



STOP

**SEX TRAFFICKING
OF CHILDREN & YOUNG PEOPLE**



SEX TRAFFICKING OF CHILDREN IN SOUTH AFRICA

What is child trafficking?

The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation.

UN Convention against Transnational Organised Crime

A child is anyone under the age of 18 years.

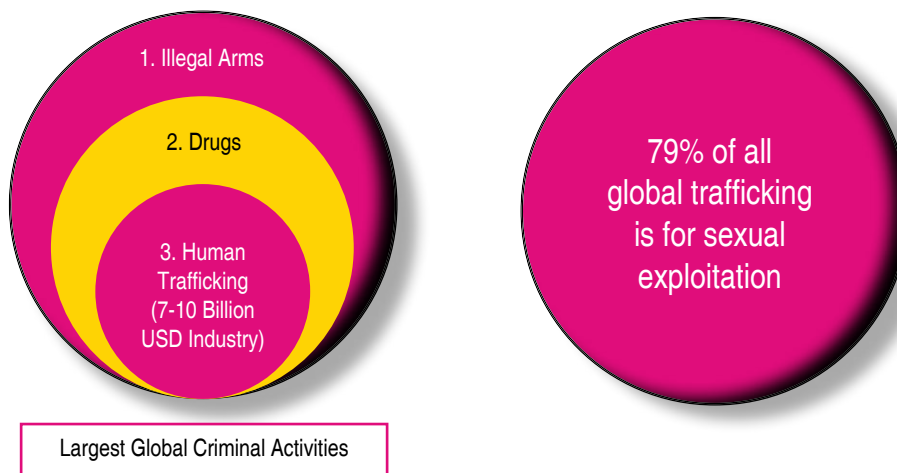
UN Convention on the Rights of the Child

What's the problem?

GLOBAL SEX TRAFFICKING

Human trafficking is a complex phenomenon fueled by the tremendous growth in the global sex market. Exploitation is driven by poverty, uneven development, official corruption, gender discrimination, harmful traditional and cultural practices, civil unrest, natural disasters and lack of political will to end it.

The number of child victims trafficked worldwide for sexual exploitation or cheap labour on an annual basis is 1.2 million.¹ Human trafficking, the third largest international crime, following illegal drugs and arms trafficking, is believed to be worth billions of dollars each year. Driving the trade is the demand for commercial sexual exploitation. Seventy-nine percent of all global trafficking is for sexual exploitation.²



SEX TRAFFICKING IN SOUTH AFRICA

The extent of trafficking operations in South Africa is not known, but a large number of people are believed to be trafficked each year, both within the country and across its borders. Children are especially vulnerable to trafficking and remain relatively

unprotected from exploitation for sexual and labour purposes.³ Due to a high prevalence of HIV/AIDS, many children are orphaned (estimated 1,400,000 children in South Africa for the year 2007), resulting in increased poverty among children, increasing their vulnerability to exploitation.⁴ Internal trafficking occurs within South Africa because of high unemployment and poverty; many families are pushed into letting children move from rural to urban areas, believing promises of education, care or job opportunities. Child-sex tourism, for which girls and boys are trafficked internally and across borders, also remains largely unaddressed.⁵

Who gets trafficked?

In South Africa, girls are mainly trafficked in and out of the country for sexual purposes and to serve as domestic workers. South Africans are trafficked to Ireland, the Middle East and the United States for domestic servitude. Women and girls from other African countries are trafficked to South Africa for commercial sexual exploitation, domestic servitude, and other jobs in the service sector; occasionally, these women are trafficked onward to Europe for sexual exploitation. Thai, Filipino, Chinese, and Eastern European women are trafficked to South Africa for debt-bonded commercial sexual exploitation.⁶ Many South Africans are also trafficked to Macau, UK and Israel.⁷

Women and girls are trafficked to South Africa from other African countries such as Mozambique, Angola, Somalia, the Democratic Republic of Congo, Ethiopia, Zambia and Zimbabwe, and occasionally, these women are then trafficked to Europe for sexual exploitation. Young men and boys from Mozambique, Zimbabwe and Malawi are trafficked to South Africa.⁸

Children are especially vulnerable to being trafficked because they are often poorly educated, easy to overpower and easy to convince that they must do what an adult tells them to do. Children may also be in a position where they believe they must help to support their families and may be sold or sent abroad by family members to do so. Street children, children in refugee camps, children whose family and community life has been disrupted and do not have someone to look out for them are all especially vulnerable to human trafficking.

Children may be at greater risk of trafficking from places where they are less protected. This may be because the law is weak or not properly enforced, or because children are less aware of the risks of trafficking and are more easily deceived. Countries are considered:

- 'Sending' or 'origin' - from where children are sent;
- 'Transit' - where the children might be moved through and temporarily kept on the way to their final destination; and
- 'Receiving' or 'destination' - where the children finally end up.

Depending on the reason for trafficking, some countries might be only sending, while others might be both sending and transit. Some countries can be all three. South Africa is an origin, sending and transit country and South African children are also trafficked within the country.

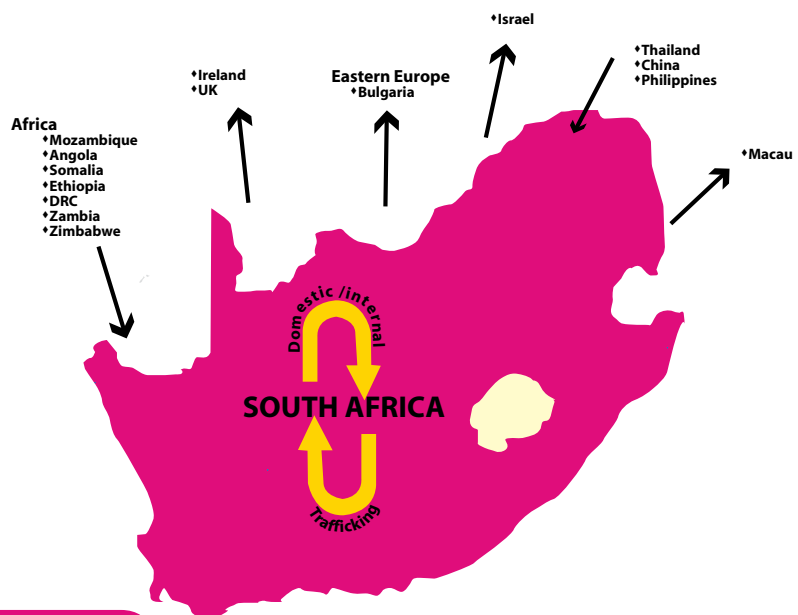
Who creates demand?

Traffickers prey on children and young people to meet the sexual demands of paedophiles and people who pay for sex. Any person who patronises the commercial sex market may end up sexually exploiting a child. There is actually no common profile of perpetrators who sexually exploit children – they may be young, old, married, single; they come from all kinds of socio-economic backgrounds and work in all kinds of professions.

Who are the traffickers?

Traffickers can be a stranger or someone the child knows, such as a relative or a friend. Traffickers are often part of an organised criminal network that ‘recruits’ children and supplies them with fake identification. They may also pose as boyfriends or girlfriends in order to convince children to leave for a new life.

Organised criminal groups—including Nigerian, Chinese and Eastern European syndicates—and local gangs facilitate trafficking into and within South Africa, particularly for the purpose of commercial sexual exploitation.⁹ Groups involved in trafficking people are well-organised and earn money by selling both adults and children into forced labour and prostitution. Due to the lack of proper legislation for prosecution of trafficking crimes, these organisations operate without fear of repercussions.¹⁰



For child trafficking, **South Africa** is primarily considered as a:

- ✓ origin country
- ✓ transit country
- ✓ destination country
- ✓ internal/domestic country

CASE STUDIES

- On 13 February 2008, Aldina dos Santos, 28, was arrested at a brothel in Moreleta Park. Two 15-year-old girls, who were used as sex slaves, were rescued from the brothel house and taken to a place of safety. Dos Santos was also found in possession of fraudulent passports and remains in police custody. Dos Santos was not able to be prosecuted as a trafficker because there is currently no law within South Africa to criminalise human trafficking, but she was charged under the Child Care Act for exposing a child to abuse.¹¹
- A notorious route for child trafficking for sexual exploitation is along major haulage roads leading from Malawi to South Africa. Along these routes, long distance truck drivers deceive children by promising to marry them or providing them educational opportunities if they agree to go to South Africa. Once in Johannesburg, the victim is held as the trafficker's sex slave in a flat in the central business district and other perpetrators are brought to have paid sex with the girl.¹²

How can we stop the trafficking of children?

LAW AND LAW ENFORCEMENT

- While South Africa has ratified the main international conventions related to the trafficking of children, it must properly report and comply with the recommendations made by the committees as it agreed to do as a signatory to the relevant conventions. The Government must develop and implement human trafficking legislation. As the *Children's Act of 2005* was approved in June 2007, the Government should work to ensure that all children are protected according to this law until a specific law on trafficking is developed.
- South Africa must develop and implement a national plan of action to combat human trafficking that sets a standardised procedure for trafficking cases (also focusing on domestic/internal trafficking), especially to improve victim identification. In addition, the Government must raise awareness among all levels of relevant government officials as to their responsibility to ensure the protection of victims.
- South Africa is required to regularly compile national statistics on the number of trafficking cases prosecuted and victims assisted, as is done for other crimes.

International Conventions/Laws	Date of Ratification by South Africa	Date of Reports Submitted	UN Committee on the Rights of the Child Recommendations for South Africa
<i>Convention on the Rights of the Child (CRC)</i>	16 June 1995	Initial report – 1997 Second report due 2002 (not yet submitted)	In response to the 1997 report, the Committee made the following recommendations: implement effective measures to strengthen law enforcement and intensify efforts to raise awareness in communities about the sale, trafficking and abduction of children being undertaken. The Committee further recommends the establishment of bilateral agreements with neighbouring countries to prevent the sale, trafficking and abduction of children and to facilitate their protection and safe return to their families. ¹³

International Conventions/Laws	Date of Ratification by South Africa	Date of Reports Submitted	UN Committee on the Rights of the Child Recommendations for South Africa
<i>Optional Protocol on the sale of children, child prostitution and child pornography</i>	30 June 2003	Initial report due 2005 (not yet submitted)	N/A
<i>The Protocol to Prevent, Suppress & Punish Trafficking in Persons, Especially Women & Children</i>	20 Feb 2004	N/A	N/A
<i>ILO Convention No. 182 on the Worst Forms of Child Labour</i>	1999	N/A	N/A
<i>African Charter on the Rights and Welfare of the African Child</i>	2000	Initial report due 2002	N/A

PREVENTION OF CHILD TRAFFICKING AND VICTIM PROTECTION ASSISTANCE

The Government of South Africa must:

- Ensure that child victims of trafficking are not criminalised, but are instead provided with protection, a child-friendly legal process with a legal guardian, proper health and psychosocial services, and the ability to decide whether or not to go back home.
- Continue to strengthen bilateral agreements with neighbouring countries through further investigation of trafficking cases, repatriation of victims and awareness raising aimed at prevention.
- Increase efforts to reduce the domestic demand for commercial sexual exploitation of children.

TO REPORT A SUSPECTED INCIDENT OF CHILD TRAFFICKING, CONTACT:

Child Welfare South Africa Hotline: 011 492 2888 or 0861424453 or info@childwelfare.org.za

South African Missing and Exploited Children Centre: 0861 647746

Childline South Africa: 0800 055 555

IOM 24-hour toll-free helpline: 0800-555-999

Crime Stop: 08600 10111

MORE INFORMATION

- ECPAT Group in South Africa – Child Welfare South Africa: info@childwelfare.org.za Website: <http://www.childwelfare.org.za/>
- ECPAT International: www.ecpat.net
- The Body Shop and ECPAT Stop Trafficking of Children and Young People Campaign : www.thebodyshop.com/stop

Endnotes

- ¹ UNICEF. 2007. http://www.unicef.org/media/media_40002.html
- ² UNODC. *Global Report on Trafficking in Persons*. 2009. <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>
- ³ ECPAT International. *Global Monitoring Report on the Status of Action against Commercial Sexual Exploitation of Children – South Africa*. Bangkok. 2007
- ⁴ Figure on child orphans accessed on 1 April 2009, from: www.avert.org/aidsorphans.htm;
- ⁵ ECPAT International. *Global Monitoring Report on the Status of Action against Commercial Sexual Exploitation of Children – South Africa*. Bangkok. 2007
- ⁶ US State Department. *Trafficking in Persons Report 2008*. Accessed at: <http://www.state.gov/documents/organization/105659.pdf>
- ⁷ Humantrafficking.org. 'Child Trafficking a Concern in South Africa'. 4 April 2007. Information accessed on 11 March from: <http://www.humantrafficking.org/updates/562>
- ⁸ US State Department. *Trafficking in Persons Report 2008*. Accessed at: <http://www.state.gov/documents/organization/105659.pdf>
- ⁹ Ibid.
- ¹⁰ Humantrafficking.org. 'Child Trafficking a Concern in South Africa'. 4 April 2007. Information accessed on 11 March from: <http://www.humantrafficking.org/updates/562>
- ¹¹ Tshisela, Namhla. 'First child trafficking case in court'. Sowetan. 13 May 2008 <http://www.sowetan.co.za/News/Article.aspx?id=765246>
- ¹² IOM. *Seduction, sale and slavery: Trafficking in women and children for sexual exploitation in southern Africa*. May 2003.
- ¹³ United Nations. *Concluding Observations of the Committee on the Rights of the Child: South Africa*. 22 February 2000. <http://www.unhcr.org/refworld/publisher,CRC,CONCOBSERVATIONS,ZAF,3ae6afc8c,0.html>



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