There are an estimated **24.9 MILLION** slaves in the world today.

75% of human trafficking occurs within a country’s borders.

In the past five years, **89 MILLION** people have experienced some form of modern slavery.

81% of victims are forced to work outside the commercial sex industry.

**Key Dates:**

- **15 Nov 2000:** UN TIP Protocol Adopted
- **20 Feb 2004:** South Africa ratifies UN TIP Protocol
- **29 Jul 2013:** The Prevention and Combating of Trafficking in Persons Act passed

**Common Types of Coercion**

<table>
<thead>
<tr>
<th>Physical</th>
<th>Psychological</th>
</tr>
</thead>
<tbody>
<tr>
<td>Withholds food &amp; medical care</td>
<td>Promises of love &amp; a future</td>
</tr>
<tr>
<td>Isolates &amp; speaks for victims</td>
<td>Threatens family members</td>
</tr>
<tr>
<td>Forces victims to have abortions</td>
<td>Threatens to shame family members</td>
</tr>
<tr>
<td>Controls identification documents</td>
<td>Warns of police misconduct</td>
</tr>
<tr>
<td>Brands victims</td>
<td>Threatens deportation</td>
</tr>
<tr>
<td>Forces victims to commit crimes</td>
<td>Uses extortion</td>
</tr>
<tr>
<td>Beats &amp; abuses victims</td>
<td></td>
</tr>
<tr>
<td>Commits rape</td>
<td></td>
</tr>
<tr>
<td>Manipulates addiction</td>
<td></td>
</tr>
</tbody>
</table>

**Debunking TIP Myths**

- Trafficking is **NOT** about movement. Its essence is COERCION.
- Individuals are not only victims of sex trafficking; a vast majority of them are FORCED LABOUR victims.
- Traffickers are motivated by MONEY. It’s an economic crime.
- ANYONE can be a trafficking victim: children and adults, women and men.

**Trafficking at its Core**

Compelling someone to work or to engage in a commercial sex act

**ILO Global Estimate of Modern Slavery 2017**

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**Primary TIP Offence:**

Section 4(1):

"Any person who delivers, recruits, transports, transfers, harbours, sells, exchanges, leases or receives another person within or across the borders of the Republic by means of (a) a threat of harm, (b) the threat or use of force or other forms of coercion, (c) the abuse of vulnerability, (d) fraud, (e) deception, (f) abduction, (g) kidnapping, (h) the abuse of power, (i) the direct or indirect giving or receiving of payments or benefits to obtain the consent of a person having control or authority over another person, (j) the direct or indirect giving or receiving of payments, compensation, rewards, benefits or any other advantage, aimed at either the person or an immediate family member of that person or any other person in close relationship to that person, for the purpose of any form or manner of exploitation, is guilty of the offense of trafficking in persons."

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**South Africa TIP Definition (Sec. 4(1))**

1. **Act**
   - Trafficking Verbs: delivers, recruits, transports, transfers, harbours, sells, exchanges, leases or receives

2. **Means**
   - Threat of harm, threat or use of force, coercion, abuse of vulnerability, fraud, deception, abduction, kidnapping, abuse of power, giving or receiving payments or benefits

3. **Purpose**
   - Any form or manner of exploitation*

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*Exploitation:
Includes, but is not limited to, all forms of slavery or practices similar to slavery, sexual exploitation, servitude, forced labour, child labour, the removal of body parts, or forced impregnation for the purpose of selling her child*

---

### Core South Africa TIP Offences

<table>
<thead>
<tr>
<th>No.</th>
<th>Section</th>
<th>Offence</th>
<th>Max Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4(1)</td>
<td>Trafficking in Persons</td>
<td>Life imprisonment and/or R100 million fine</td>
</tr>
<tr>
<td>2</td>
<td>4(2)</td>
<td>Adoption or Forced Marriage for Exploitation</td>
<td>Life imprisonment and/or R100 million fine</td>
</tr>
<tr>
<td>3</td>
<td>5</td>
<td>Debt Bondage</td>
<td>15 years and/or fine</td>
</tr>
<tr>
<td>4</td>
<td>6</td>
<td>Tampering with Identification/Travel Documents</td>
<td>10 years and/or fine</td>
</tr>
<tr>
<td>5</td>
<td>7</td>
<td>Benefiting Financially from TIP</td>
<td>15 years and/or fine</td>
</tr>
<tr>
<td>6</td>
<td>8(1)</td>
<td>Facilitation of TIP</td>
<td>10 years and/or fine</td>
</tr>
<tr>
<td>7</td>
<td>8(3)</td>
<td>Electronic Communications Service Provider failure to report TIP</td>
<td>5 years and/or fine</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>Carrier Liability</td>
<td>5 years and/or fine</td>
</tr>
<tr>
<td>9</td>
<td>10</td>
<td>Attempt to commit any of the above offenses</td>
<td>Same penalty as the offense in question</td>
</tr>
<tr>
<td>10</td>
<td>18(9)</td>
<td>Failure to report child victim of TIP</td>
<td>5 years and/or fine</td>
</tr>
<tr>
<td>11</td>
<td>19(13)</td>
<td>Failure to report adult victim of TIP</td>
<td>5 years and/or fine</td>
</tr>
<tr>
<td>12</td>
<td>23</td>
<td>Unauthorized disclosure of victim information</td>
<td>15 years and/or fine</td>
</tr>
</tbody>
</table>

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### Victim Protections

- Immigration benefits to remain in country (Sec. 15)
- Confidential identity (Sec. 23)
- Access to health care and safe shelter (Sec. 18, 19, 21)

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### Evidentiary Issues

- Consent to exploitation is not a defence (Sec. 11(1))
- Employers liable for actions of employees (Sec. 11(2))

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### Compensation

- Court may order victim compensation (Sec. 29(1))
- Victim can seek civil damages for compensation (Sec. 29(2))
- Court may order compensation to the State for victim care (Sec. 30(1))