

This article was downloaded by: [Carol Allais]

On: 29 April 2013, At: 23:26

Publisher: Routledge

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



South African Review of Sociology

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/rssr20>

The profile less considered: The Trafficking of Men in South Africa

Carol Allais^a

^a Department of Sociology, University of South Africa

Published online: 29 Apr 2013.

To cite this article: Carol Allais (2013): The profile less considered: The Trafficking of Men in South Africa, South African Review of Sociology, 44:1, 40-54

To link to this article: <http://dx.doi.org/10.1080/21528586.2013.784447>

PLEASE SCROLL DOWN FOR ARTICLE

Full terms and conditions of use: <http://www.tandfonline.com/page/terms-and-conditions>

This article may be used for research, teaching, and private study purposes. Any substantial or systematic reproduction, redistribution, reselling, loan, sub-licensing, systematic supply, or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae, and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand, or costs or damages whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.

THE PROFILE LESS CONSIDERED: THE TRAFFICKING OF MEN IN SOUTH AFRICA

Carol Allais

Department of Sociology
University of South Africa
carol.allais@gmail.com

ABSTRACT

Human trafficking can broadly be described as the illegal trade of human beings mainly for the purposes of commercial sexual exploitation or forced labour. Trafficking is most commonly associated across the world with the trafficking of women and girls for sexual exploitation, to some extent with the trafficking of children for sexual exploitation, and to a lesser extent with trafficking for labour exploitation. While the trafficking of women and girls for sexual exploitation has been explored at length, the trafficking of men and boys for both sexual and labour exploitation has received less attention. Consequently, victim assistance focuses almost exclusively on women and children who have been trafficked for sexual exploitation. Reports of male victims are rare as men have traditionally been overlooked as potential victims of trafficking. Generally, very little is known about the trafficking of men. The trafficking of men in South Africa, or as a regional phenomenon in southern Africa; the extent to which it exists, the exploitative purposes for which its victims are trafficked, suffers from a similar lack of attention. Human trafficking violates several human rights of the trafficked and the impact of trafficking on individuals is severe. One of the stated objectives of the United Nations Trafficking Protocol is the protection of victims of trafficking. Sustained research on the trafficking of men and boys in South Africa is required to shed more light on the forms of exploitation men and boys are subject to. This will inform policy and practice and allow for effective protection and assistance for a hitherto neglected population.

Keywords: human rights, human trafficking, sexual exploitation, labour exploitation

INTRODUCTION

‘Human trafficking’¹ is an umbrella term for activities involved when one person obtains or holds another person in compelled service for either sexual or labour exploitation. Lee (2007: 1) describes human trafficking as commonly understood to involve a variety of crimes and abuses associated with the recruitment, movement and sale of people (including body parts) into a range of exploitative conditions around the world. Most countries in the world are countries of origin, transit or destination, or a combination of all three (US Department of State 2012).

While probable cases of human trafficking are reported from time to time in the South African media, a report on 7 May 2012 in the *Pretoria News* – ‘47 Ethiopian “slaves” rescued in sting’ – (Omar 2012) of a group of 47 Ethiopian men having allegedly been rescued from being sold into slavery by a human trafficking syndicate in Limpopo was unusual in that the reported victims were male^{2,3}. Trafficking is most commonly associated across the world with the trafficking of women and girls for sexual exploitation and to some extent with the trafficking of children for sexual exploitation, forced labour or begging and criminal activity.

THE UNITED NATIONS (UN) PROTOCOL⁴

The international definition of trafficking emerged only recently. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime (CTOC), may be seen as the starting point of the modern era of confronting human trafficking. It entered into force on 25 December 2003. Many countries have subsequently passed appropriate legislation.⁵ The protocol defines trafficking and contains provisions aimed at prevention, prosecution and protection. Trafficking in persons is defined in article 3 (a) as:

... the recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat or the use of force or other forms of coercion, or 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 or 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 protocol includes a specific definition of trafficking in children:

Trafficking in children shall mean the recruitment, transportation, transfer, harbouring or receipt of a child for 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 provision stresses that the trafficking of children for exploitative purposes, even if there is no force, fraud or coercion, and whatever means are used, should be considered a crime. It also covers persons held against their will to pay off a debt (peonage, debt bondage or bonded labour).

FROM 'OLD' SLAVERY TO THE 21ST CENTURY FORM OF SLAVERY

The trade in human beings is not a new phenomenon. Trafficking in women, known as 'white slavery' was a major issue in the late 19th century. In the 1970s, women trafficked from South east Asian countries 'flooded the sex markets in Western Europe' (Jahic & Finckenauer 2005: 24). In his discussion of the evolution of unfree labour, Picarelli (2007) posits a difference between 'old' slavery wherein slaves were held as property and thus deemed valuable and 'new' slavery wherein slaves are no longer property but are seen as a disposable commodity. This distinction between traditional forms of slavery and modern slavery is also recognised by Bales (2004). The trade in human beings, however, only gained real public and government attention in the 1990s, with increased reports of trafficking in women from eastern Europe and the former Soviet Union (Jahic & Finckenauer 2005: 24). Bales (2004: 9) posits that 'There are more slaves alive today than all of the people stolen from Africa in the time of the transatlantic slave trade' (ibid: 9). Morawska (2005: 94) observes that what distinguishes the contemporary trade in human beings from previous forms is its scale, reach and organisational sophistication, and the scope of international legal and institutional measures to combat it.⁶

The Universal Declaration of Human Rights (UDHR), adopted by the United Nations General Assembly in 1948, not only prohibits slavery and involuntary servitude (Art. 4), but also sets forth a number of other protections relevant to global efforts to address human trafficking. Some of these provisions, such as the guarantees of freedom of movement (Art. 13), freedom from forced marriage (Art. 16), and free choice of employment (Art. 23), protect victims and those who may be vulnerable to trafficking (UDHR 2012). While the Declaration does not bind signature countries, various Conventions and Protocols that have been ratified do.

THE FORMS AND IMPACT OF HUMAN TRAFFICKING

Human trafficking takes many forms, and as pointed out by the United Nations Office on Drugs and Crime (UNODC), 'It is dynamic and adaptable and, like many other forms of criminal activity, it is constantly changing in order to defeat efforts by law enforcement to prevent it' (UNODC 2006: ix). Characteristics of trafficking differ regionally in terms of who is trafficked, the sector in which they are exploited and their areas of origin and destination. The US Trafficking Victims Protection Act (TVPA) describes this compelled service using a number of different terms – involuntary servitude, slavery, debt bondage, and forced labour (US Dept of State 2012).

Forms of trafficking include:

- Trafficking in women for forced marriage, forced prostitution, sexual exploitation and forced labour (including domestic labour, working in factories

and mines and other forms of labour).

- Trafficking in men for forced or bonded labour. Men and boys in particular are trafficked for labour exploitation in construction work, agriculture, and in fishing and mining.
- Trafficking in children for sexual exploitation (prostitution or pornography), illegal adoption, child labour (domestic labour, childminders, begging, criminal activities like selling drugs), and participation in armed conflict as mercenaries or child soldiers, or sex slaves. The initial belief that only girl children are being trafficked for sexual exploitation is being challenged as the incidence of boy children being trafficked and exploited through unsuspecting areas such as sport is increasing (UN Human Rights Council 2009: 8).
- Trafficking in human beings for organs, human body parts and tissue. In addition to organs, traffickers have also found a market for other body tissues and parts such as skin and nails. The demand for some of these body parts is created by some practitioners of witchcraft, by ritual sacrifices and by dubious traditional healers for traditional potions (Kruger 2010: 70; also Fellows 2008; Scheper-Hughes 2000, 2001).

Human trafficking violates several human rights of the trafficked: the right to human dignity, the right to personal autonomy (freedom from slavery), the right to enjoy physical and mental health, the right to work (freedom from forced labour) and the right to just and favourable remuneration (Morawska 2007: 92). The rights to healthcare, food, water and social security are also violated. The impact of trafficking on individuals is severe. Every stage of the trafficking process can involve physical, sexual and psychological abuse and violence, deprivation and torture, the forced use of substances, manipulation, economic exploitation and abusive working and living conditions. Unlike most other violent crime, trafficking usually involves prolonged and repeated trauma (UNODC.GIFT 2008a: 9). The men, women and children who are exposed to rape, torture, violence, dangerous working conditions, poor nutrition, and drug and alcohol addiction are also exposed to HIV/AIDS and other sexually transmitted and infectious diseases (Lee 2007: 1). Naim describes (2006: 89) the trade in people as 'surely the most morally repugnant of all the illicit trades that flourish today'.

Despite increasing global attention and significant national responses, human trafficking is still a reality, and remains a crime with low risks and high profits (UNODC.GIFT 2008: 1). The UNODC (UNODC.GIFT 2009: 8–9) observes that while passing appropriate legislation represents a significant step forward, few countries have actually used this legislation to convict anyone. In fact, 40 per cent of countries with dedicated laws did not record a single conviction for trafficking in persons from 2003 to 2008, and most of those that have applied the law have registered relatively few convictions. Implementation levels remain low in many countries, including countries of origin,

due to a lack of comprehensive national legislation, resources to enforce the laws and political will (UN Human Rights Council 2009: 13).

VICTIM PROTECTION AND ASSISTANCE

The stated objectives of the Palermo Protocol are to prevent trafficking, prosecute traffickers and protect victims of trafficking. The '3P' paradigm – prevention, prosecution and protection – serves as the fundamental framework used by governments around the world to combat trafficking. The protection of victims of trafficking entails guaranteeing the physical safety of victims, protecting their privacy, and making it safe for them to testify against their abusers. Protection and victim assistance include identification and recognition of individuals as victims of crime (as opposed to, for example, illegal migrants); and referral to official bodies or NGOs for appropriate support (for example, shelter, medical assistance, psychological assistance). Victims also need assistance that extends beyond the end of their exploitation and any criminal prosecution such as vocational training that can reduce the risk of them again returning to exploitative conditions, or reintegration into their communities (UNODC.GIFT 2008b; US Department of State 2012).

THE PROFILE LESS CONSIDERED

It can be argued that men and boys as victims or potential victims of trafficking are clearly 'the profile less considered' in term of the identification, reporting and documentation of the crime. Research on trafficking has also focussed predominantly on the trafficking of women and girls for sexual exploitation. A study conducted by the UNODC within the framework of the United Nations Global Initiative to Fight Trafficking (UN.GIFT) in 2007 on the state of the world's response to the crime of trafficking⁷ revealed, inter alia, that sexual exploitation was by far the most commonly identified form of human trafficking (79%), followed by forced labour (18%) (UNODC. GIFT 2009: 6). (They concede, however, that this may be a result of statistical bias.) The exploitation of women tends generally to be more visible, in city centres and along highways and because it is more frequently reported, sexual exploitation has become the most documented trafficking, in aggregate statistics. In comparison, other forms of trafficking are under-reported: forced or bonded labour; domestic servitude and forced marriage; organ removal; and the exploitation of children in begging, the sex trade and warfare (ibid.).

The vast majority of adult males are trafficked for labour, primarily in construction and construction-related work and agriculture, but also in factories, food processing industries, on ships, in forestry, in oil extraction and many other types of jobs (USAID 2010: vi). The scope of the problem of trafficking of adult men is believed to be far larger than current data indicate (USAID 2010) and it is widely acknowledged that the trafficking of males, particularly adult men, has received considerably less consideration

in terms of media reports, and counter-trafficking research and interventions (Gozdziaik & Bump 2008); Oram & Zimmerman 2008; Oram, Stöckl, Busza, Howard & Zimmerman 2012; Surtees 2008). There are many reasons for the under-reporting of the number of male victims of trafficking: In cases of cross-border trafficking, victims are treated as irregular migrants and deported without their cases being investigated; gender biases result in men not being identified as having been trafficked, even when they are in the same circumstances as women who have been identified as victims of trafficking; and the profile of the trafficked is based on known victims, which to date have primarily been women trafficked for prostitution (USAID 2010: v). The predominant focus on the trafficking of women over men, it may be argued, has links to assumptions about gender and, in particular, a generalised notion of female vulnerability (Surtees 2008: 13).

To date, trafficking in males has been under-considered in research despite evidence from many countries and regions that males – adults and minors – are also exploited and violated in ways that constitute human trafficking (Surtees 2008: 12). Research conducted by Gozdziaik and Bump (2008)⁸ to assess current data and research on human trafficking in a range of English language journal articles, books and reports found too that the vast majority of studies focus on women and girls. South Africa is no exception to this neglect of focus on the trafficking of men. Little is known about the trafficking of men in South Africa, as a regional phenomenon in southern Africa, the extent to which it exists, and the exploitative purposes for which its victims are trafficked. Research conducted by Horwood/IOM (2009) into whether men were being trafficked from east Africa and the Horn into South Africa found no significant evidence of trafficking. The research did reveal the large-scale smuggling of men, as well as allegations of severe human rights violations and exploitation (*ibid.*: 5). Research conducted by Bermudez/IOM (2008) on domestic trafficking in South Africa deals briefly with reports⁹ of men and boys being trafficked for forced labour in the agricultural sector and the trafficking of boys for street vending, forced begging and crime.

Narrow definitions and continued stereotypes of trafficking as a problem confined to women and girls in prostitution result in the mistreatment of other victims of trafficking. For example, instead of receiving protective services they need, migrant men in forced labour may face immigration charges or deportation if not identified as trafficking victims (US Department of State 2012). The US TIP Report (*ibid.*) reiterates the costs of myths and misconceptions that still hinder the ability of governments to identify victims, provide them with the necessary assistance and services, and bring their traffickers to justice.¹⁰

RESEARCH ON HUMAN TRAFFICKING IN SOUTH AFRICA

Research on human trafficking in South Africa has, over the past decade, generated a number of reports and articles by institutions such as the IOM, UNICEF, UNESCO, UNODC, SADC; NGOs such as Molo Songololo and individual writers. As with global research on trafficking, the predominant focus of South African research is on trafficking

for sexual exploitation, particularly the trafficking of children: for sexual exploitation (Gallinetti 2010; Horn 2010; Kamidi 2007; Kassin 2007; Kreston 2007; Minnie 2009; Molo Songololo 2000, 2008; UNICEF 2003) and to a much lesser extent for labour exploitation (CASE 2005a; 2005b, 2005c). There is a similar overrepresentation of research on the trafficking of women for commercial sexual exploitation (Gould 2008; Ham/GAATW 2011; ISS 2007; IOM 2006; Martens, Pieckowski & Van Vuuren-Smith; Qaba 2004; Singh 2004; Weekes 2006). Trafficking also occurs for the removal of body parts for medical as well as *muti*¹¹ purposes (Kruger 2010: 409). Research on the trafficking of organs and body parts include (Slabbert 2002; Labuschagne 2004; Watson 2006; Bermudez/IOM 2008; Fellows 2008; van Zyl 2010); and indigenous traditions such as *ukuthwala*¹² (Konyana & Bekker 2007; McQuoid-Mason 2009; Van der Watt & Ovens 2012). Research on internal (or domestic) trafficking in South Africa by Bermudez/IOM 2008) revealed the existence of trafficking for sexual exploitation and also trafficking for domestic servitude. The study also touches on the trafficking of men for forced agricultural labour, and the trafficking of boys for street vending, forced begging and criminal activity. The crime of human trafficking for sexual exploitation received a large amount of attention in the run-up to the 2010 World Cup in South Africa, when NGOs and IGOs in conjunction with various government departments embarked on large scale awareness raising programs and training for law enforcement officers. The focus on trafficking was due to the view that large-scale international events increase the demand for prostitution, and that women and girls are vulnerable to being trafficked to satisfy this demand.¹³ Ham/GAATW (2011: 15) argues that there is no empirical evidence that trafficking for prostitution increases around large sporting events, and observe that ‘while 40,000 extra prostitutes/foreign prostitutes/trafficked women forced prostitutes were *predicted* to be imported’ for the 2010 World Cup in South Africa, no cases of trafficking were found during the World Cup (ibid.: 16).¹⁴

THE DIMENSIONS OF TRAFFICKING IN SOUTH AFRICA

The dimensions of human trafficking in South Africa are only in the initial stages of being mapped out. Despite the lack of official statistics for the country (and for the entire Southern African Development Community (SADC region)) both anecdotal data and limited quantitative data point to a picture of trafficking that warrants considered intervention. Most countries in the SADC region can be categorized as predominantly source or transit countries. South Africa is the only country in the region that is primarily a destination country (US Department of State 2012). Due to a combination of geographical, economic and social conditions, it is the major destination country in southern Africa for trafficked men, women and children (UNICEF 2003). As the economic heart of sub-Saharan Africa, the country is a powerful lure for migrants, asylum seekers and traffickers. South Africa has a coastline of 2 798km and a land border of 4 862km. It shares borders with six countries: Namibia in the north west (967km), Botswana (1 840km) and Zimbabwe (225km) in the north and Mozambique (491) in the

north east. Lesotho (909km) and Swaziland (430km) lie within South Africa's borders. Traffickers are easily able to take advantage of the country's extensive and inadequately monitored borders (De Sas Kropiwnicki 2010: 21). Corrupt border officials are also complicit in cross-border trafficking.

Domestic, or internal trafficking, has also been identified, and includes trafficking for commercial sexual exploitation, trafficking of women and girls for domestic labour, the trafficking of men and boys for agricultural labour, and the trafficking of boys for street vending, begging and criminal activity (Bermudez/ILO 2008). More recent research commissioned by the National Prosecuting Authority (HSRC/NPA 2010) to generate a more comprehensive and in-depth picture of trafficking in South Africa and the region revealed a number of trafficking streams and forms (although the exact scale of the problem of trafficking in South Africa and the region is still unknown at this stage).

Other streams of trafficking are: i. Trafficking to South Africa from outside of Africa: South Africa is a destination country for long-distance flows for people (mainly women) trafficked from Thailand, Pakistan, Philippines, India, China, Bulgaria, Romania, Russia and the Ukraine. The main point of entry of this trafficking stream is OR Tambo Airport in Johannesburg. ii. Trafficking to South Africa from within Africa: Trafficking of persons to South Africa from within the continent presents a more varied scenario. Trafficked persons from within Africa are trafficked across the extensive land borders of the country. The major African countries of origin are those immediately adjacent to South Africa, primarily Mozambique and Zimbabwe but also Malawi, Swaziland and Lesotho. Victims of these short-distance flows comprise mostly women, girls and boys trafficked for a variety of purposes. Longer-distance trafficking involves victims from the Democratic Republic of Congo, Angola, Burundi, Ethiopia, Senegal, Tanzania, Uganda, Rwanda, Kenya, Cameroon, Nigeria and Somalia. iii. Domestic trafficking: the largest movement of persons trafficked within the national borders of South Africa is from rural areas to cities. Women, girls and boys – and to a lesser extent, men – are the targets of traffickers for prostitution, domestic servitude, forced labour, begging, drug trafficking and criminal activity. iv. Trafficking that uses South Africa as a transit point to other countries: South Africa is not only a destination point for the trafficking of persons, but has also been identified as a transit country for victims trafficked (and smuggled) through Lesotho and Swaziland to other foreign destinations. A fifth stream, South Africans trafficked abroad, appears to be smaller: Trafficking out of South Africa is much less voluminous than trafficking into the country. The International Organisation for Migration (IOM) in Pretoria recorded eight cases of trafficking from South Africa between January 2004 and January 2008. Destination countries include Ireland, Zimbabwe, Israel, Switzerland and the Netherlands. There were also cases of women being trafficked to Macau.

Evidence available to this study confirms that women constitute the largest group of victims in all streams of trafficking. Victims of intercontinental trafficking are usually between the ages of 19 and 50 and are trafficked predominantly for sexual exploitation.

Women also constitute the largest group of victims trafficked from within the continent and within national borders. These findings reflect the findings of the global situational analysis study conducted by UNODC.GIFT (2008). Young girls feature prominently in all trafficking streams. The demand for under-age girls for purposes of sexual exploitation is a disturbing feature of the South African trafficking landscape. Reasons for this demand include the perception that young girls pose less of a risk in terms of HIV and also that they represent the 'sexual desirability of youth' (HSRC/NPA 2010: 235).

The HSRC/NPA research (2010) also found strong evidence for the trafficking of men and boys from Lesotho for illegal mining in the Free State (mostly to Kimberley and Welkom), involving sophisticated supply chains that include middlemen called 'cables' because of their role in linking demand and supply. Young boys are also trafficked to smuggle drugs and for other criminal activities.

CONCLUSION

Di Nicola (2007: 49) points out that knowledge through research develops progressively and sometimes slowly, and that the purpose of the process is to understand phenomena and their causes and to solve problems and ultimately to address societal needs. Human trafficking is a multidimensional problem. The challenge for governments, NGOs and IGOs has been to develop approaches that would address all the different aspects of trafficking (Jahic & Finckenaer 2005: 32). Gozdziaik and Bump (2008: 4) point to the many gaps that exist in the current knowledge about human trafficking despite the increasing attention it has received in the past two decades. While it is widely held that the women and children comprise the greatest number of trafficking victims, Gozdziaik and Bump (2008: 4) point to the dearth of systematic and reliable data on the scale of the phenomenon; limited understanding of the characteristics of victims (including the ability to differentiate between the needs of adult and child victims; girls and boys; women and men), their life experiences, and their trafficking trajectories; poor understanding of the *modus operandi* of traffickers and their networks; and lack of evaluation research on the effectiveness of governmental anti-trafficking policies and efficacy of rescue and restore programmes. They argue for serious literature¹⁵ based on systematic, methodologically rigorous, and peer-reviewed empirical research, which is vital for informing decision-makers to craft effective policies, service providers to develop culturally sensitive and linguistically appropriate and efficacious programmes, and law enforcement to enhance their ability to identify and protect victims and prosecute trafficking (ibid.).

There is also a pressing need for research that addresses the dearth of information on trafficked men and boys, both in terms of the trafficking experiences and what can be done to address this, in terms of prevention, prosecution and protection. Research on this particular aspect of trafficking should include research undertaken from the perspective of trafficked men and boys and which considers their individual experiences, the assessment of their needs and how they value existing anti-trafficking interventions

(Surtees 2008: 12). South Africa has been assigned a Tier 2 status in the 2012 TIP Report (US Department of State 2012). A Tier 2 ranking is assigned to those governments that do not fully comply with the minimum standards for the elimination of trafficking, but are making significant efforts to do so. Sustained research on the trafficking of men and boys in South Africa will inform policy and practice, and allow for effective protection and assistance for a hitherto neglected population. The identification and documentation of male victims of trafficking will allow for assistance tailored to their specific needs and interests. Tailoring of services is required to the specific profile of male victims; according to both their trafficking experience and whether they are minor or adult. Primary needs range from the basic, that is, accommodation, medical care, legal assistance and security to more long-term and complex support (psychological assistance, education and training, sustainable economic opportunities, and reintegration support) (IOM 2007: 1). Such assistance is rarely available and accessible to men.

NOTES

- 1 Also referred to as Trafficking in Persons.
- 2 Personal communication with a provincial Human Trafficking Coordinator (15.11.12) revealed that the case had been withdrawn for reasons he was not prepared to disclose.
- 3 While the terms human trafficking and migrant smuggling are often used interchangeably, these are two different offences. In the process of irregular migration, however, smuggled migrants are rendered vulnerable to human trafficking.
- 4 Commonly known as the Palermo Protocol.
- 5 The Protocol's ratification status can be consulted at http://www.unodc.org/unodc/en/crime_cicp_signatures_trafficking.html
- 6 South Africa ratified the United Nations Convention against Transnational Organized Crime and its supplementary protocols: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air in 2004, and as such is legally bound by the treaty. The Prevention and Combating of Trafficking in Persons Bill once it is fully operational will be one of the most comprehensive laws in combating human trafficking in the country.
- 7 The study found too, that a disproportionate number of women are involved in human trafficking as traffickers.
- 8 Godziak and Bump (2008) compiled a comprehensive bibliography of English language research based literature on human trafficking. The compiled bibliography was analysed to assess the state of the English language research literature on human trafficking. Their analysis was based on 218 journal articles. Of the 218 research-based articles, 39 were based on empirical research, while 179 articles were based on non-empirical research. The majority of empirical research focuses on trafficking for sexual exploitation; only three of the 39 journal articles deal with trafficking for labour exploitation and one focuses on domestic servitude. The remaining 35 analyse various aspects of trafficking for sexual exploitation. Of the 39 empirical journal articles, 30 discuss trafficked women, seven discuss trafficked children and two include discussions of trafficked men. All samples were quite small, ranging from case studies of one to a couple of hundred of victims. Fifty three

per cent (115 articles) focused on trafficking for sexual exploitation, to the detriment of investigating trafficking for bonded labour and domestic servitude. The vast majority of studies focus on women. As a result very little is known of trafficking of men and boys, either for sexual exploitation or bonded labour. Only 14 journal articles include discussion of male victims of trafficking and one discussed the plight of male children. Thirtytwo articles discuss child victims, but make no distinction between male and female children.

- 9 All the information pertaining to the trafficking of men and boys in the study derives from interviews with key stakeholders like social workers and shelter managers rather than with victims themselves, and is anecdotal at best.
- 10 The TIP Report (2012) points out that these challenges are exacerbated by the widespread tendency to conflate human trafficking with human smuggling (migrant smuggling). Although trafficking of persons and smuggling of migrants represent overlapping crime problems, they are distinct crimes. In smuggling, there is usually no ongoing relationship between the smuggler and the migrant once the latter has arrived at the destination, whereas exploitation of the victim of trafficking is ongoing. Another major difference between smuggling and trafficking is that smuggling is always transnational in nature, whereas trafficking may or may not be (UNODC 2006: xiv).
- 11 *Muti* (also spelt *muthi*) is a term for traditional medicine in South Africa. In a *muti* murder, body parts are removed from a living victim to use medicinally; either mixed with other ingredients or used alone (HSRC/NPA 2010: 8).
- 12 *Ukuthwala*, a custom practised in Nguni communities in South Africa, is a method for initiating negotiations for a marriage proposal by means of a mock abduction of the bride to be (Koyana & Bekker 2007). The abuse of the *ukuthwala* tradition to force girls as young as 12 to marry adult men is viewed as criminal abduction (Kruger 2010: 421).
- 13 Ham/GAATW (2011: 15) argues, however, that there is no empirical evidence that trafficking for prostitution increases around large sporting events.
- 14 It could also be argued, however, that the fact that no cases were found could be ascribed to the tight security put in place for the World Cup leading to either a drop in trafficking over that period or the clandestine crime of trafficking going deeper underground.
- 15 As opposed to the 'often sensational publications intended to raise awareness about the issue' (Gozdziak & Bump 2008: 13).

REFERENCES

- Adepoju, A. 2005. Review of Research and Data on Human Trafficking in sub-Saharan Africa In Laczko, F. & Godziak, E. (eds.). 2005. *Data and Research on Human Trafficking: A Global Survey*. Vienna: IOM.
- Bales, K. 2000. *Disposable People: New Slavery in the New Economy*. London: University of California Press.
- Bermudez, L./International Organisation for Migration (IOM). 2008. *No Experience Necessary: The Internal Trafficking of Persons in South Africa*. Pretoria: IOM.
- Community Agency for Social Enquiry (CASE). 2005a. *Situational Analysis on the Commercial Exploitation of Children and Child Trafficking: KwaZulu-Natal*. Report for the Programme Towards the Elimination of the Worst Forms of Child Labour. Johannesburg: CASE.

- Community Agency for Social Enquiry (CASE). 2005b. *Situational Analysis on the Commercial Exploitation of Children and Child Trafficking: Limpopo*. Report for the Programme Towards the Elimination of the Worst Forms of Child Labour. Johannesburg: CASE.
- Community Agency for Social Enquiry (CASE). 2005c. *Situational Analysis on the Commercial Exploitation of Children and Child Trafficking: Mpumalanga*. Report for the Programme Towards the Elimination of the Worst Forms of Child Labour. Johannesburg: CASE.
- De Sas Kropiwnicki, Z./IOM. 2010. *Wolves in Sheep's Skin: A Rapid Assessment of Human Trafficking in Musina, Limpopo Province of South Africa*. Geneva: IOM.
- Di Nicola, A. 2007. Researching into Human Trafficking: Issues and Problems. In M. Lee. (ed.). *Human trafficking*. Cullompton, Devon: Willan.
- Fellows, S. 2008. *Trafficking Body Parts in Mozambique and South Africa*. Maputo: Human Rights League. Available at: <http://www.scribd.com/doc/23729111/Trafficking-Body-Parts-in-Mozambique-and-South-Africa-Mozambique-Human-Rights-League>+ (accessed 10 May 2012).
- Gallinetti, J. 2010. 'Don't Shout too Loud – Reflections on the Outrage against Human and Child Trafficking?'. *SA Crime Quarterly*, 33:11–17.
- Godziak, E. & Bump, M.N. 2008. *Data and Research on Human Trafficking: Bibliography of Research-based Literature*. Washington DC: Institute for the Study of International Migration, Georgetown University.
- Gould, C. (ed.). 2008. *Selling Sex in Cape Town: Sex Work and Human Trafficking in a South African City*. Pretoria: Institute for Security Studies.
- Ham, J./GAATW. 2011. *What the Cost of a Rumour? A Guide to Sorting Out the Myths and the Facts about Sporting Events and Trafficking*. Bangkok: Global Alliance Against Trafficking on Women (GAATW).
- Horn, W. 2010. *The Challenge of Child Trafficking: South Africa's Legal Compliance with its International Obligations in Respect of Child Trafficking*. Saarbrücken: Lambert Academic Publishing.
- Horwood, C./IOM. 2009. *In Pursuit of the Southern Dream: Assessment of the Irregular Movement of Men from East Africa and the Horn to South Africa*. Vienna: IOM.
- Human Sciences Research Council/National Prosecuting Authority (HSRC/NPA). 2010. *Tsiredzani: Understanding the Dimensions of Human Trafficking in South Africa*. Pretoria: Human Sciences Research Council.
- Institute for Security Studies (ISS). 2007. *Preliminary Research Findings of Relevance to the Draft Legislation to Combat Trafficking in Persons and Legislation Pertaining to Adult Prostitution*. Report to the South African Law Reform Commission. Pretoria: ISS.
- International Organisation for Migration (IOM). 2007. 'Trafficking of Men'. *Global Eye on Human Trafficking*, Issue 1: 1–8.
- International Organisation for Migration (IOM). 2006. *Breaking the Cycle of Vulnerability: Responding to the Health Needs of Trafficked Women in East and Southern Africa*. Pretoria: IOM.
- Jahic, G. & Finckenaue, J.O. 2005. 'Representations and Misrepresentations of Human Trafficking'. *Trends in Organized Crime*, 8(3): 24–40.
- Kamidi, R. 2007. 'A Legal Response to Child Trafficking in Africa: A Case Study of South Africa and Benin'. Unpublished LLM dissertation. University of the Western Cape, Cape Town.

- Kassan, D. 2007. 'Trafficking in Children'. In C.J. Davel & A.M. Skelton. (eds.). *Commentary on the Children's Act*. Cape Town: Juta.
- Kreston, S. 2007. 'Trafficking in Children in South Africa: An Analysis of Pending Legislation'. *Child Abuse Research in South Africa*, 8(1): 35–50.
- Kruger, H.B. 2010. 'Combating Human Trafficking: A South African Legal Perspective'. Unpublished LLD thesis. University of the Free State, Bloemfontein.
- Koyana, D.S. & Bekker, D.C. 2007. The Indomitable *uluthwala* Custom. *De Jure*, 40(1): 139–144.
- Labuschagne, G. 2004. 'Features and Investigative Implications of Muti Murder in South Africa'. *Journal of Investigative Psychology and Offender Profiling*, 1: 191–206.
- Lee, M. (ed.). 2007. *Human trafficking*. Cullompton, Devon: Willan.
- Martens, J, Pieckowski, M & Van Vuuren-Smith, B./International Organisation for Migration (IOM). 2003. *Seduction, Sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa*. Pretoria: IOM.
- McQuoid-Mason, D. 2009. 'The Practice of "ukuthwala", the Constitution and the Criminal Law (Sexual Offences and Related Matters) Amendment Act. *Obiter*, 30(3): 716–723.
- Minnie, D. 2009. 'Sexual Offences Against Children'. In T. Boezaart. (ed.). *Child Law in South Africa*. Claremont: Juta.
- Molo Songololo. 2000. *Trafficking in Children for Sexual Exploitation*. Cape Town: Molo Songololo.
- Molo Songololo. 2008. *Rapid Assessment of the impact of 2010 FIFA World Cup on the Abuse, Exploitation and Trafficking of Children*. Cape Town: Molo Songololo.
- Morawska, E. 2007. Trafficking into and from Eastern Europe. In M. Lee. (ed.). *Human Trafficking*. Cullompton, Devon: Willan.
- Naim, M. 2005. *Illicit: How smugglers, Traffickers and Copycats are Hijacking the Global Economy*. London: Heinemann.
- Moodley, P. 2006. 'Inter-country Adoptions and Child Trafficking – A Fine Line Indeed. *Agenda*, 70: 145–148.
- Omar, Y. 47 *Ethiopian 'Slaves' Rescued in Sting*. Pretoria News, Monday May 7 2012.
- Oram, S. & Zimmerman, C. 2008. 'The Health of Persons Trafficked for Forced Labour'. *IOM Global Eye on Human Trafficking*, 4:4.
- Oram, S., Stöckl, H., Busza, J., Howard, L.M. & Zimmerman, C. 2012. Prevalence and Risk of Violence and the Physical, Mental and Sexual Health Problems Associated with Trafficking in Persons: Systematic Review. *PLoS Med*, 9(5): 1013.
- Picarelli, J.T. 2007. 'Historical Approaches to the Trade in Human Beings'. In M. Lee. (ed.). *Human trafficking*. Cullompton, Devon: Willan.
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime. Available at: http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf (accessed 7 February 2012).
- Qaba, N. 2004. Trafficking in Persons: A South African Response. *Sexual Offences Bulletin*, 1(5): 42–45.
- Scheper-Hughes, N. 2001. Commodity Fetishism in Organs Trafficking. *Body & Society* 7(2–3): 31–

62. Available at: www.bod.sage.com/content/7/2-3/32.short
- Scheper-Hughes N. 2002. The global traffic in human organs. *Current Anthropology*.41(2):1-59. Available at: www.pascalfroissart.free.fr/3-cache/2000-scheperhughes.pdf (accessed 1 May 2012).
- South African Law Reform Commission (SALRC). 2006. *Discussion Paper 111 (Project 131)*. Available at www.justice.gov.za/salrc/dpapers/dp111.pdf (accessed 7 February 2012).
- Singh, D. 2004. 'Piercing the Veil on Trafficking in Women'. *Comparative and International Law Journal of Southern Africa*, 37(3): 340–373.
- Slabbert, M. 2002. 'Handelsdryf met Menslikeorgane en Weefselviroorplantingsdoeleindes'. Unpublished LLD thesis. University of the Free State, Bloemfontein.
- Surtees, R. 2008. *Trafficking of Men – A Trend Less Considered: The Case of Belarus and Ukraine*. International Organization for Migration (IOM) Global Database Thematic Research Series. Vienna: IOM.
- United Nations. 2012. The Universal Declaration of Human Rights (UDHR). Available at: <http://www.un.org/en/documents/udhr/> (accessed 5 April 2012).
- United Nations Children's Fund (Unicef). 2003. *Trafficking in Human Beings, Especially Women and Children, in Africa*. Florence: Innocenti Research Centre.
- United Nations Educational, Scientific and Cultural Organisation (Unesco). 2007. *Human Trafficking in South Africa: Root Causes and Recommendations*. Policy Paper Poverty Series No 14.5(E). Paris: UNESCO.
- United Nations Human Rights Council. 2009. General Assembly Report A/HRC/10/16.2009. *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development*. Available at: www2.ohchr.org/english/issues/trafficking/docs/HCR-10-16.pdf (accessed 5 April 2012).
- United Nations Office on Drugs and Crime/Global Initiative to Fight Human Trafficking (UNODC. GIFT). 2009. *Global Report on Trafficking in Persons*. Vienna: UNODC.
- United Nations Office on Drugs and Crime/Global Initiative to Fight Human Trafficking (UNODC. GIFT). 2008a. *An Introduction to Human Trafficking: Vulnerability, Impact and Action*. New York: United Nations.
- United Nations Office on Drugs and Crime/Global Initiative to Fight Human Trafficking (UNODC. GIFT). 2008b. *The Vienna Forum Report: A Way Forward to Combat Human Trafficking*. New York: United Nations.
- United Nations Office on Drugs and Crime (UNODC). 2006. *Toolkit to Combat Trafficking in Persons*. New York: United Nations.
- United States (US) Department of State. 2012. *Trafficking in Persons Report 2012*. Available at: <http://www.state.gov/j/tip/rls/tiprpt/2012/192368.htm> (accessed 26 May 2012).
- USAID. 2010. *Trafficking of adult men in the Europe and Eurasia region*. Available at: www.usaid.gov/locations.../trafficking_of_men_final_090810.pdf (accessed 19 January 2012).
- Universal Declaration of Human Rights*. 2012. Available at: www.un.org/en/documents/udhr
- Van der Watt, M. & Ovens, M. 2012. 'Contextualizing the Practice of *Ukuthwala* in South Africa. *Child Abuse Research: A South African Journal*, 13(1): 11–26.
- Van Zyl, M.C. 2010. Die Strafregtelike Bekamping van Mensehandel vir die Verwydering van

Carol Allais

Liggaamsdele: 'n Suid-Afrikaanse Perspektief. Unpublished LLM thesis. University of the Free State, Bloemfontein.

Watson, C. 2006. 'The Organised Crime of Organ Trafficking'. Unpublished LLM dissertation. University of the Free State, Bloemfontein.

Weekes, A. 2006. 'South African Anti-trafficking Legislation: A Critique of Control over Women's Freedom of Movement and Sexuality. *Agenda*, 70: 29–37.

BIOGRAPHICAL NOTE

Carol Allais was an Associate Professor at the University of South Africa where she taught in the Department of Sociology from 1983 to 2012. Her main research and writing were in the fields of industrial relations and organisational development, but recently she has written on human trafficking, sexual exploitation and abuse and related issues.