

Government is hard at work tackling human trafficking

Sunday Tribune · 1 Sep 2019 · JOHN JEFFERY John Jeffrey is the deputy minister of justice and constitutional development

PROFESSOR Philip Frankel argues in the Sunday Independent (Inadequate Attention on Trade in People, Sunday Independent, August 25) that the government hasn't done enough to combat trafficking in persons (TIP).

This is not correct. The government has made significant progress in our efforts to prevent and combat TIP, and ensure that victims of trafficking receive adequate support services.

One has to know the extent of human trafficking in order to tailor the government's response to the crime. According to the 2018 UNODC Global Report on Trafficking in Persons, most of the victims detected across the world are female; mainly adult women, but increasingly also girls. Most of the victims are trafficked for sexual exploitation, but in sub-saharan Africa trafficking for forced labour is the most commonly detected form.

Most of the victims detected in sub-saharan Africa are also citizens of sub-saharan African countries, which means they are being trafficked within their own countries or regions.

Parliament passed the Prevention and Combating of Trafficking in Persons Act in 2013 because we know that the search for work, together with a demand for the services of TIP victims, contributes to making persons more vulnerable to becoming victims of trafficking. We were concerned about the increase of trafficking in persons, especially women and children.

South Africa's counter-trafficking efforts are directed at all forms – not only sex trafficking, but also debt bondage, labour trafficking, organ smuggling, domestic servitude, forced marriage and forced criminality.

Trafficking is complex and efforts to curb it and protect victims require the intervention of a multiplicity of stakeholders, including governmental departments and agencies, non-governmental organisations, civil society and international organisations.

The government has put structures in place to combat TIP, establishing a National Inter-sectoral Committee on Trafficking in Persons (NICTIP), comprising national government departments such as Justice, Health, Home Affairs,

International Relations, Labour, Social Development, Women, the SAPS, the National Prosecuting Authority (NPA) as well as civil society organisations. Provincial Task Teams on TIP were established as well as a national and provincial Rapid Response Teams to attend to pending TIP cases and provide support to victims. Civil society bodies are represented in all the structures, and all the provincial task teams are functional.

Frankel says the government has refused to put “financial muscle” behind a counter-trafficking strategy. This is incorrect. The government launched a comprehensive National Policy Framework (NPF) in April to ensure a co-ordinated response among various stakeholders. The strategy addresses the four important pillars of anti-trafficking intervention – prevention, protection, prosecution and partnership. We have done this despite budget cuts across all departments.

Frankel mentions the difficulty in developing methods to track TIP. The government has developed such methods. The TIP Data Template was developed by the NPA and the Department of Justice and Constitutional Development to collect data. It focuses on, for example, the number of trafficking victims (suspected and/ or confirmed), the form of trafficking and the personal details of the victim and perpetrator. This means that the government is in a better position to know the number of identified or detected victims, those who are receiving services, the number of convictions, and the number of pending TIP cases in the criminal justice system. The government also recently joined its Southern African Development Community partners in adopting the SADC tool on data collection on TIP in the region. The legislation imposes statutory obligations on key government departments which include the investigation and prosecution of trafficking offenders as well as delivering vital services to victims.

Frankel neglects to mention the importance of services to TIP victims. Services are offered to all victims. They are included in services rendered by care facilities such as help centres, Thuthuzela Care Centres, hospitals, accredited shelters, child and youth care centres, temporary safe care, Khuseleka One Stop Centres and individual placements. Services include secure care and shelter, psycho-social intervention, repatriation/re-unification, medical treatment, and continued support by social workers.

Frankel raises the issue of a low number of convictions, yet neglects to provide context. The UNODC Report states that while most countries have had comprehensive TIP legislation in place for some years, the number of convictions has only recently started to grow.

Frankel is also incorrect when he says many convicted traffickers receive short sentences or fines, as recent convictions for TIP include 10 life sentences as well as sentences of 39 years, 18 years and 12 years in jail. With the many interventions in place, including the establishment of the Directorate of Priority Crime Investigations in the SAPS as well as the NPA'S sexual offences unit, South Africa is seeing improved convictions.

Other measures include general awareness campaigns to sensitise communities. We have also finalised a generic training manual on the TIP Act for role-players in the criminal justice system. The training will be rolled out in all provinces in this financial year. We have also finalised sector-specific training manuals for the Departments of Labour, Home Affairs, Health and Social Development which are to be rolled out next month.

Other developments include draft legislation to establish a Border Management Authority for the modernisation of border management through the use of technology to prevent and detect cross-border crimes.

Many of our counter-trafficking initiatives, such as the NPF and the data collection template, are new. The government urges civil society partners to come forward with information so that TIP cases can be dealt with.

The government should be credited for putting the initiatives in place – criticising the government for not making an effort is disingenuous.