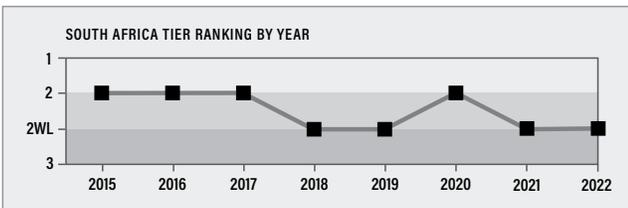


forced labor. Elsewhere, Solomon Islander children may be subjected to forced labor in the agricultural sector, forced harvesting of seafood, and forced criminality in the manufacturing and transportation of drugs and in pickpocketing. Anecdotal reports show an increase in children involved in street vending, begging, and pickpocketing during the pandemic. To pay off debts, some parents reportedly sell their children to other families via “informal adoption” that often involves forced labor or sexual servitude. Traffickers also use Solomon Islands as a transit point to subject foreign individuals to trafficking in other countries.

## SOUTH AFRICA: TIER 2 WATCH LIST

The Government of South Africa does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included convicting and sentencing traffickers to substantial terms of imprisonment, including government officials complicit in human trafficking. The government re-appointed the Chair of the National Inter-ministerial Committee for Trafficking in Persons (NICTIP). It also increased the number of victims identified and the number of accredited shelters. However, the government did not demonstrate overall increasing efforts compared with the previous reporting period, even considering the impact of the COVID-19 pandemic on its anti-trafficking capacity. Agencies responsible for identifying, referring, and certifying trafficking victims lacked coordination, resulting in victims unable to access emergency services. Law enforcement continued to lack the necessary training to avoid victim re-traumatization. For the ninth consecutive year, the government did not promulgate implementing regulations for the 2013 Prevention and Combating of Trafficking in Persons (PACOTIP) Act’s immigration provisions, resulting in foreign victims unable to access immigration remedies. Therefore South Africa remained on Tier 2 Watch List for the second consecutive year.



### PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict officials complicit in trafficking crimes and traffickers within organized crime syndicates, including cases of online exploitation. • Increase training for South African Police Service (SAPS) officers on trauma-informed interviewing techniques, as well as victim identification and referral standard operating procedures (SOPs), and train specialized investigators on human trafficking investigations and computer forensics to investigate online exploitation. • Increase resources and training for front-line responders to effectively use victim identification and referral SOPs to identify trafficking victims, including by screening for trafficking indicators among vulnerable populations, such as individuals engaging in commercial sex, children, LGBTQI+ persons, refugees, migrants, and Cuban medical workers, and systematically refer trafficking victims to care. • Pass, promulgate, and implement the Department of Home Affairs (DHA) immigration provisions in Chapters 3 and 7 of PACOTIP, including Sections 15, 16, and 31(2)(b) (ii), and ensure the issuance of appropriate immigration status and identification documents for trafficking victims. • Increase collaboration between NICTIP, Provincial Task Teams (PTTs), and civil society to integrate referral and response systems and include all stakeholders, including civil society and survivors, in the renewal of the National Policy Framework (NPF). • Implement policies to disconnect the requirement for victims to participate in investigations and prosecutions in order to be formally identified and receive trafficking victim status. • Increase outreach and awareness efforts to vulnerable populations, especially for

those engaging in commercial sex, in rural and agricultural communities, and foreign migrants. • Formalize a confidential reporting mechanism for civil society to safely report allegations of official corruption and complicity in trafficking crimes directly to the government for vigorous investigation. • Extend the availability of drug rehabilitation services to trafficking victims and increase the length of treatment beyond the current limit of six weeks to facilitate recovery. • Accredite or establish additional trafficking-specific shelters for male, transgender, and child trafficking victims. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking.

### PROSECUTION

The government maintained anti-trafficking law enforcement efforts. PACOTIP criminalized sex trafficking and labor trafficking and prescribed penalties of up to life imprisonment, a fine of up to 100 million South African rand (\$6.3 million), or both. The penalties were sufficiently stringent; however, with regard to sex trafficking, by allowing for a fine in lieu of imprisonment, the prescribed punishment was not commensurate with those for other serious crimes, such as rape. The implementing regulations for PACOTIP’s immigration provisions found in Sections 15, 16, and 31(2)(b)(ii) have not been promulgated; therefore, critical sections of the act remained inactive for the ninth consecutive year. The Criminal Law (Sexual Offenses and related matters) Amendment Act of 2007 (CLAA) also criminalized the sex trafficking of children and adults and prescribed penalties of up to life in prison; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as rape. The Basic Conditions of Employment Act of 1997 (BCEA), amended in 2014, criminalized forced labor and prescribed maximum penalties of three to six years’ imprisonment. In addition, the Children’s Amendment Act of 2005 prescribed penalties of five years to life imprisonment or fines for the use, procurement, or offer of a child for slavery, commercial sexual exploitation, or to commit crimes. Prosecutors sometimes relied on the Prevention of Organized Crime Act of 1998 in combination with CLAA, which added additional charges—such as money laundering, racketeering, or criminal gang activity—and increased penalties of convicted defendants.

The Directorate for Priority Crime Investigation (DPCI, or Hawks), a division of SAPS, initiated 18 trafficking case investigations involving 27 suspects and continued 73 case investigations from previous reporting periods. This compared with initiating 31 case investigations in the previous reporting period. The National Prosecuting Authority (NPA) initiated nine prosecutions of 16 suspects and continued 32 prosecutions of 108 suspects from prior reporting periods, compared with 31 suspects prosecuted for trafficking crimes in an unknown number of cases and continuing 14 prosecutions during the previous reporting period. The government convicted 11 traffickers—including two complicit officials—in 10 cases under trafficking charges, compared with convicting seven traffickers in the previous year. Judges sentenced five traffickers to life imprisonment, one trafficker to 20 years’ imprisonment, and five awaited sentencing at the end of the reporting period. In the previous year, judges sentenced two traffickers to life imprisonment and five traffickers to between 22 and 25 years’ imprisonment. The government reported 13 trafficking prosecutions withdrawn, acquitted, or declined to prosecute, and one not guilty verdict that was appealed.

The government recognized official complicity as a key challenge in addressing all transnational crime, including human trafficking, and investigated, prosecuted, and convicted government officials during the reporting period. The government prosecuted and convicted two high-ranking government officials for child sex trafficking, including a Police Superintendent and a former Chair of a PTT. The government investigated two SAPS officers for complicity in human trafficking; the case remained ongoing at the end of the reporting period. Civil society continued to report widespread corruption, particularly among the Department of Social Development (DSD), DHA, SAPS, and DPCI. Observers reported in exchange for bribes, lower-level officials warned traffickers of operations by law enforcement, immigration officials facilitated undocumented entry for traffickers at land and air border points, and DSD returned survivors to traffickers instead of referring them to care. NGOs reported some SAPS officers were unwilling to investigate cases and relied on NGOs to obtain victims’ statements and build cases. Civil society reported cases of sex trafficking of Basotho women from Lesotho in South African brothels;

however, due to alleged official complicity of both Basotho and South African officials linked to the brothels, they continued to operate with impunity. Given mistrust in law enforcement, civil society reported the need for a trusted, high-level government contact to receive reports of officials complicit in human trafficking crimes, to facilitate investigations and to avoid retribution. However, while the government recognized the need to establish confidential channels to receive such information, the government did not report any action to establish a reporting mechanism.

Law enforcement agencies had insufficient resources, lacked necessary training to adequately and appropriately investigate all reported trafficking cases, and continued to rely heavily on victim testimony for prosecutions. Observers reported law enforcement lacked training in trauma-informed interviewing and victim care, resulting in cases of DPCI investigators taking victims to locations of previous exploitation to provide statements or victims' statements not being taken at all. The lack of clarity on case status, low prospect of success, sometimes years-long delays in cases, coupled with feelings of shame dissuaded victims from participating in trials. Approximately 50 DPCI investigators nationwide conducted trafficking investigations, among other duties; there were no dedicated officers to investigate human trafficking crimes. Observers reported a slight increase in law enforcement responsiveness to investigate potential trafficking cases compared to previous reporting periods. Western Cape province had "Vice Squads" to proactively identify sex trafficking within commercial sex establishments; however, observers reported these squads did not proactively conduct such investigations. SAPS did not collaborate with civil society and were reportedly slow to investigate leads generated by other law enforcement agencies. NPA permitted virtual court appearances in some cases to overcome pandemic-related restrictions.

Due to the pandemic, the government provided limited training to law enforcement during the reporting period. DPCI and SAPS supported a workshop at a university for 300 students, also attended by 34 DPCI and SAPS officers, on PACOTIP and referring victims to care. NPA's Sexual Offenses and Community Affairs (SOCA) Unit trained 132 SAPS officers and NPA prosecutors on investigating sex crimes. The government reported coordinating with the Government of Botswana on a trafficking investigation and collaborated with the Government of Eswatini and an NGO on an investigation and repatriation of one victim during the reporting period.

## PROTECTION

The government maintained mixed victim identification and protection efforts. The government identified 83 trafficking victims and referred 74 victims to care, compared with identifying 16 victims in the previous reporting period. NGOs identified and referred to care an additional 24 child trafficking victims and identified 62 potential victims through transit monitoring. The government's ongoing investigations and prosecutions involved 426 survivors, including those identified in previous reporting periods, compared with 226 survivors in 2020, 377 survivors in 2019, and 260 survivors in 2018. NGOs reported the official statistics did not reflect the scope of trafficking, since institutional problems resulted in many victims remaining unidentified by the government. Conflation between gender-based violence (GBV) and human trafficking also led to the misidentification of victims. Most agencies, including SAPS, DSD, NPA, and the Department of Justice and Constitutional Development (DOJCD), used SOPs to identify and refer trafficking victims to care, in accordance with PACOTIP; however, agencies and provinces implemented the SOPs inconsistently. Additionally, SAPS officers sometimes lacked basic understanding of human trafficking as a crime, which impeded efforts.

The government reported providing trafficking victims with temporary emergency shelter, food assistance, interpreters, specialized medical care, psycho-social support, and transportation. NGOs reported the lack of training, awareness of agency responsibilities, and coordination by government officials resulted in victims facing delays in receiving care and increased the potential for victims returning to or being located by their traffickers. By law, trafficking victims were not required to participate in the investigation and prosecution of traffickers; however, in practice, to access services, many victims had to report to law enforcement. For certification as a trafficking victim—the process that permitted victims to access government services and benefits—victims must report their case

to SAPS; SAPS was then required to confirm the trafficking allegations, file human trafficking charges within 48 hours, and coordinate with the provincial DSD representative. DSD was responsible for certifying trafficking victim status by issuing a letter of recognition, authorizing and monitoring the provision of protective services, preparing victim-witnesses for court, and accompanying victims through trial and repatriation, if applicable. NGOs reported DSD and SAPS failed to coordinate and were often unreachable to certify victims' status, resulting in victims unable to access emergency shelter and services. Observers reported instances of SAPS officers leaving trafficking victims at shelters without coordinating with DSD and, when this occurred in Gauteng and Western Cape, DSD refused assistance to victims until confirmation from SAPS was obtained. As reported by observers, in numerous instances, SAPS, DPCI, and DSD left victims at police stations overnight if their case was opened at the end of or after business hours. Additional reports of officers leaving trafficking victims unattended at police stations during transport for medical care resulted in victim harassment and re-traumatization. After reporting to SAPS, within the same 48-hour time period, victims had to decide whether to serve as victim-witnesses. Reportedly, victims willing to participate in investigations and prosecutions received certification and services faster than those unwilling to cooperate. To circumvent the existing process in Western Cape, DSD and the Department of Health (DOH) collaborated with civil society to amend existing SOPs, permitting medical and psychological assessments for victims before certification to access more immediate mental health care.

The government continued oversight of 18 accredited NGO-run multipurpose shelters and newly accredited one government-operated multipurpose shelter during the reporting period, bringing the total to 19 shelters accredited to serve trafficking victims. Each province had at least one accredited shelter. Additionally, the government oversaw 88 semi-accredited shelters that provided emergency care to victims for up to 72 hours and operated a network of 55 Thuthuzela Care Centers—full-service crisis centers to assist victims of GBV, including trafficking victims. Additional NGO-operated shelters, unaccredited by the government, also provided care specifically to trafficking victims. The government provided NGO shelters a stipend on a per person, per night basis; however, NGOs reported funds were generally inaccessible after business hours, due to unresponsiveness by SAPS and DSD. In previous reporting periods, observers reported some DSD shelters occasionally refused to accept trafficking victims due to security concerns or drug addiction. NGOs reported that government shelter staff sometimes failed to inform victims of the status of criminal cases against their traffickers. LGBTQI+ persons, particularly transgender persons and migrants, were especially at high risk for trafficking due to social stigmatization; in Western Cape, there was one shelter dedicated solely for victims from the LGBTQI+ community. Shelters accessible to persons with disabilities provided limited services; it was unknown if trafficking victims received these services during the reporting period. In Gauteng, trafficking victims received substance abuse rehabilitation through five accredited treatment centers; however, treatment was provided for only six weeks. Few shelters accepted victims with their children. Gauteng, KwaZulu-Natal (KZN), and Western Cape generally offered adequate standards of care in both rural and urban areas. Care in other provinces was sometimes inadequate. Foreign victims, both undocumented and with legal authorization, were fearful of accessing services at government facilities. Undocumented victims could not legally seek employment, even when cooperating with law enforcement, and their trials extended several years. In response to the pandemic, NGOs reported that government shelters remained open, but pandemic-related mitigation approaches limited capacity, sometimes preventing the intake of new victims. The government allocated additional personnel to assist with long-term service provision, which was shifted to predominantly at-home care because of pandemic-related restrictions.

The government did not report if victims were referred to the DPCI Coordinator for Trafficking, who ensured assigned officers received training to handle trafficking investigations. Through the NPA's Court Preparation Program, the government provided victims with the option to testify via video conference and enhanced shelter and witness protection if the victim faced danger due to participation in the case. NGOs emphasized the critical need for SAPS to issue Police Inquiry Numbers and CAS numbers to victims to facilitate follow-up on victim referrals and to track progress in their cases. PACOTIP allowed judges to order victim

restitution in trafficking cases, but the government did not report any orders during the reporting period.

Foreign victims faced additional barriers to access care and justice. PACOTIP authorized trafficking victims to receive relief from deportation; however, the government did not promulgate regulations to implement this provision or guide the handling of trafficking cases for the ninth consecutive year; the draft regulations remained pending approval by the DHA Minister for the third consecutive year. Reportedly, no trafficking victims were deported; however, reports from civil society confirmed vulnerable foreign migrants seeking entry at airports and land border crossings were not screened for indicators of trafficking before they were denied entry. As proscribed under PACOTIP, foreign trafficking victims are entitled to a visitor's visa for 30 days, which can be extended if cooperating in an investigation or prosecution or if danger to the victim exists in their home country; however, the government did not report whether these visas have ever been issued. DHA had a policy to issue temporary identification documentation for foreign trafficking victims, requiring renewal every two weeks and continued cooperation with SAPS; however, DHA did not report issuing such documentation to any trafficking victims during the reporting period.

## PREVENTION

The government maintained mixed efforts to prevent trafficking. The government coordinated anti-trafficking efforts through NICTIP, which was chaired by DOJCD, with representatives from DHA, DSD, SAPS, NPA, DOH, Department of Employment and Labor (DOEL), Department of International Relations and Cooperation, and civil society; NICTIP met regularly. DOJCD also chaired the National Rapid Response Team, which coordinated the response to trafficking investigations and victim identifications and referrals. The government continued to implement the 2019-2022 NPF to improve capacity and coordination to combat trafficking among government agencies and began procedures for renewal in 2022. The government reappointed the previous Chair of NICTIP, who was removed in the previous reporting period. The Chair directed all governmental trafficking efforts and implementation of the NFP. Established in all nine provinces, PTTs coordinated provincial policies, and Provincial Rapid Response Teams (PRRTs) facilitated local responses to trafficking cases and victim identifications. Some PTTs met regularly during the reporting period, including in KZN, Western Cape, and Mpumalanga, while others met sporadically. Representatives on both NICTIP and PTTs shared duties on multiple task teams for other crimes, such as GBV, which limited capacity and resources to address human trafficking. Coordination and communication challenges between national and provincial teams were exacerbated by the lack of consistent NICTIP leadership, commitment by government agencies, and limited capacity. SAPS, DHA, and DOEL were often absent from PTT and PRRT meetings. Lack of technology access prevented some members from attending virtual PTT meetings, which limited PTTs' engagement and effectiveness.

In part due to the pandemic, the government did not comprehensively monitor or investigate forced labor of adults or children in the agricultural, mining, construction, and fishing sectors. In 2021, the DOEL employed 1,853 labor inspectors, conducted 296,904 inspections, and detected 41,710 violations, an increase from 227,990 inspections in 2020; forced and child labor violations were not specified. Due to pandemic restrictions, many inspections were conducted virtually, which limited detection of potential forced labor-related violations. In three sessions, DOEL trained 68 labor inspectors and managers from Northern Cape, Eastern Cape, and Gauteng on employment laws, human trafficking, and child exploitation. While inspectors had the legal authority to investigate private farms, they reported difficulty in securing access. For the past two years, DHA did not provide vulnerable migrant populations with proper immigration documentation, resulting in children denied entry to schools, which increased vulnerabilities for trafficking. SAPS operated a hotline that could receive reports of potential trafficking cases and a mobile app that led to four human trafficking investigations. The government and civil society directed most trafficking-related calls to the NGO-operated National Human Trafficking Hotline (NHTH), which the government advertised. In cooperation with PRRTs, NHTH received 2,146 calls pertaining to human trafficking in 2021 and successfully removed 20 trafficking victims from exploitation. Reportedly, most calls

to the NHTH from victims occurred after police neglected to take their reports seriously or alleged police complicity was involved. An NGO-operated national social justice hotline also received calls concerning human trafficking.

The government increased awareness-raising activities in KZN, Gauteng, Eastern Cape, and Northern Cape, reaching more than 11,500 individuals during the reporting period, although pandemic restrictions limited efforts. On World Day Against Trafficking, DOJCD held a public awareness event with an international organization. NPA trained DOH School Coordinators and Department of Economic Development, Tourism, and Environmental Affairs officials on victim identification. The NPA SOCA Unit launched an internet cartoon circulated through social media to raise awareness of human trafficking; with academic partners, held a webinar for students and the public on online recruitment tactics used by traffickers; and trained attorneys on trafficking in persons facilitated by a university in KZN. PTTs held a series of webinars with civil society support, hosted a social awareness campaign for hospitality employees on indicators of human trafficking, and drafted a nationwide communication strategy. DPCI Provincial Units conducted 18 awareness events, with at least one featuring a trafficking survivor speaker, and contributed to workshops to raise awareness of child trafficking for government officials, civil society, and the media. SAPS and DSD supported awareness efforts in local communities. With the support of an NGO, DSD trained more than 296 stakeholders from Gauteng and Western Cape provinces on preventing child exploitation and human trafficking. One PTT conducted a social media campaign that included aspects aimed at targeting consumers to reduce the demand for commercial sex.

In the previous reporting period, DOJCD reported developing an integrated information system to collect data on, and improve responses to, trafficking but did not report any efforts to finalize or begin use of the system during the reporting period. The government reported, in previous years, contributing human trafficking data to a regional data collection system but did not report doing so in the reporting period. Department of Science and Innovation collaboratively funded a landscape study with a foreign government donor to understand the scope and prevalence of human trafficking in South Africa, which concluded during the reporting period. Nevertheless, some officials publicly downplayed the existence of trafficking, which stymied public awareness and data collection efforts. The South African National Defense Forces maintained a hotline for reports of sexual exploitation by armed forces but did not report whether it received any calls regarding such exploitation during the reporting period. Since 2015, 39 allegations of sexual exploitation and abuse were made against 45 South African peacekeepers; of these, the government has taken accountability measures in 22 cases and continued investigating six other cases. The Generic and Sector Specific Training Manual on the PACOTIP Act, launched two years ago, contained a training plan for peacekeepers; however, the government did not report providing anti-trafficking training to its troops prior to deployment as peacekeepers. The government reported training its diplomatic personnel on the anti-trafficking law, but not specifically on identifying trafficking indicators.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in South Africa, and traffickers exploit victims from South Africa abroad. Traffickers recruit victims from neighboring countries and rural areas within South Africa, particularly Gauteng, and exploit them in sex trafficking locally and in urban centers, such as Johannesburg, Cape Town, Durban, and Bloemfontein. Traffickers force both adults and children, particularly those from poor and rural areas and migrants, into labor in domestic service, mining, food services, construction, criminal activities, agriculture, and the fishing sector. Traffickers may exploit South Africans in forced labor on vineyards and fruit and vegetable farms across the country.

High unemployment, low wages, and pandemic-related restrictions increased vulnerability of exploitation, particularly of youth, Black women, and foreign migrants. Traffickers recruit victims who lack employment and struggle with substance addiction, and commonly use substance addiction to control victims, including children. Parents with substance

addiction sometimes exploit their children in sex trafficking to pay for drugs. Traffickers increasingly entice foreign and South African women and girls with the promise of marriage and then force them into labor after marriage. Abuse of the custom of *ukuthwala*, a cultural norm that can manifest into forced marriage, may contribute to vulnerability of girls and women to exploitation, particularly in Eastern Cape and KZN. According to a study, in 2021, approximately 500,000 children had dropped out of school, resulting in a total of 750,000 children not enrolled in school; high death rates from the pandemic increased the orphan population, leaving more children vulnerable to exploitation. There were some reports of boys lured out of the country for fake sports scholarships and then forced into exploitation.

Traffickers recruit both foreign and South African victims through fake job advertisements on social media and classified advertisement forums, which proliferated during the pandemic, including advertisements for webcam modeling, hospitality, mining, and domestic work. Some fake advertisements, particularly for domestic work, specifically request Zimbabwean or Malawian applicants. Because domestic workers may not have formal contracts, employers fired many without notice or pay during the pandemic, rendering them vulnerable to potential exploitation. Some employers restricted workers' movements and forced them to remain at worksites during the pandemic, which increased the workers' vulnerability to forced labor and abuse by employers. Despite high unemployment, migrants travel from East and Southern Africa to South Africa looking for economic opportunity or fleeing conflict, particularly from Ethiopia, Eritrea, and Mozambique, and are vulnerable to exploitation. Due to the pandemic, the government issued a blanket extension of refugee and asylum certificates, but many employers and banks failed to recognize the extensions, resulting in loss of employment and frozen bank accounts, rendering asylum seekers increasingly vulnerable to traffickers. Local refugee rights groups reported that, due to the pandemic, DHA shuttered its offices in 2020, resulting in asylum seekers unable to obtain asylum seeker certificates. The lack of valid documentation limited asylum seeker's ability to access protection and services.

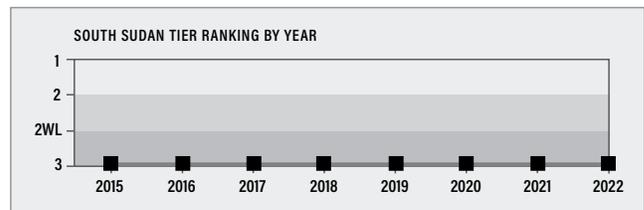
Official complicity in trafficking crimes, especially by police, facilitated the operation of traffickers and organized syndicates engaging in trafficking. Syndicates, often dominated by Nigerians, force women from Nigeria and countries bordering South Africa into commercial sex, primarily in brothels and other commercial-front establishments. South African trafficking rings exploit girls as young as 10 years old in sex trafficking. Some well-known brothels, previously identified as locations of sex trafficking, continue to operate with officials' tacit approval. In some cases, traffickers exploit women in brothels disguised as bed and breakfasts. Syndicates also recruit South African women to Europe and Asia, where traffickers force some into commercial sex, domestic service, or drug smuggling. Mozambican crime syndicates use the eastern border of Kruger National Park in Mpumalanga to transport South African men to other parts of the country for forced labor, through the same routes used by syndicates to facilitate other crimes. Syndicates also exploit miners, both South African and foreign migrants, sometimes known as *zama zamas*, in illegal gold, diamond, and coal mining. Traffickers operating in South Africa are mostly from Nigeria and South Africa; however, there were reports of traffickers from Bangladesh, Tanzania, Malawi, Mozambique, Pakistan, Zimbabwe, Ethiopia, and the People's Republic of China (PRC).

Undocumented children, including many child trafficking victims from Mozambique, the Democratic Republic of the Congo, and Zimbabwe, are unable to access education and government services, which increases their risk of statelessness and vulnerability to trafficking. Recruiters entice women from the Middle East, Asia, and countries bordering South Africa with offers of legitimate employment, but upon arrival, some subject the women to domestic servitude or forced labor in the service sector. Traffickers exploit Basotho women in sex trafficking and domestic servitude and men in labor trafficking, particularly in the mining sector, in South Africa. Traffickers exploit foreign male victims aboard fishing vessels in South Africa's territorial waters. Asian workers may travel to South Africa via commercial flights to disembark on fishing vessels where they are exploited. Traffickers subject Pakistanis and Bangladeshis to forced labor through debt-based coercion in businesses owned by their co-nationals. In one case, a Nepali trafficker fraudulently recruited a Nepali man to South Africa and exploited him in forced labor. Traffickers

exploit young men from neighboring countries who migrate to South Africa for farm work; some are subsequently arrested and deported as undocumented immigrants. Owners of privately-owned PRC businesses exploit PRC national, South African, and Malawian adults and children in factories, sweatshops, and other businesses. The Cuban government may have forced 187 Cuban medical workers to work in South Africa, operating in all provinces to combat the pandemic. These agreements typically require payment directly to the Government of Cuba, which gives the medical workers between 5 and 15 percent of the salary only after they complete the mission and return home.

## SOUTH SUDAN: TIER 3

The Government of the Republic of South Sudan does not fully meet the minimum standards for the elimination of trafficking and, even considering the impact of the COVID-19 pandemic, on the government's anti-trafficking capacity, is not making significant efforts to do so; therefore South Sudan remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including convening its anti-trafficking inter-ministerial task force, finalizing the 2021-2023 National Action Plan (NAP) to Combat Trafficking, and conducting awareness activities. However, during the reporting period, there was a government policy or pattern of employing and recruiting child soldiers. Government security and law enforcement officers continued to forcibly recruit and use child soldiers and did not hold any members of the South Sudan People's Defense Forces (SSPDF) or South Sudan National Police Services (SSNPS) criminally accountable for these unlawful acts. Authorities did not report investigating or prosecuting any forced labor or sex trafficking crimes for the 10th consecutive year. The government did not report identifying or assisting any victims and continued to penalize victims for unlawful acts their traffickers compelled them to commit.



### PRIORITIZED RECOMMENDATIONS:

Cease all unlawful recruitment and use of children by government forces and associated militias and immediately demobilize all child soldiers under the command or influence of government forces and affiliated militias and, in partnership with international organizations, provide adequate protection and reintegration support for child victims. • Vigorously investigate and prosecute suspected traffickers, including complicit government officials. • Train law enforcement and social workers to identify trafficking victims, particularly among vulnerable groups such as children, individuals in commercial sex, internally displaced persons, and North Korean overseas workers. • Provide additional financial and staffing support to the SSPDF's Directorate of Child Protection to facilitate efforts to identify perpetrators of child soldiering and refer cases to civilian courts. • Draft, finalize, and implement victim identification screening and referral procedures in partnership with international organizations and civil society. • Train law enforcement officers, prosecutors, and judges—including officials serving on the Gender Based Violence and Juvenile Court—on the 2008 Child Act, 2008 Penal Code, and 2018 Labor Act. • Increase funding and resources for the anti-trafficking inter-ministerial taskforce. • Amend the 2008 Penal Code or pass a comprehensive anti-trafficking law to criminalize adult sex trafficking and prescribe penalties that are sufficiently stringent and commensurate with other grave crimes, such as rape. • Accede to the 2000 UN Convention Against Transnational Organized Crime and its TIP Protocol.