

**ACHPR/Res.165 (XLVII) 10: RESOLUTION ON THE PREVENTION OF WOMEN AND CHILD TRAFFICKING IN SOUTH AFRICA DURING THE 2010 WORLD CUP TOURNAMENT**

*The African Commission on Human and Peoples' Rights, meeting at its 47th Ordinary session held in Banjul, the Gambia, from 12 - 26 May 2010;*

**RECALLING** that the right of women and children to be protected from trafficking has been explicitly recognized in Section 4 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, Section 29 of the African Charter on the Rights and Welfare of the Child, Section 6 of the Convention on the Elimination of All Forms of Discrimination Against Women, and Section 35 of the Convention on the Rights of the Child;

**RECALLING** that the United Nations Convention against Transnational Organized Crime was adopted in 2000 and entered into force in 2003 to promote cooperation, as well as prevent and combat transnational organized crime more effectively and that, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, was adopted in 2000 and entered into force in 2003 to address all aspects of trafficking in women and children specifically;

**RECOGNIZING** that human trafficking is a global challenge that necessitates a global response and that the right to be protected from trafficking is also protected by other international and regional Conventions and Covenants which protect the rights to life, integrity and security of the person, and offer protection against slavery and forced labour;

**CONCERNED** that the 2010 World Cup in South Africa may increase the trafficking in women and children for sexual purposes and other forms of human rights abuses in South Africa and the neighboring countries;

**RECALLING** that South Africa ratified the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in 2004;

**WELCOMING** the introduction of the Prevention and Combating of Trafficking in Persons Bill before the South African Parliament to combat trafficking in persons by prosecuting those involved in trafficking, providing appropriate sentences and measures for the prevention of trafficking and assistance of its victims;

**NOTING** that the South African law could be relied upon to prosecute trafficking in persons, including the Criminal Law (Sexual Offences and Related Matters) Amendment Act of 2007, the Children's Act of 2005, the Immigration Act of 2002, the Domestic Violence Act of 1998, the Prevention of Organized Crime of 1998, the Basic Conditions of Employment Act of 1997,

the Intimidation Act of 1982, and common law prohibitions against rape, kidnapping, indecent assault, abduction, murder, assault with intent to cause grievous bodily harm, common assault, and extortion;

**URGES** the Parliament of South Africa to expedite the enactment of the Prevention and Combating of Trafficking in Persons Bill and implement its provisions, in accordance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

**URGES** the Government of South Africa to increase awareness among all levels of government of their obligations under the provisions under domestic and international law;

**CALLS ON** the Government of South Africa to put into place mechanisms and prevention strategies to address commercial sexual exploitation and human trafficking of women and children;

**CALLS ON** the Government of South Africa to put into place and support initiatives aimed at assisting victims of trafficking and commercial sexual exploitation;

**URGES** the Government of South Africa to intensify cross-border cooperation with the neighboring countries and to ensure an integrated and efficient approach to prosecute traffickers.