March 2003.*

Lack of Knowledge and Information

While there is increased international attention to the problem of trafficking and governments, including South Africa, together with an array of stakeholders are providing information, publicity campaigns and training, the level of awareness in the population remains low. The common belief that “it cannot happen to me” apparently remains strong despite local familiarity with cross-border and internal trafficking. The offers of employment for young women, the offers to locate young children in better circumstances are generally accepted at face value (see IOM 2003). Acquaintance with trafficking recruiters, who may well be neighbours or family, further reduces the acknowledgement of the trafficking risk.

Absence of Effective Laws

As it will be more discussed in part “3.1.2. National Legal Instruments”, South Africa does not have a specific law against human trafficking but different legal tools are available to address some aspects of human trafficking activities. However, these instruments remain incomplete as they mainly focus on sexual offences. South Africa ratified the Palermo Protocol in 2004 and is currently in the process of law reform to bring domestic laws in accordance with the Protocol. The government uses the Prevention of Organized Crime Act, the Basic Conditions of Employment Act, the Refugee Act, the Aliens Control Act, and provisions of criminal law to prosecute traffickers.⁷²

2.B.2. Pull Factors

Based on available research, the main explanatory pull factors of human trafficking at an international level appear to be:

- Need for low-skilled and cheap labor
- Cultural beliefs
- Sex tourism and industry
- Adoption trade
- Demand for organs and body-parts
- Need for children-soldiers in armed conflict

72. US Department of State (8 March 2006) *South Africa: Country Reports on Human Rights Practices - 2005*, Released by the Bureau of Democracy, Human Rights, and Labor.

Trafficking in women and children is often seen as a development problem from the supply side. It is argued that young women and children are forced or pressured into the sex and domestic service industries by poverty and lack of alternative employment and income-earning opportunities. However increasingly, trafficking in persons is also seen as a development issue from the demand side.

In South Africa, HIV and AIDS play a role in the increased demand for younger, presumably uninfected sex workers, often from rural areas.⁷³ Old traditions have resurfaced which demand young girls, above all, virgins, who are perceived as 'clean' and therefore able to cure or delay the infection.

The demand for cheaper labor and sexual services from women and children both within developing and developed countries is regarded as a function of economic development. Economic growth tends to result in increased demand for cheap migrant labor, as the domestic workforce is able to move from low-skilled and low-wage employment thanks to the increasing ease and frequency of international travel, together with the growing phenomenon of temporary migration for work.⁷⁴

Economic disparities between regions also lead to more general migration flows, as more affluent countries draw upon the potential workforce of poorer countries as a source of cheaper labor. Western Europe, for example, is estimated to need an injection of 75 million migrants by the year 2050 if it is to maintain current levels of economic prosperity, suggesting significant and sustained migration into Western Europe over the next 50 years. Irregular migration and trafficking generally accompany such large people movements.⁷⁵

Pull factors also include adoption trade, the use of organs or body parts for rituals and conflicts which generate a demand for soldiers and also domestic and sexual services.

With respect to sex industries, it has been argued that development projects in comparatively undeveloped countries often bring with them a rapid increase in the demand for commercial sex. This is due to the growing sex industry, especially in industrialized countries, and in the sharp increase in the numbers of unaccompanied male workers in areas where there are few outlets for recreation and entertainment. Patterns of development that depend heavily on temporary migrant workers, particularly male workers, are generally associated with a sharp increase in the demand for commercial sex. This is coupled with an unmet demand for cheap and malleable labor, demand for sexual services for example linked to tourism development or shifts in the supply of local women in the sex sector in places of destination.⁷⁶

The infrastructure and trends associated with a rapidly globalizing world – like increasingly open borders, better transport, and increased overall migration flows – complement the forces of supply and demand that underlie trafficking. Globalization has provided the impetus to both those who wish to migrate and those who traffic the unwilling. Women and children tend to be the most vulnerable to human trafficking as they very often carry the burden of poverty.

73. Altman, Dennis (2003) *Global Sex*, University of Chicago Press.

74. In 2000, the United Nations estimated that 13 million people, or 2 percent of the world population, are on the move at any given time in ILO- IPEC (2002) *Unbearable to the human heart: Child trafficking and action to eliminate it*, Geneva, p.22.

75. ILO- IPEC, *Ibid*, p.27

76. Kane, J. and Saghera, J. (2001) *Trafficking in Children for Sexual Purposes*, UNICEF, p.5.