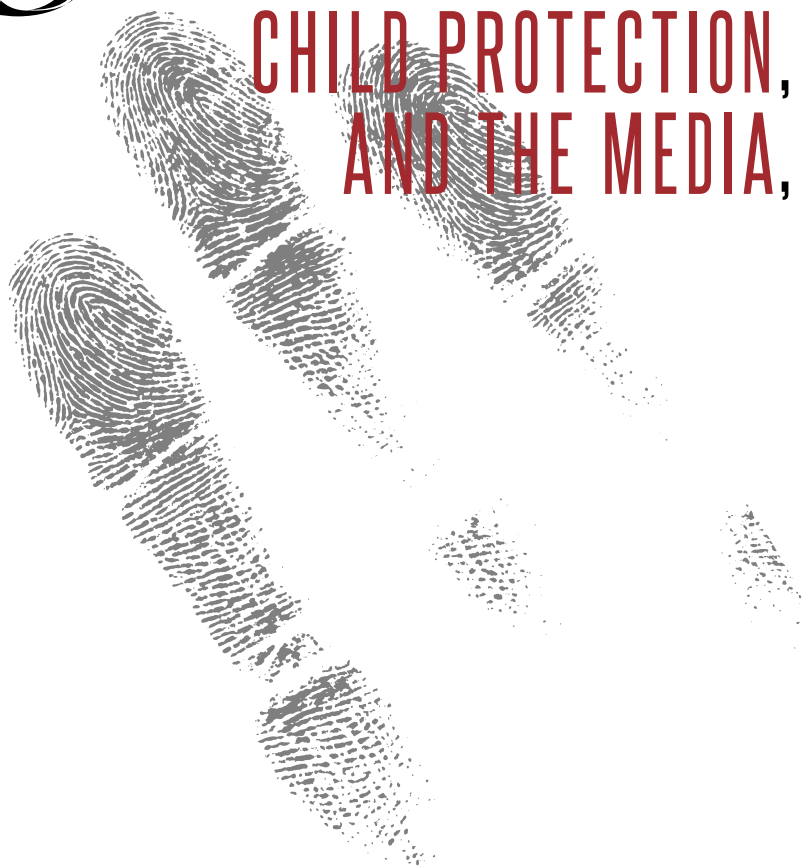# A TANGLED WEB

HUMAN TRAFFICKING, CHILD PROTECTION, AND THE MEDIA,

Author: Melanie Hamman
Editor: Laura Fletcher

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Abstract

This report examines South African media coverage of human trafficking during the 2010 FIFA Football World Cup. The monitoring period included the month during the World Cup and the month immediately after (11/06/2010 – 06/08/2010). A total of 3009 newspaper stories and broadcast items were monitored of which 60 (1.99%) were human trafficking related items - which form the basis of this report. As the final component of a broader multifaceted project "Child Protection and Human Trafficking: Is the Media Telling the Right(s) Story", MMA has begun the development of a best practice methodology for reporting on human trafficking with a specific focus on child protection. Findings show that media coverage of human trafficking during the monitoring period can be distinguished into the period during the World Cup and the period immediately after by the kinds of stories reported. During the World Cup media failed in numerous stories to identify human trafficking where it was in fact found, and these items were classified as Missed Opportunities because of this. In other regards, during the World Cup there was a predominance of stories pertaining to education, awareness and protection, whereas after the World Cup, this is where we see greater reporting on actual occurrences or incidents of human trafficking. This report will elaborate on methods used to analyse the media and findings and additionally provide insight into the issues themselves.

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1. Introduction

This report seeks to bring together Media Monitoring Africa's (MMA's) efforts to analyze the way in which South African media reported on the issue of Human Trafficking and the broader issue of Child Protection during and outside the World Cup period.

The report:

- Provides background information on the project and why this project was initiated
- Outlines the fundamentals of human trafficking and examines its specifics within the South African context
- Outlines the scope of MMA's monitoring process
- Analyzes and discusses the key findings of the monitoring
- Interprets the relevance of the key findings
- Makes recommendations

This analysis seeks to explore what the South African media may or may not have reported on in their coverage of human trafficking, during and for the month immediately after the World Cup. By examining the data from the monitoring, MMA's analysis importantly seeks to highlight the well reported stories but also the gaps in the reporting of human trafficking - where stories relating to human trafficking fail to mention the crime, or even recognise that the subject matter falls within internationally accepted definitions of human trafficking.

1.1. Project Background

In the run up to the 2010 FIFA World Cup, MMA became aware of an increasing number of articles about human trafficking. Various media reported concerns about a predicted upsurge in human trafficking and child exploitation during the World Cup period. MMA therefore decided it was necessary to include in its monitoring of media during the World Cup, a special focus on the issue of human trafficking - especially as it related to children and children's rights. This saw the development of MMA's pioneering and multifaceted project entitled "Child Protection & Trafficking: Is the media telling the right(s) story?" which asks:

What are we seeing and hearing in the media about child protection and human trafficking? What is the media missing?

The title of the report - Is the media telling the right(s) story? - asks not one question but two:

1. Is the media telling the right story?:

The first question seeks to examine what the media was saying about the issue of child protection and trafficking, and whether or not this was an accurate reflection of what was happening. Or whether the media was perpetuating stereotypes, myths and misunderstanding in the way it reported on human trafficking.

- Does the media *correctly identify* trafficking when they're reporting on it?
- Does it *foster an understanding* of the nature and broader dynamics of the issues as it relates specifically to the South African context?
- Does it seek to understand and *communicate the complexities* of the issue?
- Is there engagement with the issue in *connection with the deeper socio-economic realities* that are a part of the problem with prevention, protection and prosecution?

2. Is the media telling the 'rights' story?:

This question seeks to examine media's reporting on child protection and trafficking issues as they relate to their human and child rights aspects:

- Is the media *upholding the rights* of those it reports on - child or adult, victim or otherwise?
- Does it *protect and minimize harm* of those involved or not?
- Are *children's best interests put first*?
- Does the media's reporting on the issue *contribute to upholding and promoting human rights*?
- In its reporting, does media *acknowledge that human trafficking* is a criminal offence which violates the most sacred of human rights of its victims - including the rights to freedom and dignity set out in 'The Universal Declaration of Human Rights' which was adopted and proclaimed by the General Assembly of the United Nations on 10 December 1948.

The project explored these questions with a view to try fill in the gaps. One of MMA's aims is to increase the quantity and improve the quality of media reporting on human trafficking and child protection. Another was to deepen understanding and improve communication surrounding these issues.

Elements of this project included:

- The development of a website dedicated to informing people about child protection and human trafficking and exploring how it is reported in the media.
- A photography exhibition exploring child protection and human trafficking involving child curators.
- Radio documentaries produced by child journalists on issues around child protection, human trafficking and the media.
- Children's monitoring of articles about human trafficking during and after the World Cup.
- Qualitative analysis of coverage of human trafficking found in the media throughout the course of the year.
- Adult monitoring of articles about human trafficking during and after the World Cup.

Children's participation was an integral part of this project, which explored an issue that at its heart is about the exploitation of vulnerable young people. Providing children from a diversity of backgrounds with the opportunity to evaluate these issues brought about basic and clear questioning that was both critical and insightful.

Throughout the monitoring period, MMA undertook to look critically at the media's role in reporting on human trafficking and general child protection issues, and analysis in this report arises in addition to the adult monitoring data, insights and information accumulated from MMA's children's monitoring component of the project.

Where statistics are referred to in this report, only figures from the adult monitoring project will be discussed, but where the issues raised necessitate further extrapolation or explanation, then insights gathered from the entirety of MMA's Child Protection & Trafficking project will form part of MMA's analysis.

2. Human Trafficking: Gaining a Deeper Understanding

Human trafficking is made up of various elements and is not only challenging to understand but also difficult to report. In order to understand it, the various elements need to be individually defined. MMA has compiled the following as a way to understand the definition by a variety of audiences:

2.1. Working Definition

Human Trafficking is a form of modern slavery. A person has been trafficked if he or she has been moved within a country or to another country, as a result of force, fraud, or manipulation and is exploited or made to work as a slave. A slave is forced to work or is exploited under threat of violence for no pay, beyond subsistence (the least possible amount of food or money that a person needs to survive). Forms of work or ways in which victims of human trafficking may be exploited include forced labour, begging, stealing, drug running, sex work, forced marriage and the sale of body parts.

It must be considered however that child trafficking in South Africa, and the parameters and definitions thereof, require greater examination as child trafficking takes on far more nuanced forms than the above working definition. The parameters for child trafficking in South Africa are outlined in the Children's Act (Detailed in section 2.4.1 of this report), which provides specifically for the definition of exploitation in relation to children, and the purpose of their trafficking.

2.2. Information to remember

As set out above, human trafficking is often described as modern day slavery because it is a crime that involves elements that make it such. It is a term given in order to define the parameters of the crime and the starting point to uncovering and eradicating it. It can even occur without those involved knowing that they are involved. Human trafficking takes on different forms and has many interconnected root causes and consequences which all contribute to it and result from it – it is this difficult context that adds to the complexity of human trafficking, making it a minefield to navigate and fully understand.

In the last 20 years it has become known as a significant, though often hidden, criminal activity across the globe. The modern day slave trade which is human trafficking, is the fastest growing form of organized crime. The human trafficking industry is second only to the narcotics trade.[1] In addition and similarly to many other challenges facing the modern world, from war (both international and civil), to poverty, famine and gender discrimination, human trafficking does not exist in isolation. Indeed

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1   *U.S. Department of Health and Human Services, Administration for Children & Families*, "About Human Trafficking" , last visited 27 June 2011, http://www. acf.hhs.gov/trafficking/about/index.html

all of these are often linked. Similarly, violence, access to education, forced marriage, pornography, paedophilia and international crime are contexts, circumstances and conditions that can contribute to the existence of human trafficking.

The crime of human trafficking in South Africa does not have only one face, there is no one standard type of victim, no one standard type of perpetrator, and occurs for no one standard purpose. Bearing in mind that human trafficking can even manifest within society in ways that may appear completely normal and accepted. Human trafficking is not a crime that calls out "Here I am!" It will often not be seen if not looked for.

2.3. Varying from context to context

The crime of human trafficking manifests itself with varying degrees of both subtle and obvious differences, depending on the context in which it occurs. Different nationalities, regions, cultures and cultural practices, religious practices or beliefs, languages, socio-economic structures, political systems, and local laws are all factors which create individual climates for the crime to occur and operate in. In addition, human trafficking, and specifically how it relates to children and the issue of child protection, is tied to the vulnerability of children within any given context or society.

For example, there are stark differences between the domestic trafficking in Thailand and trafficking between South and North America; the trade in people in these regions displays glaring differences to the trafficking that occurs in South and Southern Africa. This is due to their respective socio-political and economically differing environments. Aspects of society that would affect the way in which human trafficking functions in any particular area include:

- Political will of government to create and implement policy;
- Political will and ability to enact and enforce law;
- Effective structures and available man-power for policing, and border security and control;
- Availability of government assistance/programmes for lower income earners;
- Access to education, food and care as well as healthcare for children;
- General development level;
- The many various methods employed by traffickers - which usually mould and adapt themselves within each context.

It must be made clear that while differences are immense depending on these varying environments, the key points of all human trafficking remain the same: people are enslaved, through various methods, for the purpose of exploitation, which effectually remove individual autonomy and freedom from its victims.

> *"Slavery is unquestionably the ultimate human rights violation short of murder, but to uncover such violations requires two things: Political will and an ability to protect the victim. If a government has no motivation to guarantee human rights within its borders those rights can disappear. If those whose rights have been violated cannot find protection, they are unlikely to accuse and fight those who hold power over them."* [2]

What may seem to fit the box of human trafficking in one nation or region may not fit the box in

2   Bales, K. *Disposable People: New Slavery in the Global Economy*. University of California Press, Los Angeles, 2000, pg32

another. It is therefore important to understand human trafficking and its roots in (or links to) child vulnerability specifically in its South Africa context, because only then:
  - will South African citizens be able to effectively protect themselves;
  - will it be possible to take effective steps to begin to combat it in this country;
  - will services and structures to assist victims and deal with the consequences be able to be implemented.

2.4. Human Trafficking & the Law in South Africa

"For laws against slavery to work, there must be clear violations that can be prosecuted" Kevin Bales

In South Africa, the only comprehensive legislative provision for the crime of human trafficking is set out in the Children's Act, for those who fall under the age of 18. Therefore, understanding of the crime in relation to its impact on children is necessary when understanding human trafficking in South Africa.

In addition to this, South Africa has an interim legislation provision in the Criminal Law – The Sexual Offences Amendment Act 32 of 2007[3] which limits the crime and prosecution thereof to commercial sexual exploitation. Additionally, various components of the crime are criminalized under other pieces of South African law:

- Criminal Law (Sexual Offences) Amendment Act 32 of 2007
- Prevention of Organised Crime Act, 121 of 1998
- Basic Conditions of Employment Act, 75 of 1997
- Immigration Act 13 of 2002
- Films and Publications Act 65 of 1996
- Corruption Act 94 of 1992
- Extradition Act 67 of 1962
- International Cooperation in Criminal Matters Act 75 of 1996

The Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children[4] compiled by the United Nations Office on Drugs and Crime (UNODC) forms the international standard of the framework of human trafficking and obliges member states to criminalise trafficking in persons, investigate and prosecute traffickers, as well as undertake border control measures. In addition, each country that accedes to the protocol must, in accordance with its means, provide measures to protect and assist victims, train law enforcement and border officials, and inform and educate victims, potential victims and the general public.[5]

As a member of the United Nations (UN), South Africa signed the protocol on 14 December 2000,

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3	*South Africa's Strategy to Counter Human Trafficking: Media Briefing Session*, August 2008, National Prosecuting Authority (NPA), Last accessed 27 June 2011 http://www.npa.gov.za/UploadedFiles/HUMAN%20TRAFFICKING%20PROGRAMME%20%20Media%2013%20Aug%202008.ppt

4	Palermo Protocol definition of human trafficking: Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve consent of a person having control over another person, for the purpose of exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. (*Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organised Crime*. The United Nations Crime and Justice Information Network, 1999, last accessed 27 June 2011. http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf.)

5	*Tzireledzani: Understanding the Dimensions of Human Trafficking in South Africa* (pg 2), Human Sciences Research Council, March 2010, last accessed 27 June 2011. http://www.hsrc.ac.za/Document-3562.phtml

and following this, ratified it on 20 February 2004. By ratifying the protocol, South Africa agreed to be legally bound by the terms of the treaty, to then fulfil its own national legislative requirements in order to implement it within South African law. The South African draft anti-trafficking legislation: "Prevention and Combating of Trafficking in Persons Bill" was brought before Parliament on 16 March 2010, after a lengthy consultative process by the South African Law Reform Commission since 2003. It has not yet been enacted.

In addition to the purposes set out in the Palermo Protocol, as a guiding standard for domestic law, the South African draft legislation defines exploitation further as including forced marriages; child labour; the impregnation of a female against her will for the purpose of selling her child when born; and trafficking of body parts.[6] The inclusion of these examples speaks to the context in which human trafficking can exist in South Africa.

The trade in human beings or slave trade is prohibited under Article 4 of the Universal Declaration of Human Rights. "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."[7] International law makes it clear that human trafficking is a crime against humanity.[8] The International Criminal Court's (ICC) Rome Statute's 'enslavement provision', entered into force on 1 July 2002.

Having the various laws and protocols however, does not prevent the crime of human trafficking from being perpetrated. *Laws and protocols require knowledge, understanding and implementation for them to work*, by all those across all sectors who would play a role in victim assistance, investigation and perpetrator prosecution, to awareness raising and education. Merely having the law is not enough.

2.4.1. The Child, Human Trafficking and The Law

The United Nations Convention on the Rights of the Child (CRC), which has been adopted by South Africa, provides that "Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form."[9] In Article 35 it also specifies that it is the responsibility of States to prevent:

   (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
   (b) The exploitative use of children in prostitution or other unlawful sexual practices;
   (c) The exploitative use of children in pornographic performances and materials

In South Africa, Children's Rights outlined in the CRC are enshrined in Section 28 of the Bill of Rights of the South African Constitution (1996). The Bill is premised on the understanding that a child's best interests are of paramount importance in every matter concerning the child. The Bill of Rights affords children, that is, those under 18 years, the right to be protected from "exploitative labour practices" and from being "permitted to perform work or provide services that – are inappropriate for a person of the child's age; or... place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development".

6   Tzireledzani: Understanding the Dimensions of Human Trafficking in South Africa (pg 3), Human Sciences Research Council, March 2010, last accessed 27 June 2011. http://www.hsrc.ac.za/Document-3562.phtml.

7   The Universal Declaration of Human Rights, United Nations, last accessed 26 June 2011. http://www.un.org/en/documents/udhr/index.shtml.

8   About Human Trafficking, UNODC, 2011, last accessed 27 June 2011. http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html

9   Conventions on the Rights of the Child, Office of the United Nations High Commissioner for Human Rights, 2007, last accessed 27 June 2011. http://www2.ohchr.org/english/law/crc.htm

Laws pertaining to the rights of the child in South Africa are set out in the South African Children's Act. Chapter 18, Article 284 prohibits the trafficking of children[10], and Article 285 prohibits behaviour that facilitates the trafficking of children.[11]

Summarized, Article 284 specifies that no person under the age of 18 may be trafficked by any person/s for any reason, irrespective of consent given by the child or guardian. A child cannot be held accountable for having given consent for their exploitation, nor can they be held accountable if their guardian gave consent. Any minor who is trafficked for any purpose through any means is a victim of trafficking. This means that where a defence is offered, for example that the child consented to going to work for little or no pay beyond subsistence, it cannot be argued that the child agreed to do so.

An impoverished child for example, who is promised work and food by an adult, is in a place of vulnerability in that situation, and the adult is abusing their position of power over the child. The child, then exploited, is a victim and their so-called 'employer' is a perpetrator of child trafficking. Exploitation implies using power over another person in order to benefit from their work, their knowledge and/or skills, or their physical bodies - to their detriment.

Greater understanding of the definitions that constitute the crime allows for a fuller picture to emerge of how human trafficking can and is affecting children in South Africa.

Important aspects of the various definitions as outlined in the Children's Act include:

> ### "the recruitment, sale, supply, transportation, transfer, harbouring or receipt of children, within or across the borders of the Republic"

This implies that any person involved at any of the stages, as defined above, of the process are complicit to the crime of trafficking.

> ### "By ANY means"

Implies no restriction as to how the child is trafficked, whether consent was given or not.

- One notable means is: "due to a position of vulnerability"

  In South Africa this is often of primary importance in relation to children's vulnerability, additionally because of a broader view within culture that 'children must do what adults say' which at times is a point of authority which is abused.

- "Adoption by illegal means" is included in the Children's Act under its definition of trafficking, in addition to "exploitation" (detailed below)

- "Exploitation" as defined in relation to a child in the Children's Act includes:

  (a) all forms of slavery or practices similar to slavery, including debt bondage or forced marriage;
  (b) sexual exploitation;
  (c) servitude;
  (d) forced labour or services;
  (e) child labour prohibited in terms of section 141; and
  (f) the removal of body parts.

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10   Children's Act 38 of 2005 (pg 95), Department 0f Justice and Constitutional Development, 2006, last accessed 27 June 2011. http://www.justice.gov.za/legislation/acts/2005-038%20childrensact.pdf
11   Ibid (pg 96)

- Further to this, the definition of "sexual exploitation" means the:
  "procurement of a child to perform sexual activities for financial or other reward, including acts of prostitution or pornography" - irrespective of reward or payment to the child or guardian; and the **"trafficking in a child for use in sexual activities"**

Specifically in relation to child trafficking in South Africa, the above definition implies that a child need not be exploited for financial reward. Being used for sexual purposes is considered exploitation within the parameters of trafficking as defined by the Children's Act.

2.4.2. Forced Marriage in South Africa

A special mention must be made of the concept of 'forced marriage', in relation to the South African context of human trafficking. The Children's Act specifies that a child "below the minimum age set by law for a valid marriage, may not be given out in marriage or engagement", as this constitutes forced marriage, and that those "above that minimum age may not be given out in marriage or engagement without his or her consent" as lack of consent likewise constitutes forced marriage, although it refers to those above 18, and falls outside of the Children's Act.

This concept of a 'minimum age' is problematic in South Africa, as different pieces of legislation provide for different ages of consent. For example the Children's Act sets the minimum age for both paties at 18 years. To marry in accordance with the "Recognition of Customary Marriages Act, 1998", for a customary marriage to be valid, both parties must be above 18 years of age, and both must consent to the marriage in accordance with the law. However, in certain circumstances if under this age, parties may obtain written permission from the Minister of Home Affairs or an official, if the Minister or said officer considers such marriage desirable and in the interest of the parties.[12] However, this is subject to the provisions of the Sexual Offences Amendment Act of 2007, which sets the age of consent to sex at 16.[13]

Section 26 of the Marriage Act 25 of 1961 "provides presently that no boy under the age of 18 years and no girl under the age of 15 years shall be capable of contracting a valid marriage except with the written permission of the Minister or any officer in the public service authorised by him or her."[14] It must be made clear however, that while these laws regarding the minimum marriage age in South Africa reveal inconsistencies, the Children's Act supersedes all other pieces of legislation in regards to children (those under 18) and is therefore the authoritative law on this matter.

12   The Department of Justice and Constitutional Development, *The Recognition of Customary Marriages Act* (pg 3), 2006, last accessed 27 June 2011. http://www.justice.gov.za/legislation/acts/1998-120.pdf

13   Maluleke, J. 'Ukuthwala: Lets protect our children', *Justice Today 2009, Vol5*. The Department of Justice and Constitutional Development , 2009, last accessed 27 June 2011. http://www.justice.gov.za/docs/articles/2009_ukuthwala-kidnapping-girls.html

14   South African Law reform Commission, *Report on the Review of the Marriage Act 25 of 1961, May 2001*. The Department of Justice and Constitutional Development, last accessed 27 June 2011. (Summary of recommendations pg xxv) http://www.justice.gov.za/salrc/reports/r_prj109_marr_2001may.pdf

2.4.3. Ukuthwala (Abduction) and the Law in South Africa

Ukuthwala is a facet of South Africa's cultural heritage, practiced by mainly Xhosa speakers of Eastern Cape and parts of KwaZulu Natal. It is essentially translated as 'abduction'. Traditionally it was a practice whereby a girl would be abducted by a young man and his friends, following previous agreement of the girl, with the intension of compelling the girl or young woman's family to endorse marriage negotiations.[15]

Traditionally the girl would be caught 'unaware', and taken to the young man's house. On the very same day the young man and his friends or family would be required to visit the girl's parents to assure them of her safety and then indicate how many cattle the prospective husband intended to provide in return for their daughter. Thus the two families would begin the process of marriage negotiations. The girl would then be taken into the care of the family of the groom, and the women of the family would then care for her as a way of reassuring her and encouraging her to become a part of the family. If the girl did not consent, she would be returned to her parent's home.[16]

Importantly, the girl was never forced to engage in sexual relations with the groom, this was not part of the tradition. The consensual marriage took place first before the couple engaged in sexual relations. It was "against customary law for the man who *thwalaed* the girl to have intercourse with her." (Joan van Niekerk, Childline)

Thwala was traditionally intended for people of the same age group who, in the normal course of events, would have been expected to marry each other. Old men never traditionally engaged in Thwala and the tradition was never meant to apply to minors.[17]

Sadly today what is occurring under the guise of this traditional practice or in the name of 'culture', is nothing short of abduction, rape, and forced marriage. What is being reported are numerous instances where girls as young as 12 are being forced to marry men significantly older than they, often by decades. "Their parents play a role in their abduction. The two main contributing factors to the changes in the custom are poverty and parental greed. Some of these girls are virgins and the men they are forced to marry are HIV positive. This is not thwala as it is traditionally known." (Joan van Niekerk, Childline) This particular manifestation of 'ukuthwala' which does not fit within the original boundaries of the tradition, and is occurring in areas of South Africa today, cannot then be classified as ukuthwala. Where the term 'ukuthwala' is being abused for harmful acts against another is illegal and criminal, and additionally where a girl (who is a minor) is abducted (taken against her will), moved from a familiar place to an unfamiliar one, and is exploited for sex or any other purpose, or forced into a marriage - forced to comply under threat, violence or any other means - this is human trafficking. It is human trafficking where the crime of human trafficking is committed, irrespective of what it is otherwise called.

So, while traditions play a vital role in keeping specific cultural values alive, and healthy, what has begun to occur in this case is an erosion of the intended purpose and parameters of the practice and in many increasing instances is now harmful and out of sync with its original cultural framework. In other words, cultural practice is being reinterpreted for criminal and harmful ends.

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15   Maluleke, J. 'Ukuthwala: Lets protect our children', *Justice Today 2009*, Vol5. The Department of Justice and Constitutional Development , 2009, last accessed 27 June 2011 http://www.justice.gov.za/docs/articles/2009_ukuthwala-kidnapping-girls.html

16   Contributions on Ukuthwala courtesy Joan van Niekerk, Childline

17   Ntlokwana, N. Centre for Constitutional Rights, Tygerberg, in a submission on Ukuthwala to the SA Law Reform Commission. http://www.fwdeklerk.org/cause_data/images/2137/sub_09_11_26_Ukuthwala_Custom.pdf . Last accessed 27 June 2011

Questions need to be asked as to why? If parents are involved, what is the motivation? In most cases the answer is likely to be linked to poverty. Why are those who committing these acts in fact doing so? Why are they allowed to? Do they know they are committing human rights violations?

Is it necessary for those who report on the issue of human trafficking in any of its nuanced forms, to be aware of these numerous broader definitions and types of trafficking?

MMA came across numerous articles published since the beginning of 2011 on the topic of ukuthwala. One piece in particular, which brought the issue to light in a relatively comprehensive way was published in The New Age, 11 April 2011

"Girls live in fear of being abducted and married"

The article states that:

"…girls as young as 12 years old being grabbed kicking and screaming from the streets and taken away to the homestead of their "admirers". The abducted girls are apparently given potions of muthi to "soften" them up, and then forced to sleep with the abductor."

"A day or two later the abductor sends a delegation to the abducted girls home to offer "compensation" to the victims family. Some families accept the compensation as the start of a process of lobola to marry their daughter off to the older man. But many are fighting back by refusing to accept the compensation, and laying charges of abduction and rape against the perpetrators."

The article also states that ukuthwala is an illegal practice, but in a school in rural KZN "31 girls have been abducted for ukuthwala and turned into sex slaves"

Without a girl's consent, abduction for marriage is forced marriage. Forced marriage is illegal. Forced marriage falls under the purpose of exploitation in the definition of human trafficking. By international law, in accordance with the parameters for human trafficking set out by the UN, and as is the case in other parts of the world such as parts of the Middle East, Central Asia and Eastern Europe, this practice committed today under the guise of ukuthwala can be defined as a form of human trafficking. But defining it as such would require case by case analysis by experts with knowledge of the parameters of the crime, who would understand the nuances and the various methods and motives behind it. Additionally, those who are likely to be committing these acts are possibly unaware of the severity or criminality of their acts, which additionally adds to the complications involved in taking action against this form of trafficking in South Africa.

Girls live in fear of being abducted and 'married'

Chris Makhaye

ON the rocky gravel road in the village of Ngobe, outside Bergville in northern KZN, schoolgirls walk in groups of five or more.

There is strength in numbers and few dare venture onto the road on their own. Teenage girls here live in constant fear of being abducted during the kilometre-long trek to and from school by men seeking to sell them to older men for marriage or sex purposes.

This practice is called uku-thwala, with girls as young as 12 years old being grabbed kicking and screaming from the streets and taken away to the homestead of their "admirers". The abducted girls are apparently given potions of muthi to "soften" them up, and then forced to sleep with the abductor.

A day or two later the abductor sends a delegation to the abducted girl's home to offer "compensation" to the victim's family.

Some families accept the compensation as the start of a process of lobola to marry their daughter off to the older man. But many are fighting back by refusing to accept the compensation, and laying charges of abduction and rape against the perpetrators.

This practice, although illegal, is still widely practised in rural villages like Ngobe and nearby Emaswazini.

In the local Nqobile Combined School, about 31 girls have been abducted for ukuthwala and turned into sex slaves.

It was the near-abduction of 16-year-old Zanele Mhlongo* from Ngobe village, outside Bergville, three months ago that stirred the proverbial hornets' nests.

After that community activists, rural women and police came out strongly against the practice of abducting young girls, raping and making them young brides against their will.

The Grade 12 pupil was walking home from fetching water at a nearby river when she was "escorted" by two strange men, who grabbed and carried her away.

Zanele managed to free herself and jumped into a dam but her abductors pulled her out and took her away.

"I was rescued only when my uncle heard my screams and rushed towards us. The two men fled the scene," she told the New Age.

Zanele says the experience has severely traumatised her. She knows of several other schoolgirls who have been abducted, forced to girl who did well in her class. She now has a three-year-old child and sells vetkoek and chips in town just to make ends meet. It is so sad," the principal said.

Misiwe Sokhela, a teacher at the school, said she has had to counsel many girls who had returned to school after they'd been abducted.

"They are severely traumatised and fear men. Some cannot even concentrate in class. There is also the risk of being infected with HIV/Aids and other diseases by parents would be forced to accept the relationship and accept lobola from the unwanted boyfriend, and the girl would then marry the man of her dreams," Ngobese said.

"It was never done without a girl's consent. These abductors today are nothing but criminals, who should be arrested and charged," she said.

The KZN provincial government has appointed a police task team to investigate and charge people who participate in the abductions, including the parents

FEAR: Will these girls make it home, or fall prey to ukuthwala? Picture: Chris Makhaye

drop out of school and into marriage, to bear the children of their abductors.

Principal Nhlanhla Goqo said: "Our school is the centre of this evil ukuthwala practice. These men wait for young girls to walk through bushy areas and then they abduct them," said Goqo.

"This is perpetuating poverty in our community, because once a girl is abducted she leaves school. Without education her future prospects are bleak," Goqo added.

Worse still, the majority of the abducted girls are abandoned later by the same men who abducted them.

"One of them was a bright young their abductors," she said.

"We advise girls to walk in groups because you just don't know when the abductors will strike," she said.

The recent rise in the incidence of ukuthwala has galvanised government, legislators, cultural leaders and women's rights activists. Nomagugu Ngobese, head of the Nomkhubulwane Culture and Youth Development Organisation, said the practice goes back to the days when girls whose parents did not approve of their boyfriends arranged to be abducted so that the families would be forced to allow their marriages.

"This was to ensure that the who accept "bribes" of cows and compensation from the abductors.

The bulk of the abduction cases in Bergville have been reported at the Upper Tugela police station, which covers 17 local villages.

A senior policeman at the station said that most of the abductors are between the age of 20 and 25 years of age. "We will deal with them harshly," he said.

*Meanwhile, Zanele Mhlongo has had to leave home and rent a room closer to her school so that she does not have to risk being captured again on her way to school. After all, she may not be so lucky the second time around

not her real name

Figure 1: Ukuthwala article; "Girls live in fear of being abducted and 'married'" The New Age, 11 April 2011

2.5. Enabling and contributing factors

"Without protection or alternatives, the poor become powerless, and the violent, without state intervention, become supremely powerful." Kevin Bales[18]

Like the crime itself, the complexities involved in human trafficking are vast and often difficult to untangle and its roots lie deep within the broader socio-economic fundamentals of any given context. The most prominent of these fundamentals is poverty, here in South Africa and around the world. Kevin Bales states in his book 'Disposable People', "slavery grows best in extreme poverty, so we can identify its economic as well as social preconditions".[19] It is also an issue underlined by economics, "… there has to be people who can be enslaved as well as a demand for slave labour."[20]

Human trafficking cannot be separated from what can be described as a foundation based on demand. Demand is what drives the trade, and factors which make people vulnerable are what make victims readily accessible and disposable. A victim of trafficking does not require a big financial outlay, and a victim can be sold numerous times, providing a great deal of profit and return on a trafficker's "investment".

The discussion of the erosion of traditional cultural practices like ukuthwala, need to be brought into the dialogue and broader awareness around human trafficking in South Africa. It is clear that valued and positive cultural practices, such as marriage negotiations and paying labola, which form part of the South African cultural fabric can sometimes become tainted in cases of severe poverty. When there is no or little access to money, food and basic living necessities, labola may be viewed not simply as a mechanism of demonstrating commitment to a relationship and honouring tradition, but as a means of accessing money. Therefore, hidden in culturally valued and accepted practices are circumstances that may encourage and breed acceptance of the sale of persons.

In South Africa, the crime can also not be isolated from its socio-economic contributing factors. As a country, South Africa's history of segregation and exploitation of people, the breakup of families and communities, the trauma suffered by a large group of people over an extended time, have all left their mark and remaining influences. In regards to children, the most severe would be the breakdown of family groups that no longer provide children with the support structures needed to ensure their safety, wellbeing, education etc. These are factors which feed into children's vulnerability, and the changing socio-economics of the country additionally feeding an increased demand and increased need to find easy lucrative sources of income.

In South Africa some of the enabling and feeding factors that have been identified include:
- **poverty;**
- **unemployment;**
- **porous borders;**
- **regional conflict;**
- **poor law enforcement;**
- **poor development;**
- **cultural misconceptions;**
- **HIV and AIDS (consequences of which are orphans and child-headed households).**

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18   Bales, K. Disposable People: New Slavery in the Global Economy, University of California Press, Los Angeles, 2000, pg 31
19   Ibid
20   Ibid

These are usually referred to as push and pull factors.[21] For many South African children, the "underlying root causes" of human trafficking such as poverty and a lack of access to services are part and parcel of their daily lives. This places these children in vulnerable positions at a high risk of exploitation.

2.5.1. Children's Vulnerability in the South African Context

In South Africa, children make up 39% of the population of 48.7 million people. Of the 18.7 million children living in South Africa, 11.6 million live in poverty or below the poverty line (living on R569 or less per month per household.) Additionally, 3.95 million children are orphans (of either maternal, paternal or both parents), which is 21% of all children in South Africa. These staggering statistics paint a clear picture of the extent of vulnerability of South African children.[22]

Poverty is linked to poor health, lack of access to education, and environments that compromise and reduce personal safety and in turn compromise the realization of basic human rights for children. A child's family's lack of financial security in turn fosters a lack of the basic services or structures which ensure children's safety, and ensure a child's ability to remain in a safe home environment, in school, to be monitored and to be fed. Trafficking has long been linked to child vulnerability...

<p style="text-align:center">Where poverty and children exist, there lies the greatest vulnerability.</p>

When so many South African children are faced with challenging circumstances on a day-to-day basis, protection from human trafficking requires more than awareness campaigns. Awareness does not adequately or sufficiently diminish children's vulnerability to human trafficking.

"When children don't have food, it's no use giving them a message about human trafficking. If someone comes along and offers them something that they think will put food in their tummies, that's what they'll go for." Joan van Niekerk, Childline

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21   Tzireledzani: Understanding the Dimensions of Human Trafficking in South Africa (pg 89), Human Sciences Research Council, March 2010, last accessed 27 June 2011. http://www.hsrc.ac.za/Document-3562.phtml
22   Hall, K. Income and Social Grants – Children Living in Poverty. Children Count: Statistics on Children in South Africa, Children's Insitute, July 2010, last accessed 27 June 2011. http://www.childrencount.ci.org.za/indicator.php?id=2&indicator=14

2.6. Human Trafficking: A Breakdown

Common Recruitment Methods

Individual recruiters looking for interested males and females in impoverished communities
Recruited via informal networks of family and/or friends
Advertisements offering work or study opportunities
Agencies offering work, study, marriage or travel
False marriages
Purchase of children from their guardians, or through deceiving guardians to hand over children

Means of recruitment

Abduction or kidnapping
Selling a person, typically a child
Deception by promise of legitimate employment and/or entry into another country
Deception through half truths – often to young girls of love and romance
Deceptions about working conditions
Abuse of vulnerability – a poor child with little/no options

Forms of exploitation

Forced labour – domestic, farming
Sexual exploitation – being used for sexual services or forced to work as prostitute
Removal of organs or trafficking of body parts
Criminal activities
Begging
Forced Marriage
Illicit adoption
Armed conflicts (child soldiers)

Forms of Control

Debt bondage
Isolation by removal of identification and/or travel documents
Linguistic and social isolation
Violence and fear
Threat of death
Threats of reprisals against victim or a victim's family
Psychological – imprisonment and torture
Magical beliefs and practices – threats of witchcraft
Emotional manipulation
Threat of reprisal upon leaving – often that victim will not be accepted back by family
Threat of arrest by police

Modelled off *Stop the Traffik*[23] pg 60

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23   Chalk, S. *Stop the Traffik: People Shouldn't Be Bought & Sold*, Lion Hudson, Oxford, 2009

3. Human Trafficking & The Media

3.1. What about the media?

Media has an ethical responsibility to report in a way that is accurate, fair, and minimizes harm, in line with the Poynter Institute's "Guiding Principles for Journalists: Seek Truth and Report it as Fully as Possible, Act Independently, and Minimize Harm."[24] Broadcasters are required to adhere to the Broadcasting Complaints Commission of South Africa's (BCCSA) constitution, and there are additional public service obligations on the South African Broadcasting Commission (SABC). Print media in South Africa are governed by the Constitution of the South African Press Council which obliges journalists to adhere to the press code.

Where human trafficking is concerned there are complications which raise ethical and legal dilemmas in the reporting of the issue. Reporting accurately, clearly and responsibly on the issue of child protection and human trafficking is something which needs to be continually encouraged in South African media, and which the media should also be equipped to do effectively as it has a key role to play in educating the public on these difficult and challenging issues.

In addition, human trafficking is also one of the most difficult crimes to report given its complexity and underground nature. Where accurate information is not available, it can easily be painted with a generic brush by the media, without unpacking its nuanced and diabolical realities.

As will be seen in this report, where opportunities to report comprehensively are available, these opportunities are frequently not utilised, simply because of a lack of knowledge and understanding on the part of the general media. It must be noted that there are instances of good reporting, but these are the exception, with all too many stories being gross missed opportunities.

Media's role is of critical importance in disseminating clear information on the reality of human trafficking, in order to foster a greater understanding of it. This is achieved by firstly having a clear understanding of human trafficking in all its nuanced complexities, and then reporting on it in a way that in turn provides people with clear understanding of the issues involved, as well as informing them of their rights and equipping them with relevant information.

Media coverage can be the conduit for a well informed citizenry.

24   Steele, B. Guiding Principles for the Journalists, The Poynter Institute, 2011, last accessed 27 June 2011 http://www.poynter.org/latest-news/everyday-ethics/talk-about-ethics/1751/guiding-principles-for-the-journalist/

3.2. Children and media

Just as society is bound by the Bill of Rights of the South African Constitution, to act in the best interest of the child, so too is the media.[25] The UN Convention on the Rights of the Child, article 3, also highlights this principal and specifies children's rights to privacy and dignity.

Further, in South Africa, the Children's Act and the Criminal Procedure Act offer special legal protection to children. For example, Section 154(3) of the Criminal Procedure Act states:

"No person shall publish in any manner whatever information which reveals or may reveal the identity of the accused under the age of 18 years or of a witness at criminal proceedings who is under the age of 18 years." This protection extends to victims of crime including rape.

When considering the legal and ethical implications when reporting on children, the media's responsibility to uphold these principals, and act in the best interest of the child, is key to responsible reporting on our youngest citizens. This is especially the case when dealing with a sensitive issue like the trafficking of children.

3.3. The importance of getting the story right

Despite the numerous other sources of information, the media in South Africa continues to serve as the primary conduit for information dissemination. As this significant source of information, the media should ensure that readers, listeners and viewers have access to the broadest possible range of information, interpretation and debate on matters that affect them. Additionally, the media are also a very influential source in shaping the way people think about and discuss issues that affect them. In fact, the media help set the discussion agenda and create the boundaries within which debate takes place. In light of this, readers, listeners and viewers must be able to recognise themselves, their aspirations, cultures and lifestyles in the range of representations offered by the various media. This means that the media has to be multifaceted, open and cater for a variety of interests. If we agree that the media are an important force in society, and we accept that South Africans rely to varying degrees on the media to raise awareness about critical issues, then it is critical that we have a robust media.

Human trafficking is an issue that violates a series of human rights, and is also clandestine and seldom spoken about. In this regard where the perpetuation of myth continues and remains, the crime will continue to go unseen, unreported and un-confronted, and victims will continue to fall prey to it in its many nuanced forms.

The lack of accurate data on human trafficking presents one of the greatest difficulties in combating the crime in South Africa. Some of the reasons for the lack of accurate data lie in it not being reported through official reporting lines of various departments including the police and Department of Social Development. Often it is not reported because it is not identified as human trafficking. For these reasons also, it is essential that media also strives to portray and expose the complexities of human trafficking.

Clear and comprehensive reporting of human trafficking in the media will not only inform the general public but will also assist in efforts to accumulate and gather information on the crime; the extent

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25 MMA has done extensive work on reporting children and the media. For more on this see www.mediamonitoringafrica.org

of how and where it occurs, to whom, by whom etc. By increasing the amount of information known about the crime within South Africa, all who are working to protect South Africans from it and combat it will be aided in their efforts to do so.

An analysis of how it is sometimes reported serves to highlight why it is important to ensure the media tell the right story.

The Saturday Star article "Trafficking of people, the Cup crisis that never was" (17/07/2010 pg.8) clearly illustrates the challenges faced by the media, Non-Governmental Organisations (NGOs) and civil society in dealing with human trafficking. It quoted experts who immediately after the World Cup "denounced the fears" that human trafficking would be the "dark side" of the World Cup celebrations, and questioned the accuracy of the figure of 40 000 which was widely reported as the number of expected cases of human trafficking during the event. Inaccuracies and a degree of fear mongering around human trafficking in advance of the World Cup by some elements of the media, NGOs and civil society may have lead to a misunderstanding of the issue, and perhaps even in some cases human trafficking fatigue among the public, the media and the international community. The anti-human trafficking organization 'STOP' (Stop Trafficking Of People) released a Public Service Announcement that quoted 100 000 victims would be trafficked to South Africa because of the World Cup, which was then perpetuated by the broader South African media.

While human trafficking may not have occurred in the manner predicted in advance of the World Cup, it is an issue that very much exists in South Africa outside of what was a singularly large sporting event. By viewing it only in the context of how it relates to a particular event, and failing to acknowledge examples of actual trafficking as they exist, South Africa's media is perhaps unwittingly doing a disservice to efforts of combating modern slavery. Of course it must also be stressed, that absence of data on the crime as well as the underworld nature of it makes it that much harder to report – and that much easier to get things wrong and perpetuate myths.

The danger of perpetuating myths can not only perpetuate stereotypes but it can also cost lives.
South Africa's history regarding Human Immuno Virus (HIV) under President Mbeki serves as an example. The denial of the cause of Acquired Immunodeficiency Syndrome (AIDS) being attributed to HIV, and the denial of the prevalence of the epidemic, resulted in government's failure to respond to the epidemic, seeing the infection rate increase by 60% by the mid 90's.[26] Additionally, as in the case of HIV/AIDS related myths, not understanding the epidemic often caused myths to circulate in communities which can then have very serious and negative side effects, like believing that taking vitamin C supplements can cure AIDS,[27] or misappropriated ideas that HIV can be caught from toilet seats used by HIV-infected persons.[28]

Similarly, not giving attention to an issue like trafficking, incorrectly communicating what is known about it, and perpetuating myths in regards to it, ensures it remains hidden, where victims and the vulnerable will remain prey, and where perpetrators continue to easily commit the crime without being brought to justice. The importance of demystifying the issue for all South Africans is therefore clear. Human trafficking occurs in the shadows, where misconceptions dominate. It is in these circumstances that the media's role to explain the issues is even more important. Protecting people and finding solutions is made far more difficult if the crime, its causes, context and forms are not clearly understood.

26   Mark Cichocki, R.N. *HIV Around the World - South Africa Political Turmoil and Denial Feeds a Raging Epidemic*. About.com. Last accessed 27 June 2011 http://aids.about.com/od/clinicaltrials/a/safrica.htm
27   *Debunking the myths about HIV.* Karabo.org.za. Last accessed 27 June 2011 http://www.karabo.org.za/myths_page
28   HIV Transmission - Frequently Asked Question. Avert.org. Last accessed 27 June 2011. http://www.avert.org/hiv-aids-transmission.htm

4. Methodology

4.1. Research Method & Process

This section outlines the methodology process of the overall activities and discusses the process executed for the project, the media sample, monitoring period, details of the monitoring methodology, the rating system and finally limitations encountered for the project.

The monitoring was conducted by first-language speakers with media studies credentials who underwent project-specific training. Quality and accuracy checks were conducted on a daily basis, on the monitoring that monitors sent to MMA. The completed monitoring was then captured into a specially designed data base.

The monitoring period began on 11 June 2010 and the last day of monitoring was the 6 August 2010. A total of 3009 newspaper stories and broadcast items were monitored, and a total of 28099 scanned (explained below).

4.2. Media sample and period

Both private and public media were monitored, 19 different media titles in total, across radio, print and television. For television, the main news bulletins as well as one weekly current affairs programme were monitored on SABC 1, 2, 3 and e.tv. In addition, Etv's morning breakfast show and SABC 2's Morning Live were also monitored. Table shows the television stations and programmes monitored.

Table 1: TV stations monitored

TV Station	Programme
SABC 1	- Prime time news bulletin - No current affairs due to football match scheduling
SABC 2	- Morning Live - Prime time news bulletin - Fokus
SABC 3	- Prime time news bulletin - Special Assignment
eTV	- Sunrise - Prime Time News - 3rd Degree

For radio, three news bulletins and one current affairs show was monitored daily. In addition, SAfm and 702 Talk Radio's morning breakfast shows were monitored. The monitoring times varied from station to station. It should be noted that the broadcast programming schedules were disrupted due to the screenings of World Cup matches which affected MMA's programming recordings. However, the sample used for monitoring was large enough to draw comprehensive monitoring results, and the loss of programming recordings due to the screening of World Cup matches equated only to a small fraction of the overall programmes for the two-month monitoring period. Table 2 below lists the radio stations and their programmes included in the monitoring sample.

Table 2: Radio stations monitored

Radio Station	Programme
Ukhozi FM	- Morning, midday and evening news bulletins. - One current affairs show daily.
Umhlobo Wenene FM	- Morning, midday and evening news bulletins. - One current affairs show daily-12pm-1pm
SAfm	- Morning breakfast show - Morning, midday and evening news bulletins. - One current affairs show daily.
702 Talk Radio	- Morning breakfast show - Morning, midday and evening news bulletins. - One current affairs show daily.

The print media monitored for the project are listed in Table 3 appearing below.

Table 3: Print Media Monitored

Publication	Media Type
The Star	Daily
Saturday Star	Weekly
Sowetan	Daily
Citizen	Daily
Times	Daily
Sunday Times	Weekly
Business Day	Daily
Daily Sun	Daily
City Press	Weekly
Sunday Independent	Weekly
Sunday World	Weekly

4.3. Monitoring Methodology

For the entire World Cup monitoring project, MMA developed a multi-facetted methodology that not only assessed World Cup coverage but also provided results of non-World Cup coverage so as to provide the research with a comparative framework. Human trafficking was included as a specific and focused category in the methodology, and was designed in order to get as full a picture as possible from items regarding human trafficking.

It was expected that coverage about and relating to the World Cup event would increase and dominate the sports sections of newspapers and broadcasting bulletins. The monitoring methodology was specially refined so as to code World Cup coverage as well as non-World Cup coverage. Therefore, two separate user guides were developed to enable 'monitoring' of World Cup related content as well as human trafficking content whether connected to the World Cup or not, and the other userguide to 'scan' non-World Cup related content. For this human trafficking report only the human trafficking focused monitoring was included.

4.3.1 Monitoring criteria

It should be noted that certain types of content were totally excluded from the monitoring, these are:

Advertisements;
Letters;
Film/book reviews;
TV guides;
"Comic events"/activities sections;
Business section briefs; and
Weather briefs in newspapers and official weather report in broadcast programmes.

4.3.2. Monitoring World Cup related content

For each human trafficking item that was monitored, the following information was captured:

Item/page number:
Each item was numbered in relation to where it occurred in a news bulletin or the page where it appeared in the newspaper.

Summary:
A brief summary of each item.

Type:
The type of broadcast item/news story. 'Type' categories include: news story, editorial, interview, panel discussions, brief etc.

Topic:
The overall topic or central subject of each item was captured using a set list to ensure accuracy and reliability. Monitors were obliged to choose the most specific and most appropriate code for the item being monitored. Only one topic code for each broadcast item/story was permitted. There were 18 broad topic codes of which each had several sub-topics. The broad topics are listed below along with a brief explanation of each including mention of the sub-topic/s :

Human Trafficking:
This refers to any stories that report on the issue of human trafficking within the various parameters of its individually specific components

Sub categories of human trafficking are defined as follows:

1.1 CHILD TRAFFICKING:
Human trafficking as relates to minors, those under the age of 18. The trafficking of children for any purpose is criminalized by the South African Children's Act, and includes in its definition of exploitation for the purposes of trafficking: forced marriage, illegal adoptions, forced labour, sexual exploitation.

Child trafficking occurrence/incidents' were specified as:

1.1.1. Internal domestic trafficking within SA: If the item specifies or highlights an incidence/occurrence of child trafficking within the borders of South Africa: inter provincial, within a province or within a city from one location to another.

1.1.2. Transnational into/out of SA: If the item specifies or highlights an incidence/occurrence of child trafficking which is international: a foreign national being trafficked from their country of origin into South Africa; or a South African being trafficked out to an international destination outside the borders of South Africa.

1.1.3. Commercial sexual exploitation/sexual slavery: If the item specifies an instance or occurrence of child trafficking expressly for the purpose of sexual exploitation (being made to engage in sex work for another person, with no autonomy or freedom) or sexual slavery (implying being used for sexual purposes against their will with no freedom or autonomy).

1.1.4. Labour e.g.: domestic or farming (not sexual exploitation): If the item specifies an incidence of trafficking of children for the purposes of labour. Labour of any kind including domestic labour, farm labour, forced begging, forced theft and/or other criminal activities etc. (NB: For children the Children's Act specifies trafficking for any purpose, regardless of remuneration and/or consent).

1.1.5. Under the guise of traditional practices, cultural misconceptions, e.g. lobola, early/forced marriage, bride price: If the item specifies an incidence of trafficking of children for purposes and through methods otherwise perceived as accepted cultural practices but in which the child does not willingly engage.

1.1.6. For the purpose of 'muthi' or the harvesting of organs or body parts: Where an instance of trafficking has occurred for these types of purposes. This would be an incident of murder or kidnapping which lead to or was going to lead to the harvesting of organs or body parts. Also the finding of human organs or body parts linked to 'muthi', or being sold or procured by a person.

1.2 ADULT TRAFFICKING OCCURENCE/INCIDENTS: (over 18 years of age) defined as same points in Child Trafficking Occurance as specified above:

1.2.1. Internal domestic trafficking within SA
1.2.2. International into/out of SA
1.2.3. Commercial sexual exploitation/sexual slavery
1.2.4. Labour – Domestic or farming (not sexual exploitation)
1.2.5. Under the guise of traditional practices, cultural misconceptions, eg. Labola, early/forced marriage, bride price
1.2.6. Trafficking for the purpose of muthi or organ trafficking

1.3 AWARENESS & EDUCATION ON HUMAN TRAFFICKING:
Items which are awareness pieces, giving information on human trafficking, regarding awareness campaigns/initiatives or education programmes, or outlining some of the factors involved in the issue.

1.4 FEARS HUMAN TRAFFICKING:

Items that relay fears that human trafficking will increase during the World Cup, or warnings that it will. This will include comments by people that fear this to be the case, or organizations that warn of the increased risks for vulnerable people.

1.5 PROTECTION HUMAN TRAFFICKING:

Items which report on aspects of protection in regards to human trafficking i.e., training of police/ social workers, new programmes to keep children safe. Anything which mentions preventative protective implementations or efforts, or gives advice for parents to protect children, or people to protect themselves

1.6 RELATED TO ORGANIZED CRIME, DRUG TRAFFICKING ETC:

An item which specifies the connection of human trafficking to other forms of organized crime

1.7 POLICE CORRUPTION AND/OR INVOLVEMENT:

An item which specifies a possible line between the issue of human trafficking and police corruption and/or involvement.

1.8 OTHER STORIES ON HUMAN TRAFFICKING:

Any other stories on human trafficking which do not make mention of anything that can be classified under any of the above. This category was reserved for news that could not be categorised under any of the broad topics, and was used as a last resort only. When this code was selected it was required that there be given an explanation in the 'comments' section of the monitoring sheet.

Relevance:

The geographical relevance of the story was captured, i.e., whether the item/story holds primarily a national, international or provincial relevance. This enabled MMA to ascertain the diversity of the subject matter.

Author:

The authorship of an item/story was coded, for instance, a journalist or an agency or a combination of these or a guest writer was selected.

Sources coverage:

The names of people who were directly or indirectly accessed in an item/news story were captured using an extensive set list that was developed. In addition, further information about the "function", "race", "sex" and "family relationships" were also categorised.

Quality of information:

Ideally a good news story should give the facts of the event or a particular issue and also go beyond just event-based reporting. It should accurately set the context, show the implications of the course of events and how a particular issue or event might impact society at large. To determine the quality of information provided in the news item, Monitors recorded whether items provided a basic context, an in-depth context, causes, consequences and solutions. Further, they recorded whether items discussed relevant legislation or policy, and debated key issues facing South Africa due to the World Cup and if the item/story adopted a critical perspective and went beyond superficial reporting. In addition, Monitors also recorded whether or not the item used reliable statistics to support its claims and if the reporting was done in an ethical manner, for example minimised harm and reported truthfully. Monitors also recorded if the items provided a gender perspective or not.

4.3.3. Rationale behind categorization of HT topics

The topics for human trafficking were divided between children (under 18) and adults (18 and over) due to clear divergences in legislation provisions dealing with this crime for these two different age groups. As clarified in section 2.4.1, the trafficking of children for any purpose is criminalized in South Africa, and comprehensively outlined in the Children's Act. Persons 18 years and older are not covered as comprehensively by law, the only specific anti-trafficking piece of legislation for adults being for the limited circumstance of sexual exploitation, as set out in the Sexual Offences Act.

Additionally, the media is obliged to afford children special protection, both in law and in terms of ethical guidelines adopted by some of South Africa's biggest media houses: Avusa and Independent Newspapers.

4.4. Determining Human Trafficking Items

There were three ways in which Human Trafficking items were distinguished and categorized. Monitors were trained to be aware of the broader issues underlying human trafficking, and they were instructed to identify stories which were in fact human trafficking or human trafficking-related as defined both internationally and in South Africa, and as understood specifically in the South African context – but which were not actually identified, mentioned, labelled or described as such in any given article or report. This was to ensure that while the term 'human trafficking' or any variation of it may not have been mentioned in a report or article, it was not missed in monitoring and was included in the results for the specific purpose of identifying missed opportunities in the accurate reporting of human trafficking.

The first category of human trafficking items, were those which were clearly identifiable human trafficking stories, that is, stories in which cases of human trafficking were clearly and accurately identified, mentioned, described or discussed as such. These items are designated as **HT** (Human Trafficking)

The second category of Human Trafficking items were those that gave mention to human trafficking within the article or story which was primarily reporting on another topic. These items are designated as **HTM** (Human Trafficking Mention).

The third category of human trafficking items were those which were in fact human trafficking or human trafficking-related as defined both internationally and in South Africa, and as understood specifically in the South African context – but which were not actually identified, mentioned, labelled or described as such in any given article or report. These items were designated as **MO** (Missed Opportunity).

4.5. Limitations

The research was primarily limited to monitoring and analysing news content in terms of coverage. The monitoring and research looked primarily at information regarding who wrote/delivered the news stories, topics of the items, who spoke, as well as adherence to quality reporting criteria. Therefore, the research did not look at contextual events or factors that determined these aspects. Hence, the research did not attempt to look at the context in which media produce news and how this compares to the possible variations in news coverage during a specific event such as the World Cup, which could potentially be the subject of an entire research study and report.

Whilst every effort was made to ensure that monitoring was undertaken in a uniform fashion, 100% standardisation could not be guaranteed because monitoring by its nature is a subjective exercise. However, this was minimised through the use of a standardised user guide, training, regular communication, rigorous checking and data cleaning. Whilst the potential limitations of the monitoring have been acknowledged, it must be stressed that the system was developed to the highest standards to ensure accuracy and fairness.

Further, the monitoring framework was case tested before being widely applied, and any new themes indentified by the Monitors during the research were discussed and included. The findings presented in this report are thus the result of an exhaustive and thorough monitoring exercise and data analysis processes in which graphical representations of database enquiries have been generated and analysed. This report presents the various possibilities that have been opened up for analysis through monitoring.

There were also limitations that were posed by programming schedule interruptions. MMA's media server responsible for recording the programmes was set according to the programming schedules. Therefore, the main news bulletins and current affairs programmes were sometimes replaced by the World Cup soccer matches and the MMA media server was unable to record the newly rescheduled programmes. However, the sample of programming used for monitoring was large enough to draw comprehensive monitoring results, and the loss of programming recordings due to the screening of World Cup matches equated only to a small fraction of the overall programming for the two-month monitoring period.

With regards to the issue of human trafficking, as a specific monitoring topic, it must be noted that although monitors received training from a trafficking expert on the issue, because of the highly nuanced and complex nature of the issue, chances for misinterpretation were not excluded. Although monitoring was checked prior to analysis, the probability that items were missed cannot be completely excluded.

5. Findings

5.1. Key Findings

MMA's predominant finding from analysis was a general lack of comprehensive reporting on human trafficking. This could be attributed to a general lack of understanding of the topic covered, by journalists, editors, reporters and the media in general. The most pointed aspect was the identification of Missed Opportunity items, these being stories reporting instances of human trafficking in one or more of its forms but failed to identify it as such. At 1 in 6 this category especially speaks to the lack of understanding of the issue, particularly in regards to its nuances and complexities.

Other noteworthy findings were in the identification of the types of items. The majority of human trafficking stories being News items at 43, a large 71%, followed by Interviews at 11, only 6.5%. Very few items were indepth analysis, which speaks to the higher levels of surface reporting on the issue, as news items generally make little room for indepth coverage and analysis, and in regards to human trafficking this is a concern as the issue is as complex and multifaceted as it is.

A lack of indepth coverage in general is supported by analysis of the 'Quality of Content Criterion' and to what degree stories reported in depth, covering numerous factors such as causes, consequences, solutions, debating key issues, relevant legislation etc. Disappointingly few items went to lengths to effectively unpack the issue and in a way citizens would come to learn of human trafficking in its reality in South Africa.

5.2. Basic Numbers

For the monitoring period, from 11 June to 06 August, MMA monitored 3009 items, which included all items that fell within the parameters for the broader World Cup monitoring. However, out of this total amount, only 60 were classified as human trafficking items (all HT, HTM and MO items), which is a tiny percentage at just 1.99%.
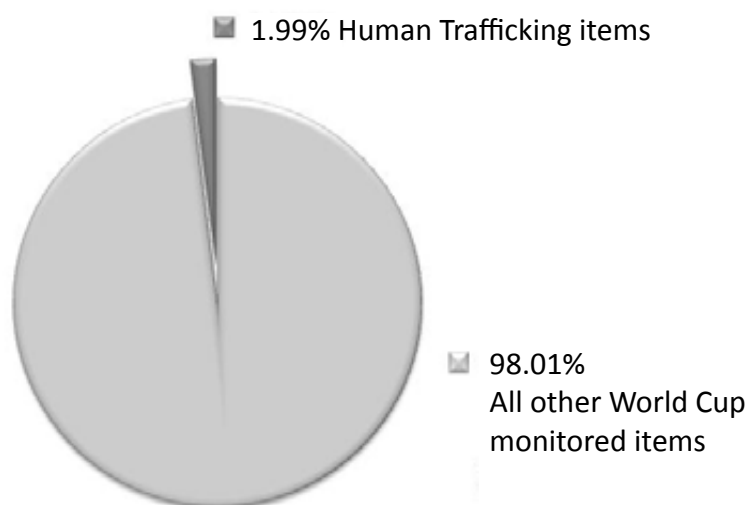

Figure 2: Human Trafficking items comparison with all other World Cup monitored items

The diagram above conveys the level of priority that this issue took in comparison to the rest of the World Cup and the reporting of it. In the months prior to the World Cup event, MMA's preliminary observations and ongoing adhoc monitoring of South African media noted that the issue of human trafficking was prevalent in the media where it had previously not been. Given these increased levels of media coverage through advertising and other initiatives focused on trafficking prior to the monitoring period, it was surprising not to find more actual human trafficking items during the monitoring period.

This small percentage provides relatively little to work with in terms of quantitative information, in comparison to the vast number of stories about or relating to the World Cup and news more generally. This small percentage then, of human trafficking items needs to be critically evaluated within a qualitative framework to determine how these stories were reported, and importantly how much information about the issue within its local context was provided for citizens.

While data for the crime is difficult to verify, one of the most useful resources is the annual Trafficking in Persons report produced by the US Department of State. While global in nature the report also provides country specific information. The latest version released on 27 June 2011 highlights numerous cases which have officially been processed through the South African judicial system. In the reporting period 9 traffickers were convicted for human trafficking, but received only suspended sentences and paid fines.[29]

The report also informs of the following:

> In 2010, the South African government charged three suspected offenders for the alleged labor trafficking of 106 Indian nationals; two await trial and the third pled guilty and was sentenced to five years' imprisonment, with three years suspended. In 2010, in two cases involving at least three Thai victims, the Durban Magistrate's Court charged six Thai offenders under the trafficking provisions of the Sexual Offenses Act (SOA); all pled guilty and received fines of approximately $300 and suspended sentences. In 2010, the Welkom Magistrate's Court charged a mother and daughter under the trafficking provisions of the SOA for subjecting six South African women to forced prostitution; they reached a plea agreement, where one offender received house arrest and rehabilitation as part of a suspended sentence and another was sentenced to 16 years' imprisonment with 14 years suspended. In addition, as of March 2011, the National Prosecuting Authority (NPA) reported 22 human trafficking prosecutions initiated across five provinces, an increase from zero in 2009; five cases remain under investigation in three provinces, including a case of nine Nigerian men charged under the SOA in March 2010 in the Ermelo Magistrate's Court for subjecting 12 South African women to forced prostitution. Most cases prosecuted and convicted involved sex trafficking, showing a lack of attention to the forced labor problem in the country. However, the South African Police Service (SAPS) Directorate for Priority Crime Investigations, known as the Hawks, reported charging three South African nationals for labor trafficking in two cases involving 13 South African nationals in the Western Cape. Five additional labor trafficking cases remain under investigation in the Western Cape.[30]

Each of these cases has the potential to be told as powerful stories in the media that could inform people about human trafficking. It must be stressed however as with similar crimes like child abuse and rape, the ones that get to court are only a fraction of the total number of actual incidents. The cases listed above give some indication of efforts being made to combat trafficking in South Africa. Accordingly, it would be inaccurate to compare the number of articles relating to human trafficking monitored during the monitoring period as an indication of the levels of trafficking. What can be observed from the qualitative evaluation of the stories in the media is that a great deal on the issue of human trafficking in South Africa is not being reported on by the South African media.

29   U.S Department of State Office to Monitor and Combat Trafficking in Persons *Trafficking in Persons Report: Country Narratives N through Z - South Africa.* Last accessed 27 June 2011 http://www.state.gov/g/tip/rls/tiprpt/2011/164233.htm
30   Ibid

On some levels, given the media's inadequate coverage of children generally[31], the exceedingly low levels of coverage of human trafficking are to be expected. While the complexities of the crime of human trafficking might make it harder to report, given the clandestine nature of the crime, the difficulty in locating it, policing it and the vulnerability of victims, it is even more crucial that media report more fully not only on children but human trafficking as well.

5.3. Human Trafficking Findings Breakdown

The data revealed the spread of human trafficking items within their 3 respective categories across the total 60 human trafficking items as follows:

TOTAL = 60

Human Trafficking (**HT**) = 43 (72%)
Human Trafficking Mention (**HTM**) = 8 (13%)
Missed Opportunity (**MO**) = 9 (15%)
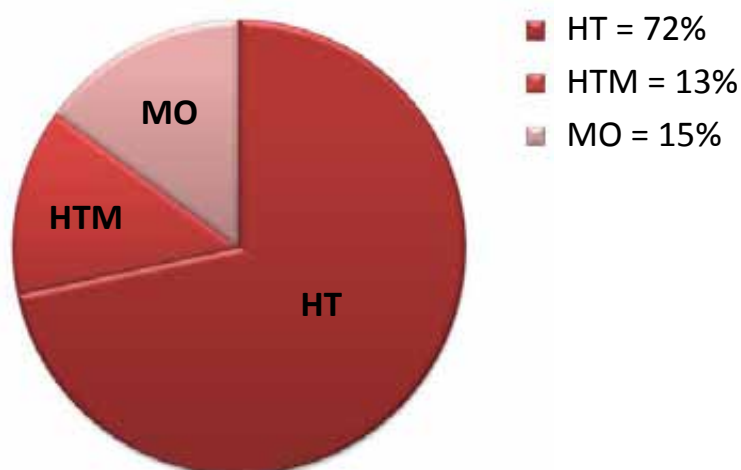
Figure 3: Human Trafficking Findings Breakdown

Of the 60 human trafficking (**HT**) items in this report, 43 were clearly those regarding human trafficking and were assigned relevant human trafficking topic codes.

8 of the items were those in which human trafficking was mentioned (**HTM**) in a story which was primarily regarding a subject matter or topic other than human trafficking.

The monitoring identified 9 (1 in 6) Missed Opportunities (**MO**), that is, articles or stories which were in fact human trafficking orientated, but were not identified, mentioned or discussed as such, giving no mention to the phrase or identifying that which was being reported on as human trafficking.

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31   The figures from MMA's most recent 2010 report on children's representation in the media can be used as a comparative. For research conduct in the 3rd quarter of 2010, for the months June through August, and a total of 28,154 items, only 3,571 were items which were about or mentioned children, this is 12,7%.

To understand why they were not identified by the journalist/editor/reporter/producer as such, one must take into consideration the broad range of nuances and complexities involved in the issue. Additionally, these 9 MO items point to how difficult the issue is to grasp as well as how hard it is to identify the crime, and then provide key points for best practice when reporting on it.

Identifying missed opportunities is based on determining that the elements which make up the crime of human trafficking in relation to its definition were not included in the story. If a person is moved, if some kind of fraud or payment is made and any one or a collection of methods are used to secure the 'victim', and if ultimately the victim is exploited, made to work as a slave (conduct acts against their will) or if methods of manipulation, coercion, violence etc. are used to secure willingness, then it is likely a human trafficking story. Consequently, if these factors were not recognized or mentioned in a story, the item was deemed a missed opportunity.

5.3.1. Missed Opportunity Examples Analysed

Missed Opportunities, where media failed to identify what they were reporting on as human trafficking were categorised under the topic most relevant to the story and identified by the content and descriptions provided by the journalists or reporters i.e. child abuse, crime etc.

2 of the 9 Missed Opportunities are discussed below:

- Sunday Times, 11 June 2010, "Man asks court to return child bride"

Although this article is generally informative, it uses language to communicate a marriage of a minor under customary law, which veils the fact that the various elements in the article are tantamount to slavery and a process of trafficking, although those involved were probably not aware of it. Human trafficking in the article is suggested in numerous ways.

The article includes statements that suggest men are purchasing their brides, as well as statements suggesting people cannot be bought and sold like commodities:
"(My father-in-law's daughter) wrongfully and unlawfully deserted me."
"The husband has asked that should his application be successful, his young wife should return within seven days of an order being granted."
"Alternatively the father should pay him R30 000, the price of the 10 cattle."
"People are not commodities, they are not sold, and these men are behaving as if they bought their wives."

At the time of marriage the child was 14, and in line with the South African Children's Act she was underage even though she had parental consent. Marriage with a person under age, should that minor consent, can only be permitted with the permission of parents or if not then the Department of Home Affairs. Without the permission and considering it involves a minor, this can be considered forced marriage; forced marriage then being within the definition of exploitation of human trafficking. The girl herself states in the article that, "The alleged marriage took place while she was a minor and had no capacity to enter into a valid marriage" presuming she was forced – whether by her parents, tradition, the husband or all of these.

The alleged husband feels so strongly in regards to his 'ownership' of the young bride, that he is demanding her return to him. The bride as a commodity is again reiterated as the husband claimed he paid for her. A person cannot be owned by another, irrespective of customary practice.

The whole article raises numerous complicated factors in regards to human trafficking and the blurred lines of misappropriated cultural practices. These are crucial factors that must be examined in order to start to get to grips with human trafficking in South Africa.

Man asks court to return child bride

BUYEKEZWA MAKWABE

A MAN whose child bride ran away from him has taken her father to court, demanding the 16-year-old return or he be refunded his lobolo.

The man, from Willowvale in the Eastern Cape, said his wife — to whose father he had paid 10 cattle — walked out on him in December 2009.

The couple were married under customary law in 2007, when she was 14 years old.

The teenager gave birth to two children in two years.

"(My father-in-law's) daughter wrongfully and unlawfully deserted (me)," he said in papers filed with the Willowvale Magistrate's Court.

The husband told the court that he tried to get his wife back by following the tradition of *ukuputhuma* — when a dispute between husband and wife is settled through talks between the families.

The girl, who cannot be identified as she is a minor, now lives in Cape Town and has applied to join the court action.

She has, through her lawyers, asked the court to either throw the matter out or consider allowing her to be party to the case as it directly affects her future.

She also asked the court to consider that the "alleged marriage" took place while she was a minor and had "no capacity to enter into a valid marriage".

According to the new Children's Act, children under the age of 18 may marry or enter into legally binding contracts only with the consent of their parents.

Sex with a minor under the age of 16 is statutory rape.

"(The girl) would be entitled to determine on whether or not she wants to return to her alleged husband," her lawyers said in pa-

'People are not commodities, they are not sold and these men are behaving like they bought wives'

pers filed with the court.

The husband has asked that should his application be successful, his young wife should return within seven days of an order being granted.

Alternatively, her father should pay him R30 000, the price of the 10 cattle.

Another man, also from Willowvale, has brought a similar action in the same court after his wife walked out on him.

Now he wants his father-in-law to return "five beasts" he paid during the lobolo process, or

R25 000, the value of the cattle.

The couple have two children.

Nokuzola Mndende, director of the Icamagu Institute, a research organisation focusing on indigenous practices, this week told the Sunday Times that *ikhazi* — the so-called "bride price" — was only a part of the lobolo process.

Her view was that neither man was entitled to claim back the lobolo as there were children born into both "marriages".

"People are not commodities, they are not sold, and these men are behaving like they bought wives," she said.

She said the lobolo tradition was about building a relationship between two families.

Mndende said had the matters been taken to a tribal court, issues like children born to the marriage would have been considered.

Mndende said because there were children in both cases, the husbands could not claim their lobolo back. Traditionally, a man's lobolo is returned only when, during marriage negotiations, another man is favoured by the woman or her family.

"Marrying a 14-year-old is statutory rape. That man should be charged for it," said Mndende.

The cases were postponed to September and October, respectively. The girl's lawyers pointed out that the matter might give rise to constitutional issues over which a magistrate's court has no jurisdiction.

Figure 4: Missed Opportunity; "Man asks court to return child bride" article from Sunday Times, 11 June 2010

The report was a radio news piece reporting on an online advertisement featuring a mother selling her 15-month old baby in exchange for a house.

Radio news reports are usually brief. Radio news is often produced in such a way to provide listeners with the news in as short a time as possible. In this case these reports were compiled in the way one would expect. Briefly stating that the Western Cape Department of Social Development were investigating an online advertisement wherein a mother was selling her 15-month old baby because she could not provide for her. What the item failed to mention however was that selling one's baby, whether merely attempting to or having in fact succeeded, is human trafficking. This is the case regardless of the mother's motives or the final situation the child would end up in. The direct selling of the baby would constitute trafficking, and even if the mother's intentions were for her to be raised by another family, this would constitute 'adoption by illegal means', which is clearly outlined in the South African Childrens Act in the definition of trafficking.

What this radio report failed to do, and could have done, in the time available was highlight this very important facet of what they were reporting on.

5.3.2. Human Trafficking Mentioned

Like the MO (Missed Opportunity) items, the HTM (Human Trafficking Mention) items were categorised under the topic most relevant to the story, which were identified by the primary content of the piece. In these cases they were mainly items about World Cup safety, the economy, social development, and stories mentioning crime, labour etc. Human trafficking was then mentioned merely in regards to being on the agenda, for example an item reporting on challenges facing the youth of today, focused on health, HIV and education, as an endnote mentioned that human trafficking was another issue facing the youth of South Africa. This item was then categorized under the Topic code corresponding to the focus of the story – youth development. Deeper analysis was not warranted in these cases as human trafficking was not the central focus of the story, but the items were included in the count for the purpose of information gathering.

What this reveals however is that although these stories were primarily on another topic, human trafficking was on media's agenda as an additional issue, and mentioned even when it was not being specifically reported on. This could be attributed to the increased awareness of it by members of organisations as well as the media, and spoken of in general terms simply because it was on the agenda during the World Cup.

5.4. Quantitative Analysis

5.4.1. Topic Analysis: What were the stories about?

When we look at the breakdown of numbers of the 3 different human trafficking categories: HT, HTM & MO; the largest category is that of items clearly defined as human trafficking (HT); where human trafficking has been clearly and accurately identified, mentioned, described or discussed as such.

These 43 HT items are broken down into their topics below, and used to examine the areas where reporting predominated.

Table 4: Topic breakdown of 43 HT items

Topics of 43 HT items	No.
Human Trafficking	3
Child Trafficking Occurrence/Incidents	5
Internal domestic trafficking within SA	0
International into /out of SA	0
Commercial Sexual Exploitation / Sexual Slavery	1
Labour - Domestic or Farming	0
Under the guise of traditional practices, cultural misconceptions etc.	0
Trafficking for the purpose of muthi / organ trafficking	0
Adult Trafficking Occurrence/Incidents (over 18 years old)	7
Internal domestic trafficking within SA	0
International into /out of SA	1
Commercial Sexual Exploitation / Sexual Slavery	1
Labour - Domestic or Farming	0
Under the guise of traditional practices, cultural misconceptions etc.	0
Trafficking for the purpose of muthi / organ trafficking	0
Information and Education on Human Trafficking	10
Fears Human Trafficking	5
Protection Human Trafficking	8
Related to organised crime: drugs etc.	0
Police Corruption and /or involvement	0
Other stories on Human Trafficking issues	2

Among stories clearly identified as dealing with cases of human trafficking (HT) the topic breakdown reveals the most common category of topics during the monitoring period was that of Information & Education about human trafficking (10), the others being Protection human trafficking (8) and occurrence over 18 years old (7).

The prominence of items regarding Information & Education, and those of Protection in relation to human trafficking is perhaps not surprising, as before and during the World Cup event non-governmental organisations as well as government ran numerous trafficking awareness campaigns. These numbers are then in-line with the kind of general information dissemination regarding human trafficking at the time.

5.4.1.1. Examples Analysed

Education/Awareness Item

"Women also migrate"
A gender and women's rights approach to trafficking. by Patricia Rey

Although the problem of trafficking in persons has become more relevant in the context of our current "global society", the issue has since long been addressed. Earlier efforts were represented by the 1904 and 1910 *International Agreements for the Suppression of the White Slave Traffic*, the 1921 and 1933 *League of Nations Conventions on the Traffic in Women and Children*, and the *1949 UN Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others*. These initial approaches were exclusively focused on forced prostitution and emphasized the threat that trafficking represented for the security of the states. The Palermo Protocol, key international framework on trafficking, goes beyond sexual exploitation including "forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs" in its Article 3.

Traditionally, two approaches to counter trafficking have been distinguished. The first one represents trafficking as a transnational organised crime and a threat to border security, and focuses on the States and the need to protect these from external threats mainly through law enforcement and border-enhance measures. The second approach highlights the fact that trafficking is a violation of human rights and places the attention on the trafficked persons, often seen as victims, and the need to protect these. In order to specifically address trafficking in women, in this article we will introduce a third paradigm, the **gender and women's rights approach.** This goes beyond the dichotomy: law enforcement /victim-focus and defends that trafficked women should be seen neither as dangerous threats nor as vulnerable victims but rather that the gender inequalities and social conditions of discrimination and exclusion women face must be analysed as main drivers of their incursions in trafficking.

As per the *2009 UNODC Global Report on Trafficking*, 66% of the victims identified by State authorities in 61 countries in 2006 were women and the 79% were subjected to sexual exploitation. The report highlights that while it remains likely that labour exploitation and male victims are relatively under-detected, the over-representation of sexually exploited women is true across regions, even in countries where other forms of trafficking are routinely detected. From a gender and women's rights approach it is important, however, moving away from a repetition of statistics and address trafficking holistically from the international women's rights framework. It is known that many are the human rights violated by traffickers as per the *Universal Declaration of Human Rights*: the right to be free from physical violence (Article 3), freedom from slavery (Article 4), the right to safe and healthy working conditions (Article 23.1), the right to equal pay for equal work (Article 23.2) or the right to enjoy psychological,

physical and sexual health (Article 25). For women, it has been argued that trafficking represents one of the manifestations of gender based violence as identified in *The Vienna Declaration* and *The Beijing Platform for Action*. Likewise, the *General Recommendation 19 of the CEDAW (Convention for the Elimination of all Forms of Discrimination against Women) Committee* makes specific reference to trafficking as "a form of violence against women which is incompatible with the equal enjoyment of rights by women and with the respect for their rights and dignity, putting women at special risk of violence and abuse" therefore, as a clear violation of human rights. In Southern Africa, the SADC Gender and Development Protocol compels member states to "enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims with the aim of reintegrating them into society" as part of the provision to address Gender based violence by 2015.

But whilst much has been advanced to respond to trafficking in the legal domain, very little has been done to address the root causes of trafficking, ignoring CEDAW Article 6 that urges States Parties "to take appropriate measures, including legislation, to suppress all forms of trafficking in women and exploitation of prostitution of women", as well as *The Beijing Platform for Action* (Art. 3), which although not legally binding, invites States "to eliminate trafficking by ratification of international instruments, addressing root factors, dismantling networks, providing resources for assistance programmes, and developing legislation aimed to prevent sex tourism". In fact, according to the United Nations Special Rapporteur on Violence against Women, governments actually create situations in which trafficking flourishes by failing to protect women's civil, political, economic and social rights (U.N. Doc. E/CN.4/2000/68, (2000), p. 54).

And indeed, women are trafficked in different ways to men and for different reasons, the position they occupy in the societies being on the basis of their susceptibility to trafficking and related exploitation. The current global market reproduces traditional gendered divisions of labour, giving as a result fewer opportunities for women to engage in skilled work, in comparison to men. In its *Toolkit on Trafficking and Gender* UNIFEM points out as key factors for trafficking in women: a) women's perceived suitability for work in labour-intensive production and the growing informal sector characterized by low wages, casual employment, hazardous work conditions and the absence of collective bargaining mechanisms; b) the increasing demand for foreign workers for domestic and care-giving roles, and lack of adequate regulatory frameworks to support this; and c) the growth of the billion-dollar sex and entertainment industry, tolerated as a 'necessary evil' while women in prostitution are criminalised and discriminated against.

There are also gendered responses to trafficking from governments and authorities, which end up discriminating women and re-victimising them, this becoming clear in the case of sexual exploitation, and especially if trafficked women were involved in sexual work before being trafficked. In fact, **sex work** is one of the realities trafficking has to dialogue with from a gender and women's rights perspective. As the CEDAW Recommendation 19 reads: "poverty and unemployment force many women, including young girls, into prostitution. Prostitutes are especially vulnerable to violence because their status, which may be unlawful, tends to marginalise them. They need the equal protection of laws against rape and other forms of violence".

The second reality to be addressed in a gender and women's rights approach to trafficking is **migration.** Women must be able to enjoy mobility for employment, free mobility and self-determination as key human rights. Migration is, for many women suffering entrenched discrimination, violence and lack of security one of the best opportunities to escape these repressive environments. Besides, women are increasingly involved in international migration for economic necessity and in the sending, receiving and managing of remittances they become critical players for the development of their countries. But in the countries of destination, many women, if trafficked, will never seek help or even report to the authorities because of their irregular and undocumented situation, which exposes them to potential harassment by the police and officials and possibly to the threat of deportation. There is an urgent need as a result of this, of decriminalising trafficked persons, regardless of their immigration status. As *CEDAW Recommendation on Women Migrant Workers* defends, "while States are entitled to control their borders and regulate migration, they must do so in full compliance with their obligations as parties to the human rights treaties they have ratified or acceded to. That includes the promotion of safe migration procedures and the obligation to respect, protect and fulfil the human rights of women throughout the migration cycle". Very often, approaches from security and border control have not only ignored women's rights but also generated doubled discrimination for them: first by the traffickers, and second by the host governments, while the traffickers may receive little to no punishment. A law enforcement approach that promotes deportation and repatriation of women who have been trafficked can also facilitate re-trafficking. On top of that, very often support programmes are inexistent for those women who return to their communities, who will suffer high levels of discrimination, especially linked to a supposed or certain HIV infection and its related stigma (UNDP 2007).

Even worse, some anti-trafficking policies have set as

a result limits to women's right to movement based on hindered standards of "proper behaviour" that build on gender discriminatory roles that place women in the reproductive sphere. In the same line, gender stereotypes have presented men as powerful and women as passive feeding into the perception that **men migrate, but women are trafficked**. However it must be enhanced that women do make choices and take risks based on a calculation of how best to survive or to support them and their families (ESCAP 2006).

To conclude, a gender and women's rights based approach to trafficking:
1. ensures that basic women's rights (to autonomy, movement and migration, access to health, economic rights) do not get undermined. The anti-trafficking framework has to be one that places women's rights and empowerment at the centre, away from any victimisation or guilt approach;
2. understands and interrogates the gender roles and inequalities in the root of the demand and the supply of trafficking whether it is for sexual or labour exploitation;
3. entitles *all* women to *all* rights, regardless of the type of sexual or labour exploitation they might be involved in, the degree of deception or willingness entailed, and their gender, race, age, ethnic component, sexual orientation or -importantly- legal status in the country according to the universal human rights framework;
4. points out the gender patterns lying at the basis of trafficking in women as well as those filtered in the responses given by governments.

Finally, and more importantly, a gender and women's rights approach does not victimise women but highlights gender injustices; does not rely on statistics but analyses and modifies the root causes; does not discriminate women but guarantees safe migration and access to basic services; does not judge which women deserve having their human rights protected, but works for this to become a universal reality, beyond any bias, or -very important- any moral approach.

This article is the 3rd in a series of 4 articles focussing on the trafficking of women and girls. It was made possible through a financial donation from UNIFEM (the United Nations Development Fund for Women) who are partnering with (JCWI) Jo'burg Child Welfare to carry out a prevention and awareness campaign aimed at conveying the message:" Say NO to Trafficking in Women and Girls. Say YES to women's rights" to the public in general, men, women and children for them to be aware, fully informed and engaged in the prevention of trafficking during the 2010 World Cup.
Patricia Rey is the Programme Analyst of UNIFEM Southern Africa and Indian Ocean Islands Sub Regional Office.

Figure 5: Education; "Women also migrate: A gender and women's rights approach to trafficking."
The Times, 2 July 2010

This is an informative piece on the background of anti-human trafficking efforts, and goes into great detail with a particular onus on the crime's manifestation in reference to women, versus men. It provides insight into the gender particulars of the crime and speaks to the need to address the root causes of trafficking and how globally the position of women in many societies, places them at greater risk of trafficking. The piece additionally mentions the need to address the criminalization of trafficking victims on the basis of illegal immigration status. This refers to women victims of trafficking who may be repatriated back to their country of origin only to be re-trafficked, because they are returned to the very same vulnerable situation they were in previously to be trafficked the first time.

As a broader piece offering insight and recommendations as to what needs to be done to address the issue of human trafficking in particular to how it affects women, it provides valid points.

However, what the piece lacks, which is likely due to it being a sponsored article, and more of an academic article, is simplicity and clarity. It is not aimed at the average reader to enable one to come to an understanding of what human trafficking is especially in the South African context. It is not easily understandable, with great in-depth detail which many readers would overlook. Sadly, because of this, its impact may not have been as significant as desired.

Adult Trafficking Occurrence

Under the category of Adult Trafficking Occurrences, 7 items were defined, along with 2 more individual items in the sub-categories thereof: International into/out of SA and Commercial Sexual Exploitation respectively. Of these 9 total Occurrences items, it is interesting to note that 4 of these were individually reporting the same story - that of South Africa's first human trafficking prosecution taking place in the Durban High Court during the monitoring period

Figure 6: Trafficking Occurrence; "Sex Traffickers sentencing delayed" Saturday Star, 24 July 2010
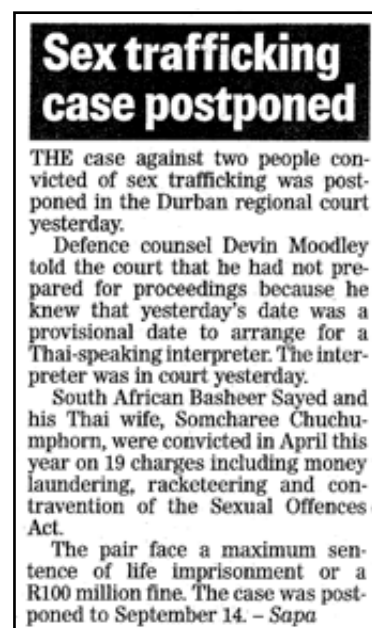
Figure 7: Trafficking Occurrence; "Sex trafficking case postponed" Sowetan, 6 August 2010

Above are two of the 5 items reporting on South Africa's first human trafficking case in Durban, against two Thai nationals who trafficked girls from Thailand to forcibly work in brothels in South Africa. One from Saturday Star "Sex trafficker's sentencing delayed" dated 24 July 2010 and the other from the Sowetan "Sex trafficking case postponed" about a week later dated 6 August 2010. The other items were from The Star 24 July 2010, Business Day 26 July 2010, and one radio report aired on Umhlobo Wenene FM on 23 July 2010 at 12:00pm.

All of the 5 items are briefs as pictured above, including the radio report which was also brief in nature. None of them provided information about the crime of human trafficking in any great detail. None of the items actually explain the crime that the two have been convicted of, and knowledge of human trafficking is assumed. This is not surprising in this case, given that this particular scenario - foreigners brought to South Africa to work as prostitutes - is what many South Africans believe human trafficking is all about in South Africa.

At first glance the story appears to be the "face" of human trafficking. In this regard it's an easier story to write and sell. However, this story is not the norm when it comes to human trafficking in South Africa. It is highly unusual for victims of trafficking to escape and find refuge, and for the traffickers to be arrested and convicted. Human trafficking is a very difficult and complicated crime to prosecute, victims themselves invariably being the only 'evidence' who face not only an uphill battle to have their stories believed but also intimidation and very real threats of reprisals against them from their captors and the larger organised crime elements surrounding their original trafficking. This case is extraordinary, and reporting it as such would have given the opportunity to probe why it is so, and the larger issues surrounding it. The items in all of the mediums they were reported in give little context to the story, and they offer the reader little insight into the complexity of human trafficking and how difficult it is in fact to get a successful conviction.

This could have been a significant item to report on more fully and critically during the monitoring period, yet sadly they were reported in a manner that afforded little regard to the victims' experiences – what happened to them, and what assistance was offered to them. There was no further probing as to how the Thai couple got into South Africa, how they lured the women, or any details regarding the actual trafficking process in order to facilitate further explanation of the elements of trafficking: tricked, transported, trapped and exploited. The items merely refer to victims being trafficked and then managing to escape. No mention is made of the extraordinary nature of this case in that the women managed to escape.

It is worth noting that the story was covered in five different media, in a similar manner suggesting an over reliance on wire copy, rather than original reporting.

5.4.2. Dates of Items

Table 6: Breakdown of item count during and post World Cup

Period	Dates	Total 60
World Cup period	11 June 2010 - 11 July 2010	30
Post World Cup period	12 July 2010 - 6 August 2010	30

There is an equal amount of items in each of the two periods: during and post World Cup. This does not really tell us much, unless we consider where the Missed Opportunities (MO) and the Human Trafficking Mentions (HTM) fell in the two periods. MO being items which were categorized under another topic but were in fact trafficking, and HTM items those that were predominantly about something else, in many cases discussions on the impact of the World Cup, safety & security, etc, but made mention of human trafficking.

If both the MO and HTM items are included in the discussion regarding the item topics and how they differ in the two periods of the monitoring, a clear and interesting difference can be distinguished between the two periods. The Missed Opportunities (9) and the Human Trafficking Mentions (8) all fell in the period during the World Cup soccer event; while those human trafficking items which were clearly identified and attributed with a corresponding topic code fell in the period post-World Cup.

Table 5: During World Cup Topic breakdown

Topic	No. of items
News about football players…	1
Poverty, Housing, social development etc	2
Tourism	1
Security and protection around stadia…	1
Human trafficking	1
Child Trafficking Occurrences	2
Child Trafficking Occurrences - Under the guise of traditional practice	1
Adult Trafficking Occurrence - International into/out of SA	1
Adult Trafficking Occurrence - Commercial sexual exploitation/sexual slavery	1
Information & Education on Human Trafficking	4
Fears about or regarding Human Trafficking	2
Protection - Human Trafficking	5
Other stories relating to human trafficking	1
Children's safety	2
Non-violent crime, bribery, they etc	2
Violent Crime, Murder, etc	2
Other subject	1

Table 6: After World Cup Topic breakdown

Topic	No. of items
Human trafficking	2
Child Trafficking Occurrences/Incidents	6
Adult Trafficking Occurrence/Incident	7
Information & Education on Human Trafficking	6
Fears about or regarding Human Trafficking	3
Protection - Human Trafficking	3
Other stories relating to human trafficking	2
Child trafficking Occurrence - Commercial sexual exploitation/sexual slavery	1

While there was a large degree of hype within the broader media regarding human trafficking prior to the World Cup; what the results indicate is that during the actual event, there were very few instances where those reporting on human trafficking realized that was what they were in fact reporting on. The Missed Opportunities are testament to that.

What can be deduced from this, is the possibility that during the World Cup, because of the focus of the event and media's attention to it, journalists did not have the time/resources/inclination to fully investigate their stories, and therefore those that reported on human trafficking failed to hit the nail on the head in regards to identifying the issue. The HT Mentions can be attributed to general discussions around various issues during the World Cup period, giving mention to the topic of human trafficking as it related to the event, which had been what was communicated in regards to it prior to the event. The HT Mentions possibly relates awareness by journalists of the term 'human trafficking' as somehow being connected to the World Cup event, and therefore merely included in reports on the event.

When examining the spread of the item topics within the two different periods, it is clear the numbers are not largely divergent. During the World Cup there was a slightly higher prevalence of items regarding Protection Human Trafficking, which again is in line with the prevalence of awareness campaigns which were run prior to the World Cup on the issue and a possible rise in trafficking during the event. The notable difference however is that there was a greater number of items after the World Cup event on Child Trafficking Occurrences/Incidents as well as Information & Education, and the highest is that of Adult Trafficking Occurrences/Incidents.

5.4.3. Item Types

This is an analysis of the types/ways in which the story of human trafficking was told. Types refer to what kind of story the item is; a news item, an opinion piece or a documentary etc.

When we examine the items in relation to their 'Type', two categories stand out prominently: News Story's and Interviews, with Briefs as the third most prominent though much smaller group than the first two. Opinion Pieces, Features or Analyses, Documentary Inserts and Current Affairs for Radio, make up the remaining, in very small proportions of the whole.

The division of items according to their types are as follows:

Table 7: Item Types

TOTAL	60
News Story	34
In brief/short	5
Cartoon/Graphic	0
Editorial	0
Opinion Piece	3
Feature/news Analysis	2
Business	0
Sport	0
Photograph	0
Opinion poll	0
Interview	11
Panel Discussion	0
Phone In Programme/Talk	0
Documentary Insert	2
Current Affairs for Radio	3
Other	0

When monitoring news media, the most predominant item for any topic fell under what is called News, but by nature News items are largely limited in the amount of detail and in-depth information they can include. In addition, items generally known as Briefs provide even less information and detail than News items. When we see that our monitoring reveals a high representation of News items as well as Briefs, this indicates that stories were not covered extensively or in depth.

The prevalence of Interviews however shows an interest in the issue to seek out those who have the expertise and knowledge to inform and shed light on it. Having a relatively high number of interviews can therefore be interpreted positively, as those who could inform on the topic were accessed. However, all of the Interviews arose from television and not the print media. Out of the 11 Interviews monitored, 9 of them were aired on SABC 2 Morning Live, 1 on SABC 2 News and 1 from ETV Sunrise. This is possibly due to the increased capacity and avenues that television and radio have at their disposal to undertake interviews as part of their news items. In print media, the equivalent would be features or analyses, which in our results don't register with any great significance. What this shows is a greater tendency for print media to focus on event-based reporting.

It is not realistic to expect that all articles will and can debate key issues to the extent discussed in this report, just as it is unrealistic to expect all articles on rape to look at all the possible contributing factors. It is important to note however that when dealing with an issue like human trafficking, it is necessary to encourage stories to have greater detail and information rather than less.

5.4.4. Mediums

The 60 items were spread across 21 Mediums. Rating these mediums from highest count of human trafficking items to lowest, SABC 2 Morning Live was most prominent with 9 items, these being the 9 of the 11 Interviews discussed in 'Types'. Then in second place were The Citizen and City Press both with 6 items, followed by 702 Current Affairs with 5.

Table 8: Mediums

Medium	No.
702-Current Affairs	5
Business Day	1
Citizen	6
City Press	6
Daily Sun	1
Etv-Sunrise	4
SA Fm-Current Affairs	1
SA Fm-News	1
SABC 1-News	1
SABC 2-Morning Live	9
SABC 2-News	3
SABC 3- News	1
SABC 3-Special Assignment	1
Saturday Star	4
Sowetan	4
Sunday Times	1
The Star	3
The Times	4
Ukhozi-Current Affairs	1
Ukhozi-News	2
Umhlobo Wenene-Current Affairs	1

While the number of items in the weekly *City Press* is more positive than other mediums, overall no medium opted to give any consistent and dedicated focus to the issue. Also while *SABC 2 Morning Live* came in with 9 items, which is positive, it must be born in mind as to the relevant audience it is speaking to. When considering the issue of human trafficking and its manifestation in the South African context, those most vulnerable are unlikely to be those watching morning television in English. When considering the audience and likely viewership of *Morning Live*, in comparison to the evening news, the reach of these informative pieces were likely limited to a smaller group of viewers. The various interviews and inserts occurred over a period of a few days, intermittently throughout the course of each hour-long *Morning Live* show, it is unlikely that many people were able to see all inserts, therefore it is likely that few people were equipped with all the information that was broadcast. Another point is that when considering the importance of communicating the issue to children, it is unlikely that many children, who also need to be informed, were able to view these very informative items.

In relation to the majority of items monitored, the segments on human trafficking on *Morning Live* were the most in-depth pieces on the issue. Interviews with experts however were relatively short, with additional added commentary by the presenter adding to the information communicated regarding the issue. In one specific segment however, on 27 July 2010, at around 6:45 am, two young women were interviewed who had once been involved in prostitution in Johannesburg. At no stage of this interview was it identified that what happened to them was human trafficking, though the story which they told clearly portrayed this. Being labelled as ex-prostitutes, with the focus of questioning on what they experienced on the streets, and with little acknowledgement of the crime that was perpetrated against them, indicates a clear missed opportunity to speak about the issue of human trafficking and what is or what is not being done about it.

5.4.5. Location Relevance

Table 9: Location Relevance

Location	No.
International	8
Africa	3
National	28
Regional	2
Gauteng	5
Western Cape	4
KwaZuluNatal	7
Eastern Cape	1
Limpopo Province	0
Free State	1
Mpumalanga	1
North West	0
Northern Cape	0

The figures presented above are of the location relevance of the items. Monitoring local media would ordinarily reveal numbers reflecting a local prominence. When referring to the location, it is implied that items emanated from these regions/locations and do not necessarily deal with trafficking in these contexts, although some may refer to a trafficking related event or incident in them.

Local media were most likely intensely focused on South Africa at the time, as was a vast amount of international media, therefore the higher numbers of items with either National or Provincial relevance are not out of line with what could be expected from the monitoring period. Items with a national relevance - those which referred to human trafficking outside of any specific provincial relevance but rather to the issue in relation to South Africa - were the most prominent at 28 items.

8 items were categorised as having an International relevance, being that items emanated from or referred to the issue outside of South Africa.

Interestingly, despite the fact that the majority of newspapers monitored were from Gauteng, only 5 items had a location relevance to the province. Western Cape had one less than Gauteng at 4. This could suggest that there was not a general view among local journalists or press that the issue was really something to be concerned about on their doorstep.

KwaZulu Natal stands out prominently after National and International, with a total of 7 items. This higher number in relation to the other provinces is due to the reporting in different mediums of South Africa's first human trafficking case taking place at the Durban High Court during the monitoring period. As an event that can easily be reported on, it was not surprising to see numerous print media reporting on the same event.

Prior to the World Cup event it was not unusual to hear of human trafficking as something that was to arrive in South Africa with the World Cup. It is likely that this misconception may still be heard. The idea that human trafficking is an international problem which exists only in far off places like Thailand, Cambodia and Eastern Europe and which does not exist in South Africa outside of large sporting events like the Football World Cup, is a damaging misconception.

5.4.6. Sources Analysis

The figures that follow below reveal that of all sources accessed in all items on human trafficking, 'Victims' rank with the highest number. Various government departments other than the department of social development which had 4 were lumped together rather than as minor individual figures of only 1 or 2.

Other results for sources put SAPS at 9, Courts at 6, NGO's at 5 along with family and caregivers, and International organisation (such as UN) at 3. All other sources, whether academic, civil society, other organisations etc all had minor figures of 0/1/2.

Victims as the most common source is understandable as news media require the human element and particularly the first hand experience of a victim, as this is often most likely to attract the attention of the media consumers.

The next singularly large source is that of the SAPS, which includes the Ministry of Police and policemen/policewoman. Having police speak on the issue of human trafficking is a positive thing, although in regards to this being a criminal offence, it would be encouraging to have a greater diversity of police sourced on this matter, as it would help build confidence in their ability to combat the crime.

With the relatively high number of sources from Government including Social development, it is clear that media professionals sought out authoritative voices on the issue and in this regard it appears they turned to government. It must be born in mind though that when it comes to referring to government as source, in the case of human trafficking, these can often be the sources most far removed from the issue, apart from referring to the matter of legislative process, policy etc. Additionally, often the voice of government tends to lean toward the side of caution, and seek to promote the perception of its various organs.
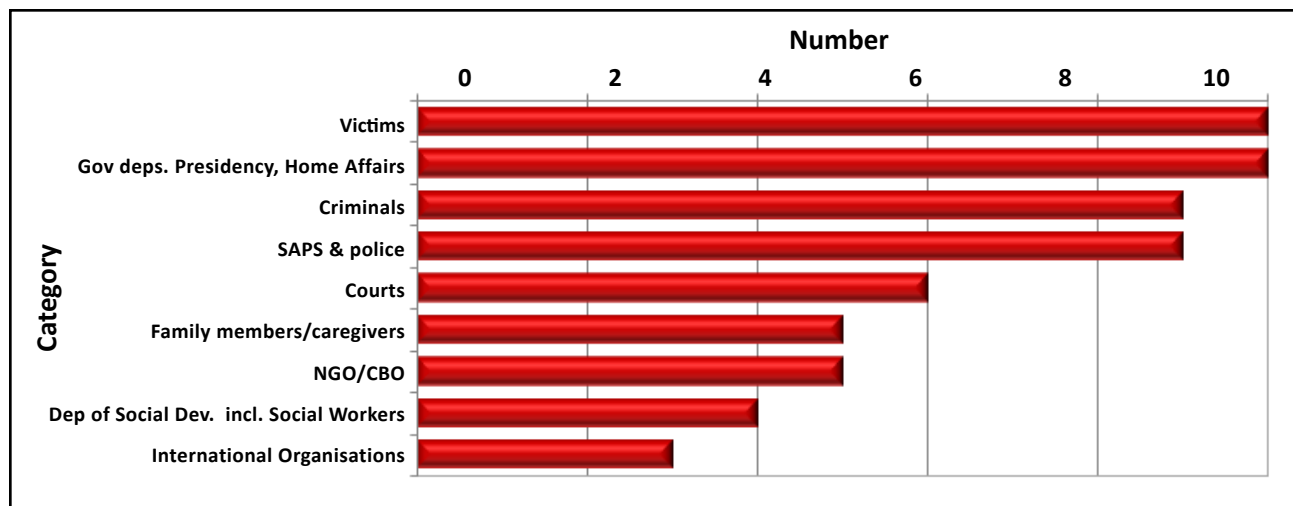

Figure 8: Graph of Sources by Category and Number

When looking at the above list, it must be noted that sources are not necessarily those directly accessed. They may refer to those mentioned in the story whether they gave input or not. This is most likely the case when considering the high number of 'criminals'. It is unlikely that journalists directly accessed these criminals, and more likely that they were referred to and discussed in the item.

When seeking out authoritative sources to access directly for input, the problem is that the issue remains largely misunderstood in South Africa, and although slowly increasing in numbers, there are still few 'experts' who can speak to the entire problem. It is often required that numerous experts in their individual fields be sought out for input. Sadly, getting multiple sources for a story is more the exception than the rule in reporting in South African media.

The voices that would ideally be heard in relation to this issue are those who are affected by the crime – victims, their friends, families etc. They would provide the most valuable insight and input, yet at the same time they are the most vulnerable and accessing them is fraught with ethical dilemmas. Victims experiences often leave longlasting if not permenant scars, and accessing them as sources is not encouraged, and should be avoided without consulting those working with victims.

Those who work with trafficking victims are presently frequently underequipped to deal with the complexities faced when assisting a victim. There are also few comprehensive support services throughout the country for victims – from trauma counselling and psychological evaluation, to drug rehabilitation in a secure environment, healthcare, holistic emotional support and social reintegration, victims' needs are many and frequently unable to be met by the structures currently in place. Importantly this includes post rescue protection when victims are at their most frightened, vulnerable and sometimes volatile. Victims lucky enough to find themselves rescued have a long, difficult and often dangerous journey to be ultimately free of their enslavement. It is not something that can occur overnight. It is for these reasons that minimizing harm is important. Sensitive reporting is essential, without which a story cannot be said to be ethical, especially where accessing or referring to a victim directly. This is especially so in the case of children where additional ethical considerations apply.

5.5. Quality of content & coverage

Quality of content can be evaluated in terms of the depth of information and the consideration given to the reports produced by media. Quality also depends on what is or is not covered in the item. For this project, the monitoring of human trafficking items fell in the period during and the month after the World Cup soccer event. The evaluation of reporting quality on the issue of human trafficking will also reveal whether this was or was not a factor in the quality of content and coverage.

As mentioned previously, human trafficking is difficult to report, therefore a story which meets the quality criteria set out below is more likely to accurately and comprehensively address and portray the complexity than stories that do not fulfil these criteria.

The 12 criteria detailed in the table below are the criteria by which the quality of the human trafficking items monitored were evaluated. Each criteria, while important as in its own right, largely feed into others to provide further clarity on specific areas of qualitative evaluation. For example 'In-Depth Context' can be or often is comprised of factors such as causes, consequences and solutions, and therefore these criteria are often required to be evaluated together and in connection with each other (See Appendix I for criteria explanations).

Table 10: Quality of Content breakdown - number of items fulfilling each criteria

Criteria	No. Of items with criteria
Basic Context	58
In-Depth Context	23
Causes	37
Consequences	36
Relevant Legislation	15
Solutions	15
Data	11
Critical Perspective	19
Ethical	47
Gender Perspective	4
Debating Key Issues	14
Human Trafficking linked to World Cup	14

(See Appendix I for detailed description of Criteria)

Clearly it is not possible for all journalists, in all mediums, all of the time to provide information on all relevant elements, from causes and consequences, to solutions and relevant legislation. However, if stories had all of these criteria then they would report human trafficking in an informed, in-depth, accurate and balanced manner. Indeed in some respects, media's performance was quite respectable in terms of providing information about legislation, and mentioning causes and consequences. Less than half of the items however, 24 of the total 60 HT items, fulfilled more than 6 of the 12 quality criteria. Only 5 items fulfilled more than 8 criteria. These numbers do not reflect in a positive way on the media's handling of the topic of human trafficking, they speak to reporting which was shallow and not comprehensive.

There is a special onus on media when it comes to reporting on human trafficking in South Africa because of it's many misconceptions and misunderstandings, as evidenced by the missed opportunities recorded.

5.5.1. Basic Context

The above table informs us that while most items provided basic context, it can be assumed that this means 97 % of items provided reference to the issue of human trafficking. These items gave answers to basic questions such as: What happened? What is the story? What is being discussed? All stories reported in news media almost always provide some form of basic information; this is the norm. What is needed to evaluate the quality of Human Trafficking items to a greater degree is to examine that which has a bearing on an item's quality and to dissect the relevance of these factors.

So while it is positive that items provide basic context, this doesn't provide the reader with the information necessary to understand the crime more deeply. By looking deeper and holding up a mirror of the facts of human trafficking against these items, it is possible to provide more comprehensive understanding of the complexities involved in reporting on human trafficking. Additionally, it will show to what extent journalists and the media accurately and informatively reported on this issue.

5.5.2. In-Depth Context

Out of the 60 human trafficking items only 23 of them provided any kind of further in-depth context; just over a third of the items, or 1 in 3. When considering the full spectrum of complexities involved in human trafficking as an issue this is perhaps not surprising, but it is disappointing and sheds light on the kind of basic general information that was being communicated regarding human trafficking. In-depth context looks at the bigger picture factors. An item that has any one or many factors that provide further context beyond the what and who provided by basic context is considered an item that provides in-depth context. In any item, this can be for example: broader social context, the reasons or circumstances it occurred, recurring patterns, or realities a victim or person involved was faced with or dealt with. It asks whether various sources with various relevant expertises were accessed for example, or whether the story goes beyond or looks behind preconceived ideas or stereotypes. An item does not need all of these exampled factors to be considered as in-depth context. With almost two thirds of all 60 items failing to provide any in-depth context to this issue, an opportunity to adequately inform was lost in nearly 2 in 3 stories about trafficking. It is becoming increasingly important to help people differentiate between the highly sensational stylized "Hollywood" or even international phenomenon it is often understood to be, and the more complex, nuanced, local and socially destructive issue that it is in reality in South Africa.

Perhaps more so than most issues that South Africans are faced with and forced to confront, 'In-depth context' is what is needed to clear the issue of human trafficking of any confusion. In-depth context would offer an opportunity to challenge misconceptions about how it occurs, to whom, where and why; to examine the stigma that victims have to deal with and overcome, the complex methods of manipulation that traffickers use, the lack of comprehensive services to assist victims or provide sustainable preventative employment and the lack of comprehensive legislation.

11 of these items with in-depth reporting were the interviews on SABC 2 Morning Live, as discussed earlier in the report. This is not surprising considering the greater capacity for television, in particular interviews, to be more in-depth than a regular news story.

5.5.3. Causes & Consequences

The number of items that delve into the causes (37) and consequences (36) are in-line with in-depth context, as these generally go hand in hand with one another; causes and consequences both being components of what would constitute more in-depth reporting that just providing basic information. An item can provide both causes and consequences or just the one or the other, but may not be considered to have provided enough in-depth context, and it is therefore not surprising that both 'causes' and consequences' perform better than 'in depth context'.

However, an item need not discuss the causes or consequences of the issue of human trafficking to be denoted as fulfilling either criteria, the item need merely to mention either a cause and/or the consequence of that particular incident or that particular story. For example, in a report on a trafficking case being postponed, the cause of the postponement would have to be mentioned in order for the item to be denoted as fulfilling the cause criteria. The necessity for news items reporting on human trafficking to provide such details is evermore clear, in order to more fully and comprehensively communicate the issue to the South African citizenry.

5.5.4. Debating Key Issues

As a parameter in evaluating the quality of human trafficking reporting, 'Debating Key Issues' is linked very closely to and possibly surpasses the value of 'Context In Depth'. When unpacking the issue of human trafficking, one cannot fail to stumble onto its nuanced complexities linked to the peripheral key issues which contribute to the issue. In regards to children even more so when paralleled alongside the prevalence of child vulnerability in South Africa. It is therefore discouraging that out of a total of 60 monitored items only 14 debated key issues surrounding human trafficking.

A crucial element in helping an audience to fully understand what is involved in the issue is to debate its key issues. In South Africa human trafficking does not exist in a vacuum, it exists and thrives due to a vast array of other socio-economic realities and it is important to discuss it, investigate it, and understand it in relation to these. Debating key issues would provide readers/viewers/listeners with more than a simple awareness statement. Knowing the phrase 'human trafficking' does not provide a person with any tangible knowledge. It's the same as knowing the phrase 'poverty' and 'HIV' without knowing anything about it. Being aware of the term, doesn't mean a person is aware of the problem.

Debating Key Issues means exploring why it happens, where, when and how. Asking questions and giving voice as to why it happens to those it happens to – unpacking what makes South Africans, especially children, vulnerable to trafficking, and in fact vulnerable to being lured into situations which would threaten their safety and security. Delving into the originating circumstances of those who became victims; how they are linked to poverty and what is being done to help and bring opportunities for girls especially in more rural or underdeveloped areas. From understanding the causes of childrens vulnerability to falling prey to traffickers, a logical conclusion drawn by many experts in preventing a child from being trafficked is as simple as keeping them in school and keeping them fed - but then in South Africa those two things are seemingly not a simple reality for many children. Asking questions about the broader social contexts and dynamics within the communities and family structures, of those who have fallen prey to traffickers can go a long way in opening up the realities of the issue for South Africans, even so far as communicating that in some and often many instances, family members or those known to the victims are involved in their trafficking, and getting expert input regarding this.

Furthermore, additional important key issues could be the economics of human trafficking, and the 'industry' of it. Human trafficking is an activity that is undertaken for a purpose, which is to gain income or other benefits through the exploitation of others. It is a crime and therefore its structures and operations are criminal in nature and function within a criminal environment. To evaluate these aspect of human trafficking: who is participating in this criminal activity, the reasons they engage in it, the methods they employ and the reasons why they are able to engage in it, raises a plethora of further probing questions and additional individual key issues, many of which centre on the enforcement of law and citizen protection.

5.5.5. Relevant Legislation

In regards to quality of items, what is most relevant however is the difference between in-depth context, debating of key issues and relevant legislation. With only 23 items of the total HT items comprising any in-depth context, only 15 mention relevant legislation, whether as a cause or otherwise.

Items categorized as possessing 'Relevant Legislation' are items which give mention to any legislation pertaining to the topic being discussed. As mentioned earlier, with regard to human trafficking in South Africa this is another important facet, which additionally feeds into in-depth context, debating key issues, as well as causes, consequences and solutions.

As at time of writing, South Africa's comprehensive anti-trafficking legislation remains un-passed into law, having been in the consultative process since 2003. When looking at key issues of human trafficking, examining it as a criminal offence, this facet would be the most relevant. Children are offered protection in law by the Children's Act, this being legislation relevant to minors. The issue of human trafficking cannot be discussed outside of it being a criminal offence, and while the prevalence of items that mention relevant legislation is relatively high at 15 (1 in 4), it must be reiterated that lack of legislation is certainly an integral component of the key issues, as well as the causes, consequences and solutions where human trafficking in South Africa is concerned. The dynamics of how the crime is perpetrated is possibly directly linked to a lack of comprehensive legislation, which once enacted will bring with it an onus on those whose job roles fall within the legally defined responsibilities to combat and proactively take steps where previously none were included within their roles. Additionally, once enacted, additional resources will be made available for combating efforts. The lack of comprehensive anti-trafficking legislation is an issue of concern to those working on tackling the problem.

5.5.6. Solutions

When reflecting the total number of Items (60) against those providing in-depth context (29) and debating key issues (14) we see increasingly fewer items that probe the most relevant and defining aspects of what make this issue the maze of complexities that it is, and which try to circumnavigate these complexities.

In corroboration to points regarding the number of items mentioning Relevant Legislation, we can look to the number of items which provide or make mention of solutions at only 15. This is the same number for items mentioning relevant legislation.

However when evaluating the items which discuss solutions, only 2 of these mention relevant legislation. It is concerning that when discussing solutions relevant legislation did not feature more prominently. Though it can be argued that where solutions were discussed, broader social and cultural matters were the factors raised.

5.5.7. Gender Perspective

Of all 60 items, only 4 gave a gender perspective, reflecting how human trafficking affects women and men differently. This is regrettable considering that it is generally globally accepted that trafficking predominantly affects women in the majority. According to UNODC/UN.GIFT (United Nations Office on Drugs and Crime/ United Nations Global Initiative to Fight Human Trafficking) research report from data collected from 61 countries, and aggregated for the year 2006, victims profiles are 66% women, 13% girls, 12% men, 9% boys.[32]

In South Africa where the stats on violence against women portray a gross violation of the rights and personal safety of women, it is disappointing to have so few items explore the gender dimensions of this issue. In South Africa between 40-50% of women have experienced violence at the hands of a male partner,[33] 40% of girls and young women between the ages of 10-24 report their first sexual encounter was not consensual.[34] Additionally, South African Police Services statistics for reported rape were 68 332 in the year 2009/2010, 138.5 sexual offences per 100 000,[35] yet the Medical Research Council (MRC) estimated in 2002 that 88% of rape cases go unreported.[36]

There are very clear gender specific dimensions to the crime of human trafficking, and while men, women, boys and girls fall victim, human trafficking is a crime largely perpetrated against women and girls. As another factor that needs to be brought into the dialogue of issues facing women in South Africa, this issue needs to be communicated as such. When looking into the various contributing factors of human trafficking, the links between poverty and access to education and work, to the situation that many women and girls find themselves in, specifically in the context of rural South Africa are clear.

What the results of the monitoring indicate is that the issue was most often spoken of in general terms. A greater focus on the gendered dimensions of the issue would help foster a broader dialogue on the causes and solutions.

5.5.8. Data

For items to qualify as including 'Data', it must use reliable data or statistics to support claims made in the story, which cannot be 'hearsay'. The results reveal that of the total 60 human trafficking items 11 are deemed to possess such data.

When referring to this criterion in relation to human trafficking reporting however, the difficulty in presenting accurate data arises, precisely as there is so little of it available in South Africa. Simply put, there are no reliable data or statistics of great value as to the prevalence of the issue in South Africa. This issue aside, prior to the World Cup event, awareness campaigns and some reports made reference to two divergent figures of 100,000 and 40,000 respectively, in relation to human trafficking, whether directly or by way of discussing prostitution (example). Experts in the field have said that those figures have no basis and there is no foundation for them being used, other than as a means to sensationalise.

32   Global Report on Trafficking In Persons, (pg 11) UNODC, Feb 2009, last accessed 27 June 2011 http://www.unodc.org/documents/Global_Report_on_TIP.pdf
33   Preventing Rape and Violence in South Africa: Call for leadership in a New Agenda for Action, Medical Research Council, November 2009, last accessed 27 June 2011. http://www.mrc.ac.za/crime/prevent.pdf.
34   Violence Against Women – Fact Sheet No.239 , World Health Organisation, November 2009, last accessed 27 June 2011. http://www.who.int/mediacentre/factsheets/fs239/en/
35   The Crime Situation in South Africa, South African Police Services, 2009/2010, last accessed 247Jun 2011. http://www.saps.gov.za/statistics/reports/crimestats/2010/crime_situation_sa.pdf.
36   Jewkes, R & Abrahams, N. (October 2002). 'The Epidemiology of Rape and Sexual Coercion in South Africa: An Overview'. Social Science & Medicine, vol.55, no 7, pp 1231- 124

"Because of the last World Cup in Germany it was estimated that about twenty five to thirty five thousand girls came from the east bloc countries, so a projection was made and said that possibly we were gonna get about a hundred thousand." Corinne Sandenbergh, STOP (Stop Trafficking Of People)

"...that particular figure (100000) we looked at, and it was not based on anything factual. It was really, and we had lots of emails and press reports like this, it was really something that someone almost dreamed up...in order to draw more attention and more resources to the issue of human trafficking." Joan van Niekerk, Childline

"Difficulties surrounding the collection of data on trafficking in persons are extensively documented (UNODC 2006). Like other criminal activity, trafficking is a clandestine and underground criminal activity that cannot be measured by traditional collection methods. Present statistics do not accurately reflect the real incidence of trafficking in persons, as victims are often unwilling or unable to report their experiences to the authorities."[37] This presents a major obstacle to obtaining an accurate assessment of the magnitude of the issue in South Africa or any other country in the SADC region.

When asked about her work in helping trafficking victims in Johannesburg to get out of their situation, Babalwa Makahoela from New Life Centre[38] said the following:

"When you go to the police ...actually when you get to the charge office they don't know what you're talking about, they will refer you to a trauma room, then in the trauma room they will say 'no, we don't know how to help you', they will check other things if maybe the victim was raped."

This paints a clear picture of the difficulties involved in getting the issue documented and recorded, when those who are responsible to do so, are unaware of how to.

Human trafficking is not a criminal activity on par with theft for example, where the crime which has occurred can more easily be identified and reported. If a crime is not reported it is not recorded as a crime. With human trafficking in South Africa, this is where difficulties in data gathering arise. If a case of human trafficking is not recorded as human trafficking, but as something else such as prostitution, rape or kidnapping then it delivers a statistically skewed picture. The confusion as to what constitutes this crime can also lead to a lack of reporting by victims, who may not realise that they are indeed victims or believe that help will not be available to them.

"It's not always that simple to identify a victim of human trafficking. Many of the girls or women that are involved in the crime or that are victims of this crime, they themselves don't always know that they are victims, because of the subversive nature and the amount of deceit that's involved." Marcel van de Watt, UNISA Criminology (previously the Hawks)

As a result, if the crime of human trafficking is not looked for, it is likely to go unseen. It cannot be looked for if authorities do not have the man-power or inclination to do so. Prosecutors cannot prosecute trafficking cases if they do not have the relevant evidence connected to the charge of human trafficking, which needs to be gathered and which is invariably sourced from victims or those involved in the form of statements. However, if there is little incentive offered to victims, in the form of protection, or the victims feel they are not safe by providing testimony, it is unlikely that they will come forward.

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37   Tzireledzani: Understanding the Dimensions of Human Trafficking in South Africa (pg 155), Human Sciences Research Council, March 2010, last accessed 27 June 2011. http://www.hsrc.ac.za/Document-3562.phtml.
38   'New Life Centre' is an organization that helps victims of commercial sexual exploitation and trafficking in Johannesburg, South Africa

Those working in the field attest that human traffickers often have a good understanding of the scope of their illegal actions, and will often know legal loopholes and adjust their methods accordingly. An example of this is where a trafficker may, subtly and without their knowledge, groom a minor for exploitation by creating a relationship of dependence. The trafficker may then wait until the minor turns 18 before forcing them into sex work in order to circumvent the legal protection afforded to children under the Children's Act.

5.5.9. Ethical vs. Not Ethical

When we look at the number of items which were deemed ethical (47) as opposed to those that were deemed not ethical (4), the fact that 47 were deemed ethical is a positive reflection.

What makes a story ethical is defined by 4 separate yet linked criteria, and an item could only be determined as ethical if the Monitor felt all 4 criteria were fulfilled enough:

1. Seek truth and report it as fully as possible
2. Act independently.
3. Minimize harm
4. Accountability

With regard to the third criterion, to minimize harm, special instructions were given to Monitors to ensure that a story must not give any information that would jeopardise the safety or life of the victim or that would jeopardize a case or prosecution. For example, naming the victim or giving the location of the victim, or providing an identifiable photograph of the victim.

It should be born in mind that a high proportion of the articles which were clearly distinguishable as human trafficking items (**HT**) at 43, focused on education information (10) and protection (8) and Fears (5), in such cases the focus is often on the concept of trafficking, rather than cases involving actual victims or occurrences of trafficking. This would make the parameters for deeming an item ethical less stringent. The onus of minimising harm is much more onerous and significant when victims are the focus of a story.

The complexities of the issue as detailed in the sections above, increase the complexities currently present in South Africa around policing this crime, and makes the building of cases for prosecution a delicate procedure; victims are often the sole witnesses and evidence for prosecution. Human trafficking is by nature a crime in which victims are viewed as expendable. Dangers to victims, and indeed threats to their lives, are very real. Additionally, because of the often manipulative psychological and emotional methods, teamed with threats or acts of violence by traffickers against victims, the process of removing victims to safety and providing them with adequate care is often fraught with obstacles. Sensitive and ethical reporting that minimises harm to a victim is therefore essential when reporting on cases of human trafficking. Otherwise reporting runs the risk of perpetuating further damage to an already vulnerable trafficking survivor.

5.5.10. Human Trafficking Linked to the World Cup

Within the qualitative criterion, a special category was assigned for human trafficking monitoring, to determine whether or not a human trafficking item was directly linked to the World Cup, and the prevalence of these items during the period monitoring. The number of items designated as connected to the World Cup was 14, 23% of all 60 Human Trafficking items, which tells us that 1 in 6 items were reported in a way as to link trafficking to the World Cup. This is not an overly small amount. And while before the World Cup there may have been reports or false preconceptions that the two were in fact linked and that the World Cup would bring about an increase in human trafficking, the media only reported this link at a rate of 1 in 6.

This is a slightly more positive factor, as human trafficking is an issue which existed and exists outside of the World Cup and large sporting events in general, in high enough percentages that would warrant reporting on the issue regardless.

6. Conclusion

Inaccuracies and a degree of fear mongering around human trafficking in advance of the World Cup by some elements of the media, NGOs and civil society may have lead to a series of misunderstandings of the issue, and perhaps even in some cases human trafficking fatigue among the public, the media and the international community.

That 23% of all HT stories clearly linked HT to the World Cup, while 15% went unidentified by media as actual cases of human trafficking highlights the challenges faced by South Africa's media in reporting on human trafficking on its own doorstep.

Looking at the number of stories on human trafficking there was an equal amount of human trafficking items during the World Cup event, and the month after it. All 9 of the Missed Opportunities fell in the period during the football event, while those that were occurrences of trafficking, of either adults or children fell in the period after the event. Additionally, SABC2 conducted numerous interviews in the period during the World Cup, perhaps in response to the build up in relation to the issue, prior to the event, and while what they produced was of greater depth than a lot of the items during the monitoring, their audience was perhaps not the audience who would have benefitted the most from its in-depth reporting.

In relation to the 9 missed opportunities, that they were not reported as human trafficking, or that the possibility was not mentioned, indicates a clear gap in awareness of the issue within the general media. This knowledge gap is further evidenced by analysing individual items, where a general lack of understanding of the issue, and insufficient information regarding the realities of it in South Africa were communicated to, and provided for citizens.

In many cases items failed to say what human trafficking was, the various elements it consists of, the forms it takes and the numerous ways victims, especially children, can be and are trapped and exploited. In addition very few items went into detail as to the depth of the problem and what needs to be done to combat it in South Africa.

While human trafficking may not have occurred in the manner predicted in advance of the World Cup, it is an issue that exists in South Africa, and is/was present before, during and after the tournament. Government, Media, NGOs and civil society together played a role in miscommunicating the issue in the broader general South African media prior to the Worlc Cup event.

7. Recommendations

Human trafficking is a complex and very nuanced issue, especially within the South African specific context; it does not look as it does in other countries or resemble the Hollywood version of it. Rather it is closely tied and manifests in line with its local enabling and contributing factors. Reporting on it effectively and in-depth requires a greater understanding and increased effort. Additionally, in regards to victims, it requires sensitivity to the issue's criminal complexities, which would accompany a greater understanding.

Despite its complexity and the scarcity of accurate data, the issue is also one with numerous fascinating, enraging, ethical, informative and compassionate angles to investigate and report on. MMA believes that the first step to increasing the amount and improving the quality of reporting on human trafficking especially with a focus on child protection, would be to step away from reporting on press releases, press conferences and newswires; and to follow a path of research; critical thinking, and independent investigation (while at all times remaining sensitive to victims and those who work with them), seeking out information on the issue at various levels, and providing this to as broad an audience as possible. In regards to children, communicating the issue in all its nuanced facets in a way that provides children with adequate knowledge, but in addition reporting on the enabling factors and calling those in a position to eradicate these enabling factors to account.

In addition, MMA recommends media to engage with more than one source, to go beyond government sources, and more than one Non-Governmental Organisation source. In our experience often even those who work at various levels on these issue within the NGO/CBO sector may not have a complete grasp of the complexities, and the more voices added to an article the more comprehensive the final story will be. Questions can be asked of various experts in the field as to what is the best practice to combat and deal with the issue of human trafficking. Gaining expert insight into best practice, from policing and investigating, to victim repatriation, rehabilitation and reintegration would provide a greater insight into the current status on efforts to confront the issue in South Africa. These will also likely lead to insight into the responsibilities of government departments etc., which all provide in-depth information for citizens, that they be better informed and are able to participate in a more meaningful way.

Crucially MMA recommends that the question "So what?" be asked by those writing or producing pieces on human trafficking. This would ensure that the deeper questions are asked and information evaluated and communicated in a way that has value.

Sadly, MMA also understands there are often restrictive budgetary constraints, and that reporting on human trafficking requires a greater expertise and possibly specialized reporting, particularly when including the dimension of accessing victims. MMA offers the recommendation for media professionals interested in writing on the subject, or given the task to, to develop working relationships with those within the sector in order to bridge the communication gap. By having trustworthy media professionals on their side it is likely NGO's and those who work with victims will be increasingly more willing to have stories told, and those reporting on the issue would have a greater sensitivity to the victims they are wanting to report on.

Appendix I: Quality of content

Code	Explanation	Description
CB	Context Basic	What Happened? What is the story? Does it mention any basic statistics or facts about where it happened, does it show a map, etc.
CI	Context In-depth	Is the story given greater context? Does it talk about the broader social consequences? Does it talk about tragic accidents as recurring patterns? What was it like to be involved in what happened? Ask who are the sources? What are they saying about being there?
Y	Causes	Does the story explain the causes of the event? Why did it happen? Ask why are they doing this?
O	Consequences	Does the story describe the consequences of the accident or disaster or how it impacts on broader society?
S	Solutions	Does the story offer any possible solutions or means of Addressing the problems? Or any Recommendations or what should be done about what has happened?
L	Relevant Legislation	Does the story mention any relevant legislation or policy?
K	Debating of key issues	The media must debate key issues and ask important questions surrounding the World Cup, and not just report it as a party or happy event. Media coverage must cover different angles of the World Cup in relation to South Africa and service delivery/impact/benefits/GDP etc. Human Trafficking Key issues and question for Human Trafficking include but are not exclusively: • The root causes of the high vulnerability of children in rural developing communities/townships/rural areas. For example, these causes include poverty/child headed households/lack of access to basic services and education. • Victims of Child Abuse are more vulnerable to child trafficking because they have been de-sensitised due to child abuse, and therefore are more likely to be lured by perpetrators. Is the bigger issue of child abuse probed/questioned? • South African socio-economic factors and their contribution to the prevalence of human trafficking. These socio-economic factors include migration (border crossing), poverty, unemployment, neighbouring country conflict. • A lack of labour control and its monitoring leads to labour exploitation and a lack of jobs allows for a higher prevalence of trafficking. For example, a farm owner employs a group of Zimbabwean women who are in desperate need of work. The farm forces them to work long hours with no pay, and holds their documents, which is not legal practice.

Code	Explanation	Description
CP	**Critical Perspective**	News-makers often feel pressurised into practicing 'media boosterism', that is, adopting a patriotic or good news angle, as governments have been tempted to discourage as unpatriotic critical questions surrounding the World Cup. Also, the media must adopt a critical perspective in reporting the World Cup 2010, and not merely report it as a party. Does the story go beyond superficial reporting, and ask critical questions?? Does the story provide a critical, alternative or counter-hegemonic reading of the World Cup?
D	**Data**	Did the story use reliable data/statistics to support claims? Therefore the claims made in the story must not be 'hearsay' and must be supported by data.
E	**Ethical**	In order for a story/item to be deemed ethical it must adhere to all four points below, Refer to above for the full explanation: **1Seek Truth and Report it as Fully as Possible** **2.Act independently.** **3.Minimize Harm-** *Please note* <u>For Human Trafficking</u> the story must not give any information that would jeopardize the safety or life of the victim or that would jeopardize the case/prosecution. For example, naming the victim or giving the location of the victim, or providing an identifiable photograph of the victim. **4.Accountability**
GP	**Gender Perspective**	Refers to how men and women are treated differently within a news item. The manner in which the news item portrays how a particular issue or event affects men and women differently in terms of political, legal, social, cultural, and economic factors. If a news item is given a Gender Perspective rating, it is deemed positive, and is a point in favour of that medium's World Cup coverage.
HTC	**Human Trafficking World Cup**	Is the human/child trafficking story written in relation or with reference to the World Cup??

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