

On Human Trafficking

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SADC policy makers call for regional mechanisms to protect trafficking victims

MIDSA workshop marks first convergence of MPs and senior government officials from SADC, specifically to explore protection mechanisms for victims of trafficking

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The views expressed herein do not necessarily reflect the views of IOM



South African Deputy Minister of Home Affairs, Malusi Gigaba, opens the MIDSA workshop in Durban.

SADC has been called upon to consider adopting a Protocol that would criminalize trafficking in persons and provide for the protection of the victims of the trade. This was one of the key recommendations made at the latest Migration Dialogue for Southern Africa (MIDSA) workshop, which took place from 23-25 April 2008 in the South African port city of Durban, and explored protection mechanisms needed to provide appropriate and effective assistance to victims of trafficking.

Mozambique passes first anti-trafficking law in the region

On 19 April, 2008, Mozambique became the first country in the SADC region to pass a law specifically criminalising human trafficking, following a draft bill that was approved by the council of ministers in July 2007.

In June 2008, Mozambican President Armando Guebuza signed into law three bills designed to criminalize human trafficking.

Mozambique ratified the United Nations Convention against Transnational Organized Crime of 2000,

Attended by senior government officials and Members of Parliament (MPs) from Angola, Comoros, the Democratic Republic of Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, South Africa, Seychelles, Swaziland, Tanzania, Zambia and Zimbabwe, the workshop marked the first convergence of high level officials from the region to discuss protection of victims of human trafficking.

Also in attendance were observers from the United Nations High Commissioner for Refugees (UNHCR), the World Health Organization (WHO), the African Union, the US Embassy in Pretoria, the Royal Norwegian Embassy, the United States Agency for International Development (USAID) and the Joint Programme on Human Trafficking in Zambia.

"The victims of human trafficking in Southern Africa are often invisible because many countries in the region are yet to implement laws to combat it," Hans-Petter Boe, Regional Representative for the International Organization for Migration (IOM), said in his opening remarks at the conference.

"The needs of victims of human trafficking are unique compared to those of other victims of abuse. Because many countries in the region have yet to legislate comprehensive anti-trafficking laws, many of these victims fall through the cracks," Boe told the delegates.

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including its Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol), on 20 September, 2006. This protocol obliges states that have ratified or acceded to it to pass specific and comprehensive local legislation criminalising human trafficking.

Twelve countries have so far ratified or acceded the Palermo Protocol in the SADC region, Mozambique being the last to do so.

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Dear readers,

This quarter saw the convergence of high level government officials from 15 different countries in the region for a Migration Dialogue for Southern Africa (MIDSA) Workshop in South Africa's coastal city, Durban, held to explore regional mechanisms needed in order to assist victims of human trafficking.

For the first time, the protection of victims of this trade took centre stage; the high level of representation from the countries, the interest and commitment of the delegates to the theme, and the unanimity with which recommendations were reached gave a sense that the theme and discussions were indeed relevant and overdue.

In this issue of the EYE, we share some of the issues raised at the MIDSA workshop, such as a not-so-recent but regionally relevant study on the need for a "Reflection Delay", and an intervention by a cleric on the importance of faith-based organisations in the fight against human trafficking and the assistance of victims. We also present a report on the workshop and its recommendations. A personal testimony by a trafficked South African woman puts these features in perspective.

I hope you find the read useful, and will leave you with a striking remark by Sister Colleen Wilkinson, a member of the Congregation of the Sisters of Mercy: "...we need to remember that the work with each individual victim is vitally important. Each person deserves to have life to the full."

Nde Ndifonka
Editor, EYE on Human Trafficking.



Bureau for Population, Refugees, and Migration



Department of Foreign Affairs - South Africa



SADC policy makers call for regional mechanisms to protect trafficking victims

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Boe congratulated Mozambique for recently passing specific legislation to combat human trafficking. "A great advance, to be emulated by other countries in the region," he said.

The delegates also saw the development and implementation of comprehensive anti-trafficking laws as a prerequisite for ensuring the protection of victims of trafficking.

"With increasing publicity of the issue and enhanced awareness due to research and documentation, the need for each party state to ensure that its domestic, legal and administrative system contains measures that provide protection to victims of trafficking, especially women and children, has become a crucial one," states one of the recommendations.

"Victims of human trafficking are exposed to extreme forms of dehumanisation and exploitation," explained Malusi Gigaba, the South African Deputy Minister of Home Affairs, in his opening address.

"They are transported through a well-oiled trafficking system, using intricate and extensive networks to transport their 'human cargo'", Gigaba said.

Although the incidence of human trafficking is believed to be growing, accurate information on the extent of the trade remains elusive. The invisibility of the trade makes it difficult for countries in the region to allocate resources to anti-trafficking initiatives in the face of a host of other social problems, such as health care and poverty-related issues.

"All indications are that there are more and more people being trafficked, in particular in our region," Gigaba said. Steadily climbing migration flows and rising crime in southern Africa mean "there is now greater need for cooperation and urgency in combating [human trafficking] and providing protection to those that are most vulnerable," he told the delegates.

"We cannot afford any more talk-shops that yield no outcomes. The action-steps are there; no one can claim to be clueless about what to do," Gigaba said.

Delegates deliberated on national and regional mechanisms that could be implemented to address the special needs of trafficking victims, drawing inspiration from their own shared experiences and from presentations by experts

from several state and non-state organizations from across the globe.



Contributors included Ms. Oguejifor Lily Nakwaego of Nigeria's National Agency for the Prohibition of Trafficking in Persons (NAPTIP), one of Africa's leading national counter-trafficking agencies and Dr. Vasil Gajdadziev from IOM Kiev. Other presenters came from the SADC Secretariat, the Congregation of the Sisters of Mercy, Lawyers for Human Rights, University of the Free State, Ikhaya Lethemba shelter of the government of South Africa, Forum on Street Children in Ethiopia, and IOM's Regional Office in Pretoria.

One of the key workshop recommendations urges states to consider applying a 'reflection delay' which will allow rescued victims a period of time during which to remain legally in the host country with no threat of deportation.

Other recommendations include a call to states to undertake specialized and interdisciplinary training to equip all stakeholders to address protection needs of victims, while also facilitating rapid information exchange and coordination, and the publication of information about known traffickers as a means of deterrence and to warn unsuspecting communities.

Participants also urged states and the legal community to endeavor to ensure that legal assistance is made available to victims identified in their territories, including, at a minimum, court preparations, support throughout the course of proceedings, post-trial debriefings, and where possible, 'law clinic' support.

The workshop was funded by the Royal Norwegian Embassy as part of IOM's Southern African Counter-Trafficking Assistance Programme (SACTAP).

Complete list of recommendations available on pages 7 & 8.

Mozambique passes first anti-trafficking law in the region

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Mozambique's speedy delivery of the law can be attributed to the commitment of the government, and to continuous collaboration between its various ministries, intergovernmental organizations and civil society in the law development process.

Human trafficking in Mozambique has been exacerbated by a culture of silence, whereby people tend to try to solve problems within their families and communities without interference from the law. People are also scared of reporting family or community members that might have committed and are involved in suspicious acts for fear of stigmatization and/or victimization.

Poverty in Mozambique also plays a big role in human trafficking; poor families are vulnerable to perpetrators, who lure young girls with false promises of "good jobs" outside the country that will sustain their families.

In January 2008, Mozambican police arrested two truck drivers en route to Maputo with 40 children aged between 5 and 15. It is suspected that they were being trafficked into South Africa.

Under the new law, a convicted human trafficker can be sentenced

to up to 20 years in prison. The Government has committed to construct two shelters: one in the south and another in the centre of Mozambique, to cater to the victims of trafficking, "whistle blowers" and witnesses.

Great challenges lie ahead in the dissemination and implementation of the new law. There is need to inform and educate people about it on one hand, and on the other hand, to train law enforcement and social service agents who will be responsible for the implementation of the law.

Furthermore, there is a need to address the root causes that make people vulnerable to trafficking, such as poverty and the culture of silence.

IOM played an active role in the law reform process that culminated in this legislation. Currently, IOM is rolling out a project to train law enforcement officials nationwide on counter-trafficking and the new legislation, in consultation with the Government of Mozambique.

For more information, please contact Nely Chimedza, IOM Maputo, nchimedza@iom.int

MOZAMBIQUE: Radio Drama Tackles Human Trafficking

IOM's Southern African Counter-Trafficking Assistance Programme (SACTAP) has released a thrilling new drama to radio stations throughout Mozambique to raise awareness of the dangers of irregular migration and trafficking.

Produced by the Johannesburg-based Community Media for Development (CMFD), the 13-part drama entitled "Troco" or "Change" is inspired by the desire of many Mozambicans to emigrate to improve their daily lives; a wish that often leaves them vulnerable to human trafficking.

The drama, which has also been adapted and translated for airing in Zambia, follows a family of women traders who are inadvertently caught up in a mafia scandal and an underground human trafficking ring. Through their experiences and those around them, listeners are encouraged to ask questions on a range of issues related to trafficking and migration.

As part of this initiative, a handbook for journalists and community organizations will provide information to initiate discussions about the characters and the issues they face. Radio stations will be encouraged to have live phone-in and text message discussions after each episode. The series will also have a blog in both English and Portuguese.

Last week, Mozambican President Armando Guebuza signed into law three bills designed to criminalize human trafficking.

"There is need to inform and educate people about the new legislation and to train law enforcement and social service agents who will be responsible for putting it into practice," says Nely Chimedza, IOM Project Coordinator in Maputo. "This radio drama is part of efforts to publicize the new legislation in a country plagued by a culture of silence when it come to human trafficking."

A Portuguese version of the drama will also reach listeners in Portugal, Cape Verde, Guinea, Sao Tomé and Angola through Rádio Difusão Portuguesa (RDP)'s African Portuguese language service.

Radio is considered the most popular source of entertainment and information for rural communities, which are the most vulnerable to human trafficking in Southern Africa.

Human trafficking is a growing issue in Mozambique. Since January 2008, Mozambican authorities say they have rescued more than 200 children who were being trafficked to South Africa.

IOM's SACTAP is funded by the Norwegian Embassy in South Africa and the US Department of State, Bureau of Population, Refugees and Migration (PRM)



For more information please contact Nely Chimedza at IOM Maputo, Tel: +258 21 310 779; Email: nchimedza@iom.int or Karen Blackman at IOM Pretoria, Tel: +27 12 342 27 89; Email: kblackman@iom.int

STOLEN SMILES: Study backing 'Reflection Delay' shows high levels of psychological distress among trafficked women

"While the physical symptoms evinced by the women reduced significantly overtime as they received rehabilitative care, the psychological damage they suffered seemed a lot more permanent, and significant recovery was only noticeable after at least ninety days." This article is derived from a presentation by Dr. Vasil Gajdziev of IOM Kiev at the MIDSA Workshop on the Protection of Trafficking Victims held in Durban, South Africa in April 2008.

A 2006 study by the International Organization for Migration (IOM) Kiev, funded by the European Commission's Daphne Programme and IOM, proves that the physical and mental health consequences of trafficking on women and adolescents are so serious that a 'reflection delay' is necessary, not only for their rehabilitation, but also to enable them to provide useful evidence to law enforcement officials for the prosecution of their traffickers.

'Reflection Delay' refers to a period, usually of about 3 months, when trafficked persons are allowed to remain legally in the country, irrespective of their immigration status, whilst they recover from their situation and consider their options. It should afford rescued victims housing, legal, medical, psychological and material assistance, and the opportunity to make fully informed decisions about what they want to do next, and to decide if they want to pursue civil or criminal action against their trafficker.

The study, "Stolen Smiles: Physical and mental health consequences of women and adolescents trafficked in Europe" examined trafficked women aged between 15-45, accessing services in Moldova, Ukraine, United Kingdom, Italy, Bulgaria, Czech Republic & Belgium. 60% of the interviewed women had been physically and/or sexually abused. 92% of the respondents were trafficked into forced sex work, 4% into domestic labour, and 3% into both. 81% of them were exploited for at least a month, and 20% over a year. Mostly from Moldova and Ukraine, 207 women were interviewed within 0-14 days of entry into rehabilitative care, 170 within 28-56 days of entry into rehabilitative care, and 63 after over 90 days of entry into rehabilitative care.

The study found that trafficked women present multiple physical health symptoms. However, these physical health symptoms decrease with time as support services are provided to the women. Of the interviewed women, 57% of those who had been in rehabilitative care for only a maximum of two weeks showed between 12-23 physical health symptoms, while 43% of them showed 0-11 symptoms. Within 28-56 days of rehabilitative care, only 7% of the women evinced 12-23 physical symptoms, and only 6% after ninety days of rehabilitative care.

The most common physical symptoms reported by the women within the first two weeks of rehabilitative care were headaches (81%), dizzy spells (71%), various sexual health problems (60-70%), memory problems (63%), back pain (69%), and fatigue (82%).

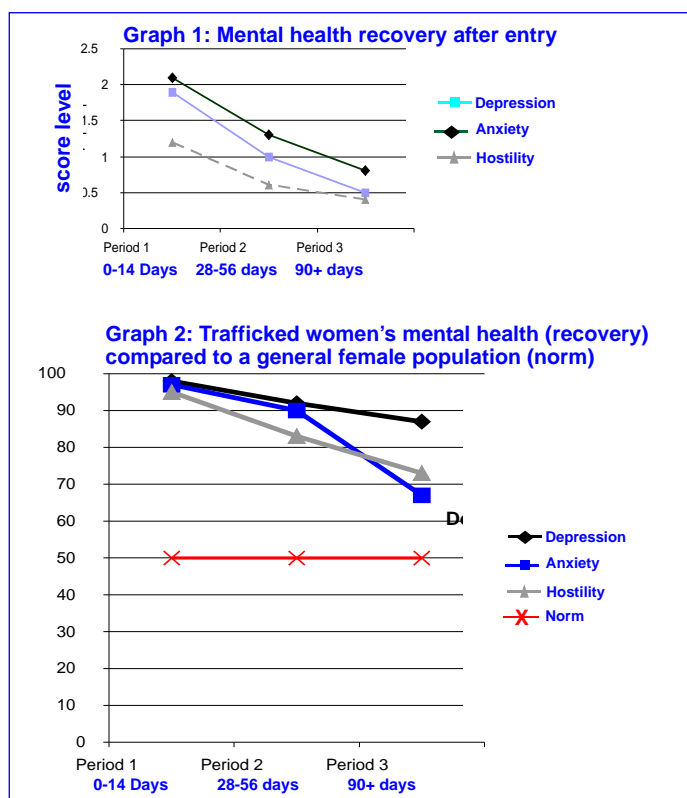
While the physical symptoms evinced by the women reduced significantly overtime as they received rehabilitative care, the psychological damage they suffered seemed a lot more permanent, and significant recovery was only noticeable after at least ninety days.

Within 2 weeks of entry into care, 71% of the women showed 12-23 symptoms of psychological distress. Within 28-56 days, 52% of them still showed that many symptoms. After ninety days of rehabilitative care, only 19% of them showed 12-23 symptoms.

The gravity of the psychological symptoms also reduced overtime, as the women received support care. Overall, 54% of the respondents reported symptom levels suggestive of Post Traumatic Stress Disorder (PTSD), the most noticeable being among women who had only spent two weeks in rehabilitative care (56%). Between 28-56 days of care, the percentage of affected women dropped to 12%, and after ninety days of care, it dropped to

6%.

Although the mental health of the trafficked women improved significantly after ninety days of rehabilitative care, the levels of depression, anxiety and hostility suffered by the women remained higher than the norm, when compared to the general female population (see graphs 1 & 2).



The 'reflection delay' period is therefore, important to allow trafficked women to recover from many of the psychological and physical symptoms they suffer, in order to bolster their capacity to make an informed decision about their future, and to provide reliable testimonies.

Currently, countries like the United States, Poland and the Netherlands provide the right to temporary stay to victims who wish to assist with investigations and prosecutions. However, the results of this study suggest that this right should be provided to all trafficked persons who have suffered abuse in the country of destination, as even their capacity to make informed or logical choices is seriously impaired by their psychological damage.

The study recommends, amongst others, that countries recognise the serious health consequences of trafficking, increase involvement of health sector in trafficking dialogue and activities, and pass legislation and implement procedures requiring that a full range of health assessments and services be immediately provided to trafficked women, regardless of their legal status. It also recommends that countries legislate a minimum 90 day period of reflection and recovery, during which time women will receive appropriate and adequate support services, and especially, not be required to make decisions about cooperating with authorities or about returning home.

The Role of Faith Based Organisations in Protection of Victims of Human Trafficking

Sister Colleen Wilkinson, a member of the Congregation of the Sisters of Mercy, contributed a presentation to the MIDSA Workshop on the Protection of Victims held at Durban in May 2008, and now writes for the EYE about the role of faith-based organisations.

I have come so that they may have life and have it to the full."

These words of Jesus, found in the Gospel of John 10:10, may explain why Christian organisations are involved in the protection of victims of human trafficking. If we think of images that speak of "life to the full", surely among these would be: liberty, security, dignity and self-worth.

Inhuman, degrading treatment and slavery cannot be in Jesus' dream for people all people.

If "life to the full" is God's dream for all people, then human trafficking is an affront to that dream. It is an assault on human dignity. The victims of human trafficking are subjected to fraud, coercion, lies and violence. They are treated unjustly, stripped of their rights and used as commodities. The majority of victims are female, and due to cultural practices and poverty, trafficked women are the world's most silent, disposed and nameless of women.

We, in faith based organisations, have been called to be Jesus' healing, liberating and reconciling presence in the world. We desire to share in his mission to help people have "life to the full".

In 1998 our congregation saw the need to offer special assistance to victims of domestic violence in Gauteng, and so in 2000 we opened a



"This [anti-trafficking] network will represent over one million sisters in 77 countries."

shelter for these traumatized women. This transitional home is a place of safety for women in distress. Here they receive basic comforts and professional care according to their needs. We offer individual counselling as well as skills training so that the women can regain their self-worth and become financially independent.

About four years ago, IOM identified our shelter as one that could offer a place of safety to victims of human trafficking. We gladly entered into a partnership agreement with IOM, so that women could be sheltered in our home under IOM's Victim Assistance programme.

To date we have accommodated 133 victims of trafficking. The majority of these have been women from Thailand, but there have also been a few women from other African states: Mozambique, Nigeria, Rwanda and the Cameroons. Usually we accommodate the beneficiaries for 2 to 3 weeks while their travel documents and tickets are processed by IOM. A few have remained with us for longer periods.

Each woman has her own needs and we treat each accordingly. In our shelter, we have set aside one of the rooms for victims of trafficking- a comfortable, quiet, private place where the healing process can begin.

Often the women are traumatized when they arrive and all they want to

do is sleep for the first day or two. This room is a refuge within a refuge a place to rest, read, write and chat to others in their own language. To help them feel more at home, we have books, magazines and DVDs in Thai.

Culturally, food is very important: it is a link with home and the familiar. We encourage the women to do their own cooking and preparation of food because this is therapeutic. We buy the ingredients that are needed for cultural dishes and this enables the women to enjoy "home cooking", something comforting and enjoyable.

The women may also receive individual counselling offered by our social worker, especially those who stay with us for a longer time. Language can be a challenge, but the social worker and the house mothers have learnt a few essential words and sentences in Thai.

We also encourage the women to take part in the activities in the skills department or the garden, where they can share their talents or learn new skills. It is a joy to watch the skills being taught in sign language, smiles and nods.

On the property, we have a prayer room which is used for prayer meetings and bible sharing, but many of the women use it for their own private meditation, and are encouraged to do so. Victims of trafficking often cling to their faith when all else failed them. We do not promote any specific religion, but allow each woman to find her way in her own faith.

South African victims of internal trafficking are also sheltered in our home. These victims need a place of safety while they are reintegrated into society and possibly reunite with their families. Some need to learn skills that will empower them, help them find employment and make them economically independent and so protect them from being trafficked again. These skills are offered at the shelter.

The work of counter trafficking and victim assistance cannot be done by any one organisation. That is why we gladly work in partnership with IOM and other partners, including the Department of Social Development, other faith based organisations and the police.

Networking is very important in the fight against trafficking and the protection of the individual victims. In October last year, 35 religious sisters from South Africa, Lesotho, Botswana, Swaziland, Mozambique, Zambia, Zimbabwe and Namibia received counter trafficking training from IOM. In February this year those sisters met again and established a network of religious congregations the Southern African Religious Women Against Trafficking in Persons or SAWRATIP. A network such as this has the advantage of being able to use links that already exist because many congregations have communities in different countries. These communities of sisters work with the people at grass root level and know the local situation of the people they serve. Information and expertise can be easily shared.

Last year 40 sisters from all over the world met in Rome to explore the possibility of establishing a global network of religious women to engage in counter trafficking activities. This network will represent over one million sisters in 77 countries.

The fight against human trafficking must take place at many levels: protection of the individual victims, awareness raising, stopping the demand, lobbying governments to pass laws against trafficking, and addressing the cultural practices and poverty that make people vulnerable to trafficking.

Above all, we need to remember that the work with each individual victim is vitally important. Each person deserves to have life to the full.

Sr Colleen Wilkinson RSM

"\$6,000. I was bought for that price": A South African's testimony

I grew up in a small South African village. I went to college, and became a teacher after graduating. When the government planned to redeploy teachers, I was forced to look elsewhere. I had always dreamed of traveling to different countries, so friends suggested I apply for nanny positions.

A friend introduced me to a woman named Sarah, who offered to arrange a potential nanny position. She promised that it would pay \$300 weekly, require less than 40 hours of work a week, and allow me to attend school. I saved for a few months to pay the fee Sarah required, which was twice my monthly salary. When I called back, a man named Francisco returned my message. He told me where to deposit my money, and then directed me to come to Cape Town where he made arrangements for my departure.

I flew to the United States and arrived at Dulles International Airport where my new employers, Pat and her husband David, picked me up and took me to their home. They showed me to my room in the basement. Soon after, Pat explained my new job responsibilities. I was shocked to learn how different they were from those described to me by Sarah in South Africa.

What was supposed to be only daytime childcare turned out to be 24-7 on-call domestic servitude. At 7:00 a.m. I was to get their three kids ready for school. Then, I was to spend about seven hours cleaning the house, making all the beds, scrubbing the bathrooms, doing the laundry, ironing clothes, and a long list of other domestic chores. Around 3:00 p.m. I was to pick the kids up from school, watch them, and keep the house tidy. At 8:00 p.m., the kids went to bed, but I often was assigned other tasks.

I was paid a mere \$140 per week, \$1.75 hourly if you divide that over 80 hours. In addition, Pat and David monitored all of my calls, and threatened to have me deported or arrested if I reached out to anyone outside the home for help. I could not go back to South

Africa because David took my passport and return ticket, demanding that I first repay the \$6,000 he spent for me to come to the United States.

\$6,000. I was bought for that price.

Nevertheless, I genuinely loved the three children I cared for. Through them I met Elizabeth, a nanny in the neighbourhood who encouraged me to escape. One day, I broke into my employers' bedroom and found my passport. Then I called Elizabeth, who took me to a motel in a small town in rural Maryland. After hiding there for a month, I stayed in random people's homes, and sometimes became homeless for a few days at a time to avoid staying with men who demanded sexual favours from me in return for shelter. There were days when I did not eat, did not sleep, and felt like my world was falling apart. Life lasted like this for months.

Fortunately, a service provider referred me to the Tahirih Justice Center. Tahirih arranged for a wonderful and caring team of pro bono attorneys at Howrey LLP to help me prepare an application for a T visa, which specifically addresses trafficking cases like mine.

In April 2007 I received my visa. Then I got my work permit. I met with Tahirih's social worker, and she helped me to pay for nursing school classes. I look forward to becoming a professional in the healthcare field. I enjoy caring for people. It is a slow process but with the support of my friends and family, including my Tahirih family, I am beginning to recover from my traumatic journey.

Names have been changed to protect privacy.

Tahirih Justice Center 6066 Leesburg Pike, Suite 220 Falls Church, VA 22041- 703-575-0070; 703-575-0069(f) www.tahirih.org email: justice@tahirih.org

ANGOLA - Training Seminars Build Law Enforcement Capacity to Combat Human Trafficking

IOM's Southern African Counter-Trafficking Assistance Programme (SACTAP) is conducting a series of training seminars targeting law enforcement and immigration officials in Angola, in order to bolster the capacity of the Angolan government to combat human trafficking.

The most recent of these was conducted from 30 June to 01 July 2008 in Luanda by IOM trainer, Jose Martins, with contributions by Pedro Teixeira of the Portuguese Police in Angola and Edina Kozma of UNICEF. Attended by 45 immigration officials and police, it was opened by the Vice-Minister of Interior, Dr. José Zau.

This was preceded by a similar training for civil society organisations which took place on 26 and 27 June 2008 in Luanda.

The US Trafficking in Persons (TIP) Report of 2008 recommends that Angola should increase the capacity of law enforcement officials to recognize, respond to, and document instances of trafficking. According to Ms Katharina Schnöring, Chief of Mission IOM Angola, the trainings are designed to fill this gap.

"They consist of in-depth modules on the phenomenon of human trafficking, and its manifestation in the SADC region in general, and Angola in particular," she explained. "Expected outcomes include an increase in the capacity of the Ministry of Interior, Ministry of Justice and Ministry of Social Reintegration and Police



Participants have been actively engaged at the Counter-Trafficking workshops conducted by IOM in Angola this year. These are the first workshops targeting law enforcement officials and addressing human trafficking in the country.

US State Department Releases 2008 TIP Report: SADC Ratings

The US Department of State released its eighth annual Trafficking in Persons (TIP) Report on June 4, 2008.

The annual TIP Report is the most comprehensive worldwide report on the efforts of governments to combat severe forms of trafficking in persons, and is intended to raise global awareness, to highlight efforts of the international community, and to encourage foreign governments to take effective actions to counter all forms of trafficking in persons.

The 2008 TIP Report covers the period of April 2007 through March 2008. It includes those countries that have been determined to be countries of origin, transit, or destination for a significant number of victims of severe forms of trafficking.

The Report places each country into one of the three lists or Tiers, based on the efforts made by each government to meet the requirements of the Trafficking Victims Protection Act (TVPA) of 2000.

Governments that fully comply are placed in Tier 1. Governments that are making significant efforts to meet the minimum standards are placed in Tier 2. Governments that do not fully comply with the minimum

standards and are not making significant efforts to do so are placed in Tier 3.

A Tier 2 Watch List describes Tier 2 countries where the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or where there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or where the determination that a country is making significant efforts to bring itself into compliance with the minimum standards was based on commitments by the country to take additional future steps over the next year.

Tier 3 countries may be subject to certain sanctions; the U.S. Government may withhold non-humanitarian or non-trade-related foreign assistance from them, or face U.S. opposition to assistance (except for humanitarian, trade-related, and certain development-related assistance) from international financial institutions such as the International Monetary Fund and the World Bank.

Of 154 countries rated in this year's report, 29 fall into Tier 1, 70 in Tier 2, 41 in Tier 2 (Watch List) and 14 in Tier 3. Five SADC countries (Botswana, Lesotho, Namibia,

Swaziland, and Seychelles) are not rated in this year's report, and others are classified as follows:

Madagascar rises from Tier 2 last year to Tier 1, notably for its commitment to addressing child sex tourism. During the reporting period, the government significantly increased its law enforcement efforts during the reporting period, including the adoption of a comprehensive anti-trafficking law and the punishment of local government officials who facilitated trafficking.

Malawi fell from Tier 1 this year, joining Angola, Mauritius and Tanzania in Tier 2. This is due to its failure to adequately punish convicted traffickers in 2007; the report found that punishments such as fines and warnings did not reflect the seriousness of the crimes or help to deter future instances of trafficking.

South Africa remains on Tier 2 (Watch List) for the fourth consecutive year, for its consistent failure to prosecute traffickers. Congo DR, Mozambique, Zambia, and Zimbabwe are classified in the same Tier.

The complete 2008 TIP Report, with individual country narrative reports, is available online at <http://www.state.gov/g/tip/rls/tiprpt/2008/>

Conclusions and Recommendations from The MIDSA Workshop on "Regional Protection Mechanisms for Victims of Human Trafficking in Southern Africa", Durban, South Africa, 23-25 April 2008

Recognizing that trafficking of human beings is emerging as a significant and pervasive migration management related challenge in the Region and cognizant of the need to take concrete measures to afford protection to victims of the trade both at the national and regional levels, participants to this MIDSA workshop have drawn the following recommendations:

1) Workshop participants recognize that addressing the protection needs of victims of trafficking requires the development and implementation of comprehensive anti-trafficking laws. They encourage Governments in the Region to take necessary legislative measures to criminalize human trafficking and address the protection needs of victims, and further emphasized the need to harmonize legislation at the regional level in order to ensure a common approach.

2) SADC is called upon to consider adopting a Protocol that would criminalize trafficking in persons and provide for the protection of the victims of the trade. Meanwhile, States in the

Region should negotiate bilateral and multilateral agreements to establish mechanisms for information sharing and coordination as well as appropriately addressing the needs of victims.

3) Regional States are also called upon to use existing international law enforcement coordination bodies such as ICPO (Interpol) and SARPCCO to coordinate their responses to have a unified approach on the issue of human trafficking at the managerial and operational level.

4) Participants called for urgent capacity building of public service and civil society structures at all levels. States are urged to undertake specialized and inter-disciplinary training to equip allstakeholders to address protection needs of victims, while also facilitating rapid information exchange and coordination. At the same time participants requested continued research, and assessment into evolving trends in human trafficking to assist governments in formulating their policy responses. In both these regards, states are encouraged to call

on international organizations such as IOM, UNODC, UNICEF and others to share their expertise.

5) Participants agreed that public education and awareness-raising programmes around human trafficking and relevant laws need to be designed on the national level, to address the information needs and educational requirements of particularly vulnerable groups, and also to sensitize relevant players in law enforcement agencies, social, judicial and educational institutions, as well as communities at large.

6) To the extent possible, States are urged to ensure the allocation of budgetary and human resources to respond to trafficking in persons and protect victims of trafficking. International partners are encouraged to support governments and organizations mobilizing resources for these purposes.

7) Participants recognized that proper management of borders prevents irregular migration in general, including the trafficking in persons. As such, States must put in place

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www.iom.int

IOM Regional Office (Pretoria)

Tel +27 (0) 12 342 2789
Fax +27 (0) 12 342 0932

IOM Cape Town

Tel +27 (0) 31 425 4038
Fax +27 (0) 21 419 3725

IOM Durban

Tel +27 (0) 31 304 4057
Fax +27 (0) 31 304 6904

IOM Luanda

Tel +244 222 311 273
Tel +244 924 643 032

IOM Kinshasa

Tel +243 81 032 5533
Fax +243 880 1662

IOM Maputo

Tel +258 21 310 779
Fax +258 21 310 760

IOM Lusaka

Tel +260 1 254 055
Fax +260 1 253 856

IOM Harare

Tel +263 4 335 044/ 048
Fax +263 4 335 055

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line for victim assistance
& information

0800 555 999
TOLL-FREE 7am - 10pm
*South Africa only

Zambia's Talkline
990
TOLL-FREE 24hrs

Conclusions and Recommendations from the MIDSA Workshop

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necessary individual and joint measures to effectively control their borders, including procedures to assist victims should they be identified.

8) Measures of comprehensive assistance specifically designed for and addressing the special needs of victims of trafficking need to be made available at the national level. Such services include safe, secure and dignified shelter, medical treatment aimed at ensuring mental as well as physical well-being, psychosocial support, and empowerment opportunities through education and skills training.

9) Participants are cognizant of the vital nature of legal assistance to victims prior to, during and after a court trial. States and the legal community should endeavor to ascertain that this form of assistance is made available to victims identified/rescued in their territories and would at a minimum include court preparations, support throughout the course of proceedings, and post-trial debriefings. Support of 'law clinics' is encouraged.

10) Participants felt that to the extent laws provide for it, it is important to publicize information pertaining to known traffickers as a discouragement and to ensure that the public is

sufficiently informed and thereby effectively protected from traffickers. Convicted traffickers should be required to undergo rehabilitation.

11) Governments are called upon to establish and maintain designated one-stop health and counseling service structures, including child victim support systems, to provide easy access to comprehensive services for victims of trafficking.

12) Recognizing the need of special protection for children as established in the Child Rights Convention (CRC) and the African Charter for the Rights and Welfare of the Child, participants stressed the need for sharing information between and amongst countries aiming to help families affected by trafficking through family tracing and reunification as well as support for the successful recovery and reintegration of the trafficked child.

13) Participants recognized the importance of allowing for a 90 day "reflection period" for victims of trafficking to recover and be eventually able to make informed decisions and provide meaningful information. States are urged to consider applying this by extending victims' leave to remain on their territory and avoid deporting them.

ANGOLA - Training Seminars Build Law Enforcement Capacity to Combat Human Trafficking

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Departments to manage migration and specifically counter trafficking and irregular migration."

IOM held the first of these training seminars from 25-26 February, in collaboration with Angola's Ministry of Interior. Forty-eight participants were drawn from the Ministries of Interior, Justice, Family, and Social Affairs, as well as the Police Academy. The UK funded a follow-up workshop was held from 18 -19 March 2008, with an additional module on fraudulent documents and forgery, facilitated by UK Airline Liaison Officer, Mr Graeme Wiskar.

Besides counter-trafficking, these training seminars have so far built the capacity of Angolan law enforcement officials on passport and visa systems, as well as impostor and

fraudulent documents recognition. With the assistance of the trainers, the participants have also developed recommendations for establishing a comprehensive and coherent migration management legal framework in Angola. In addition, the workshops continue to provide a forum for networking and the exchange of ideas, and a platform for government officials to discuss key issues related to the modernisation of the current migration management system in the country.

During the workshops participants are also provided with a Portuguese version of IOM's "Counter Trafficking Handbook for Service Providers in Southern Africa". This manual serves as a toolkit for responding to migration and human trafficking-related challenges, for both law enforcement officials and policy makers and practitioners.

"VERBATIM All indications are that there are more and more people being trafficked, in particular in our region...there is now greater need for cooperation and urgency in combating human trafficking and providing protection to those that are most vulnerable."

Malusi Gigaba, South African Deputy Minister of Home Affairs, speaking at the Migration Dialogue for Southern Africa (MIDSA) workshop, on 23 April 2008.