

The following countries are covered in this section: Angola, Botswana, the Democratic Republic of the Congo, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe.

Any missing information concerning the region was either unavailable or not accessed by UNODC.

Angola

Institutional framework

Angola does not have a specific provision criminalizing human trafficking. The General Labour Law prohibits compulsory work and includes provisions on the prohibition of forced labour.

Criminal justice response

The country has an inter-ministerial committee to combat child labour.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

Services provided to victims

NGOs and international organizations provide legal protections, medical assistance, and housing and shelter for persons in need, including trafficking victims.

One victim trafficked for sexual exploitation was repatriated by IOM from South Africa in 2005.

Additional information

According to the Southern African Police Chiefs Organization (SARPCCO), no cases of trafficking in persons were detected in Angola in the past few years.



Botswana

Institutional framework

Botswana does not have a specific provision criminalizing human trafficking. The Botswana Penal Code of 1964 prohibits abduction, kidnapping, slave trafficking and the buying of women and girls for commercial sex.

Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

Services provided to victims

There is no information on services provided to victims of trafficking.

Additional information

There are two shelters for abused women and children, including trafficking victims.



Democratic Republic of the Congo

Institutional framework

The Democratic Republic of the Congo does not have a specific provision criminalizing human trafficking. The sexual violence statute prohibits child and forced prostitution, pimping and sexual exploitation. The new constitution forbids child soldiering.

Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

Arrests and convictions related to trafficking in persons were recorded for “unlawful recruitment of child soldiers” and for war crimes and crimes against humanity in connection with the recruitment of child soldiers and sexual slavery. In the latter case, these episodes are under the jurisdiction of the International Criminal Court.

Services provided to victims

NGOs and international organizations provide legal protection and medical assistance for trafficking victims. The Ministry of Social Affairs supports local NGO efforts to combat trafficking in persons.



Lesotho

Institutional framework

Lesotho does not have a specific provision criminalizing human trafficking. The provisions of the Child Protection and Welfare Bill of 2004 deal with the protection of children in cases such as abduction, child stealing and sexual abuse. The Sexual Offences Act No. 29 of 2003 and the provisions of the Labour Code Order No. 24 of 1992 might be applied to prosecute some forms of trafficking for sexual exploitation and forced labour.

Criminal justice response

The Child and Gender Protection Unit (CGPU) was established by the Lesotho Mounted Police in November 2002. Currently, the CGPU has an office in each of the 11 police districts in Lesotho; three officers (male and female) are assigned to each office. Cases of trafficking of women and children fall within the jurisdiction of this unit.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period. Three convictions were recorded in 2005 for sexual exploitation and one conviction in 2004 for child stealing.

Services provided to victims

Local NGOs provide medical assistance and housing services for trafficking victims. The Child and Gender Protection Unit (Lesotho Royal Mounted Police) have trained staff providing psycho-social care and support and play therapy for children who have been sexually abused, as well as for other victims of abuse.



Malawi

Institutional framework

Malawi does not have a specific provision criminalizing human trafficking. Some provisions of the criminal code, such as abduction, procuring, maintaining a brothel, forced labour and slavery, might be used to prosecute some forms of trafficking for sexual exploitation and forced labour. The Child Care, Protection and Justice Bill, which defines child trafficking and sets a penalty of life imprisonment for traffickers, has been drafted and was awaiting approval in June 2008 by the competent authorities.

Criminal justice response

Authorities report that about 400 child protection officers have been appointed to monitor trafficking and child labour. A Victim Support Unit established within the police deals with abuse cases in general, including trafficking in persons.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons. Authorities reported about 10 convictions for forced child labour between 2004 and 2007. In these cases, the convicted offenders were citizens of Malawi and Zambia. Additionally, six Malawian citizens were arrested for organ removal in 2006.

Services provided to victims

State authorities provide legal protection and medical assistance for abused persons, including trafficking victims. Local NGOs and international organizations provide legal protection, medical assistance, housing, and rehabilitation and reintegration services for abused and exploited children.

For the 10 convictions reported above for forced child labour between 2004 and 2007, the victims were all from Malawi and were exploited in Malawi or in neighbouring Zambia. One case was reported of a Zimbabwean child exploited in Malawi. One Malawian woman, who was a victim of trafficking, was repatriated from Europe in 2006.

Children have been detected as victims of organ removal for the purpose of performing rituals.



Mozambique

Institutional framework

Mozambique adopted specific legislation on trafficking in persons in April 2008. Before that, provisions in the criminal code concerning the violation of labour laws, abduction or kidnapping were used to prosecute some forms of trafficking in persons. A National Action Plan for Children, which considers many forms of child abuse, was adopted by the Social Welfare Ministry.

Criminal justice response

Child Protection Units were established in a few police stations by the Association of Defenders of Child Rights (ADDC). The commonly known 'gabinetes de atendimento' are help desks stationed in most police stations where victims of trafficking and domestic violence can report their cases and get assistance. There are currently 184 gabinetes de atendimento.

According to the Ministry of the Interior and the police, there were no official records of cases of trafficking in persons during the reporting period.

Services provided to victims

Local NGOs and international organizations provide legal protection, medical and psychosocial assistance, housing services, repatriation and reunification with families.

Four adult women were identified by State authorities as victims of trafficking in 2005, two in 2006 and one in 2007. All were citizens of Mozambique sheltered and repatriated by IOM – six were repatriated from South Africa and one from Zimbabwe – and all were victims of sexual exploitation and forced labour, with three women trafficked for forced labour, two for sexual exploitation, and the other six exposed to a mixed form of sexual and labour exploitation. Two children were repatriated from South Africa to Mozambique as victims of trafficking for forced labour.



Namibia

Institutional framework

Namibia does not have a specific provision criminalizing human trafficking. Kidnapping, child labour, enticing a woman to a brothel for the purpose of prostitution and other offences can be used to prosecute some forms of trafficking in persons. The Child Care and Protection Act is awaiting adoption and contains specific references to child trafficking. A draft Action Programme on the Elimination of Child Labour in Namibia, which includes proposed strategies against child trafficking, is expected to be adopted by the Ministry of Labour and Social Welfare in 2008.

Criminal justice response

The Women and Children Protection Police Unit is trained to assist victims of sexual assault. Fifteen officers are part of this unit, which was established in 2000. Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

Services provided to victims

Local NGOs provide legal protection and medical and psychosocial assistance to persons in need and victims of abuses, including victims of trafficking in persons. There have been no (official) reports of people being trafficked to, from or within the country.



South Africa

Institutional framework

South Africa established specific offences to criminalize trafficking for sexual exploitation and child trafficking for a wide range of purposes. The Criminal Law (Sexual Offences and Related Matters) Amendment Act 2007 (Act No. 32 of 2007) serves as the basis to fight the trafficking of persons for purposes of sexual exploitation, while the Children's Act 2005 (Act No. 38 of 2005) can be used to prosecute cases of child trafficking. In addition, the South African Constitution of 1996 prohibits slavery, servitude and bonded labour. Comprehensive legislation based on the UN Trafficking Protocol has been drafted and is due to be passed by parliament in 2009.

Criminal justice response

A Trafficking Desk was established within the Organized Crime Unit of the South African Police Services. The Sexual Offences and Community Affairs Unit belonging to the National Prosecution Service (NPS) deals with the prevention of sexual offences through effective prosecutions.

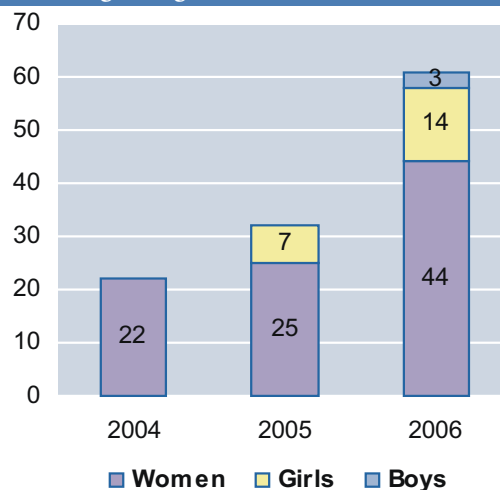
Due to the absence of legislation covering the reporting period, no prosecutions and convictions were recorded up to 2007.

Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, housing and shelter for victims of trafficking in persons. NGOs and international organizations also offer legal protection, medical and psychosocial support, and housing and shelter. IOM provides assisted voluntary return and reintegration services.



Fig. 57: Victims of trafficking in persons sheltered by IOM in South Africa, by age and gender (2004-2006)

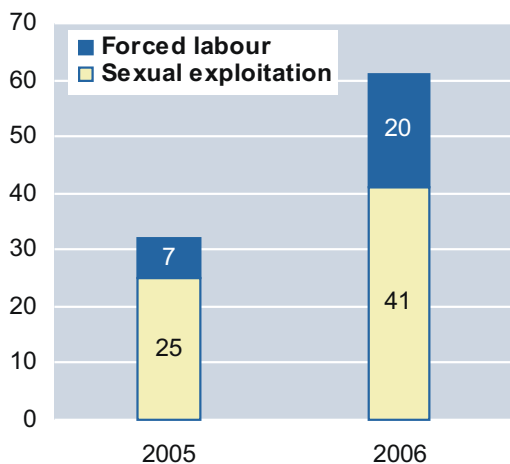


Source: IOM's Counter Trafficking Programme - SACTAP

Additional information

Three South African victims were repatriated from Zimbabwe and the Middle East. Although police and NGOs generally refer cases of trafficking to IOM, which is the only institution collecting data on victims of trafficking in persons in South Africa, not all cases of trafficking brought to the attention of the police are referred to IOM.

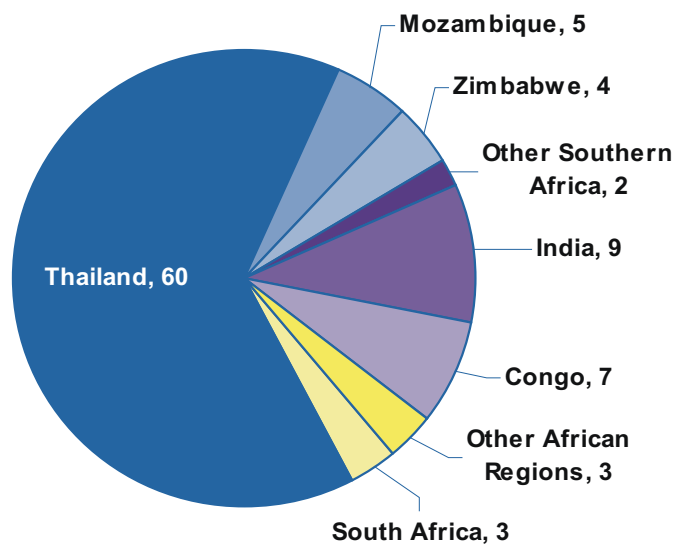
Fig. 58: Victims of trafficking in persons sheltered by IOM in South Africa, by form of exploitation (2005-2006)



Source: IOM's Counter Trafficking Programme - SACTAP

About 12 shelters in 2006 were managed by IOM in a cooperative agreement with the Southern African Counter-Trafficking Assistance Programme (SACTAP). These shelters did not exclusively house victims of trafficking but also cared for victims of domestic violence and destitute women and children.

Fig. 59: Victims of trafficking in persons sheltered by IOM in South Africa, by country of citizenship (2005-2006)



Source: IOM's Counter Trafficking Programme - SACTAP

Swaziland

Institutional framework

Swaziland does not have a specific provision on human trafficking. A draft law, the Sexual Offences and Domestic Violence Bill, which would specifically criminalize sex trafficking and mandate psychological services for victims, was due to be presented to Parliament in 2007 but was still pending as of mid-2008.

Criminal justice response

The Royal Swaziland Police Service has a Domestic Violence, Child Protection and Sexual Offences Unit dealing, inter alia, with trafficking cases. Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons.

Services provided to victims

There are no referral mechanisms for victims of trafficking in Swaziland or any other specific services provided by the State, NGOs or international organizations.



Zambia

Institutional framework

Zambia has had some provisions in place on child trafficking and human trafficking since 2005, although trafficking is not specifically defined in law.

Criminal justice response

The Task Force on Human Trafficking, chaired by the Ministry of Home Affairs, was established within the Police Victims Support Unit (VSU). The VSU's mandate is to offer victim support in cases relating to sexual violence, property grabbing and trafficking in persons and to offer legal advice to victims. Additionally, the Child Labour Unit, working under the Ministry of Labour, is composed of 50 officers and monitors the worst forms of child labour, including girls forced into prostitution.

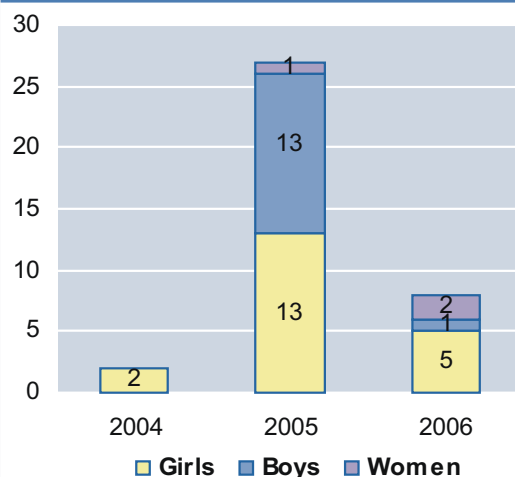
One woman was prosecuted in 2005 and two men in 2006 for trafficking in persons. No convictions were recorded prior to 2006. However, one conviction was recorded in 2005 for an episode of trafficking prosecuted through immigration offences.

Services provided to victims

State authorities provide legal protection for victims of trafficking in persons. Additionally, the State supports NGOs and international organizations in providing medical and psycho-social support, and housing and shelter for victims of trafficking in persons.

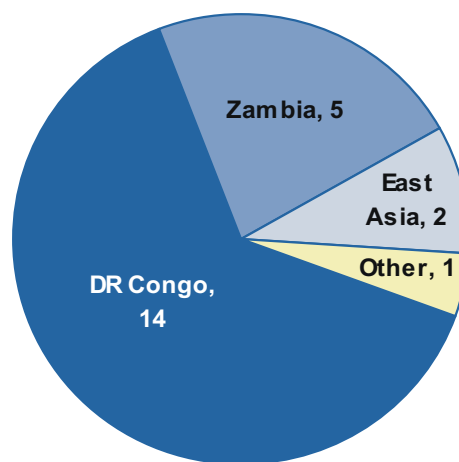


Fig. 60: Victims of trafficking in persons sheltered in Zambia, by age and gender (2004-2006)



Sources: IOM-Zambia and MAPODE

Fig. 61: Victims of trafficking in persons sheltered in Zambia, by country of citizenship (2005-2006)



Sources: IOM-Zambia and MAPODE

Additional information

The victims reported above refer to those sheltered by IOM plus victims sheltered by MAPODE. The five Zambian victims were repatriated by IOM from Angola in 2006. In 2007, two Afghani boys were returned to Afghanistan from Zambia; they were intercepted in the process of being trafficked to Europe.

Zimbabwe

Institutional framework

Zimbabwe does not have a specific provision on human trafficking. The Zimbabwean Criminal Code criminalizes sexual exploitation.

Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons. One Zimbabwean citizen was convicted of sexual exploitation in 2006.

Services provided to victims

NGOs and international organizations provide medical and psychosocial support and housing and shelter for victims of trafficking in persons. IOM also offers business training and income generating projects. In the last few years, victims have been sheltered by IOM and repatriated from neighbouring countries.

