



**WHAT IS
THE CHURCH
SOCIAL
TEACHING
SAYING
ABOUT
HUMAN
TRAFFICKING?**

JESUIT CENTRE FOR THEOLOGICAL REFLECTION

"Promoting Faith and Justice"

P.O. Box 37774 10101 Lusaka - Zambia Tel: 260 211 290410 Fax: 260 211 290759

E-mail: jctr@jesuits.org.zm Web: www.jctr.org.zm

WHAT IS THE CHURCH SOCIAL TEACHING SAYING ABOUT HUMAN TRAFFICKING?

“Defence of the dignity of the human person is a basic principle of Church social teaching. The bond between the person and the Creator is the foundation of his or her dignity and of fundamental inalienable rights guaranteed by God. No individual, society or human institution has the right to reduce a person to the status of an object. Our belief that God is at the origin of human kind radically affirms the equal dignity of all persons. This conviction ensures that nothing can justify any servitude of the weak or less fortunate”, (Archdiocese of Vancouver, Canada, Pastoral Letter on Human Trafficking, 2010).

This pamphlet has been prepared to aid Christian groups (e.g. Small Christian Communities, Justice and Peace groups, Christian Life Community, Bible Study groups etc.) to learn more about what the Church teaches on the issue of human trafficking.

This study guide comprises four sessions which follow the “Pastoral Circle “ encouraging us to move from experience to action by reflecting on “what is happening (experience), why it is happening (social analysis), what it means to us (theological reflection based on Scripture and CST) and what steps we can take in such a situation (response).

We are interested to hear how you have used this study guide to take anti-trafficking measures at personal or group levels in order to save lives. We also encourage you to forward your comments and suggestions on any issues raised in this pamphlet as your feedback will help us improve our instructions about the CST.

Sr. Kayula G. Lesa, RSC

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Jesuit Centre for Theological Reflection (JCTR)

Lusaka, Zambia

Introduction

Trafficking in persons (Human Trafficking) has become a well documented issue although it remains in some way invisible to our eyes. The stories of human trafficking we hear about are often of people who have been rescued and are able to narrate what actually befell them. Many other stories, however, go untold because the people that should tell these stories are trapped in areas known only to them and those who have held them captive to exploit them for various reasons. Whether told or untold, situations of human trafficking compromise the core human value of human dignity, that which is at the centre of all human rights catalogued in the United Nations' instruments as well as in individual countries' constitutions and other documents. This value stems from the fact that we are made in the image and likeness of God, meaning the sacredness of any human being is not the status one has acquired socially, economically or politically.

The UN Palermo Protocol (The Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children) defines trafficking in persons as;

“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 of the position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation,” (UN Palermo Protocol, 2000:2].

In simple terms, human trafficking is trade in people for exploitation. The US State Department (2008) estimates that about 800 000 people are trafficked globally in a year across borders and thousands within the borders. Human trafficking takes place in stages: first, a person is recruited, then they are transported to the trafficker's desired location and then they are exploited at this destination. However, a victim may not necessarily have to be transported physically to some other location for trafficking to occur. The basic characteristic of any trafficking scenario is the use of force, fraud or coercion to exploit the victim for the trafficker's own benefit.

There are two recognised forms of trafficking in persons: cross-border and internal trafficking. Cross- border trafficking involves transporting a victim from one country to another where exploitation happens in the country of destination. Stories one and three in the booklet are examples of this trafficking. Internal trafficking occurs within a country although it might involve transporting the victim from one place to another where the victim is exploited. An example of this is story two in this booklet.

A distinction is often made between human trafficking and human smuggling. In smuggling, people are assisted by a smuggler to illegally cross the border to go to their desired destination. This usually involves the client paying the smuggler money or any other incentive. Once the border is crossed, there is no relationship between the two. Therefore, the end point in smuggling is not the exploitation of someone, unlike in the case of trafficking which is also based on falsehood and deception. However, both smuggling and trafficking are illegal and are punishable crimes.

The end point of human trafficking is the exploitation of the victim. This takes different forms: prostitution, domestic servitude, forced labour, sex tourism, removal of organs, trafficking in drugs, etc. It is through these forms of exploitation that traffickers make huge amounts of money. Reports on human trafficking show that about \$12 billion is realised from this cruel business in a year. Thus, human trafficking is the third largest criminal business after arms and drugs.

At global level, the greatest number of victims is used in the provision of labour, which includes forced labour and debt bondage. Estimates from the ILO indicate that at one given time, there are "12.3 million adults and children in forced labour, bonded labour and commercial sexual servitude and 1.39 million of these are victims of sexual servitude both transnational and within countries" (TIP Report, 2009). And it is also noted that 56% of those in forced labour are females.

In Southern Africa, trafficking for sexual exploitation claims many victims. South Africa is the popular destination for many victims from Southern African countries such as Malawi, Mozambique, Zambia and Zimbabwe.

For Zambia, most trafficking is in-country, though Zambia is recognised as a source, transit and destination country. Victims tend to be rural women and children who are recruited for domestic work and other forms of forced labour. Some children subjected to domestic work are in some cases given sufficient room and board while others are overworked, starved and beaten. Orphaned children are the most vulnerable because they have little or no options in life. However, children from affluent families in rural areas are also becoming victims as sending children to cities is seen as prestigious by many families in rural areas.

Zambia is also a destination for victims from its neighbours and other countries in the world. There are reports that Mozambiquan and Malawian migrant workers are subjected to forced labour and sexual exploitation, (TIP Report, 2010). Official reports also indicate that Chinese and Indian men are increasingly being recruited as mine workers in Chinese-owned or Indian-owned mines. The mining companies confine Chinese men "to guarded compounds surrounded by high concrete walls topped by electrified barbed wire" (TIP Report, 2010). Zambia's porous borders and gaps in immigration enforcement make it an attractive transit country especially for victims trafficked to South Africa. Cross border trafficking through Zambia has become highly organised and "linked to criminal groups in South Africa". Victims are often from the Great Lakes Region and South Asia.

Effects on victims

Trafficking in persons deprives victims of their fundamental human rights at the core of which is their human dignity. Victims are often subjected to physical, psychological and sexual trauma which leaves them scarred. Effects of the trauma sometimes last for life. Sexual violence in particular exposes them to health risks as they can easily suffer from sexually transmitted diseases such as HIV and AIDS. The deprivation of their fundamental human rights also means that they cannot meaningful contribute to their own development and to the development of their society unless rescued.

Session One: Experience

Stories in this section illustrate the vulnerability of many people to human trafficking. Traffickers tend to be very clever and it is often the people you know very well and trust that are more likely to exploit your vulnerability. Anyone can be trafficked and anyone can traffic others. It is therefore important to reflect on these stories and see how easy it is to be cheated. In some cases, someone is abducted, although these situations tend to be rare.

Story One

Nkusecela grew up with a great passion for serving others in her community. She dreamt she would do this as a medical doctor. Her O-level results were very good and she was able to secure a place at the University of Zambia. Like other school leavers, Nkusecela had great chances of being sponsored by the Government of Zambia.

Two months before the academic year started, Nkusecela came across Ms. Mabo, her aunt's friend who was living in South Africa. Nkusecela had come to Aunt Nawiti's home to share the good news of going to university. Ms. Mabo, who became part of the conversation, encouraged Nkusecela to go with her and do studies in South Africa where she emphasised Nkusecela would have good opportunities for full sponsorship and she could also work and study. Nkusecela did not want to miss such a big chance. She decided to leave with Ms Mabo the following week. She and Aunt Nawiti were deeply grateful to Ms. Mabo for according Nkusecela such an opportunity for a better life.

From the day Nkusecela left, Aunt Nawiti did not hear from both Nkusecela and her friend. Although a bit surprised, she trusted that Ms. Mabo would communicate as she often did, once a month.

From the day she arrived in South Africa, Nkusecela was sold to another trafficker who used her in the brothel. She had sex with at least six (6) men per day making a lot of money for the trafficker. This went on for four years leaving her devastated. Finally, what Aunt Nawiti heard was that Nkusecela was at a rehabilitation centre in South Africa.

Story Two

Alozie, 14, has been missing for three years now. He was abducted on his way from school by his two cousins, Mwaka and Alinani. He would normally be in the company of friends to and from school. The day he was abducted, he had been delayed by his teacher, who, he later discovered, was in league with his two cousins. Alozie was then sold for K3, 000,000. He had particularly been close to these two cousins since they lived very close and shared meals often.

He also did not mind going back home alone from school when the teacher delayed him because his village and the surrounding areas had never had or at least heard of cases of abduction.

Alozie was transported to the Copperbelt to a trafficker who used him as cheap labour on his mine within the country. He worked from sunrise to sunset, accruing exorbitant amounts of money for the trafficker. His movements for the three years were under close surveillance. Whenever he tried to escape, he was terribly beaten. He only managed to escape one night when the trafficker forgot to lock one of the doors in the house.

Story Three

Mrs Mundia became widowed at the age of 29 with five children. Since she worked as a house wife, it became difficult for her to fend for herself and the children after her husband's death.

Mrs Mundia has always been a committed Christian and with the husband's death, she got much more involved in church activities at Jesus Christ Super Star Congregation. It is here where she met Elder Mark Steven who became a close friend and with time, the two decided they would marry and leave for the U.S.A. They had a colourful wedding and everyone wished them a happy life in the U.S.A.

Mrs Mundia ceased to be a wife immediately the couple arrived at Elder Steven's house. She discovered Mark was not an Elder in any church. Everyday, Mark invited all sorts of men to sleep with her and he made huge amounts of money. Whenever she complained that she could not manage the kind of "work" she was forced to do, he often beat her and threatened that he would report her to the police as an illegal immigrant should she escape. However, she was rescued by a kind client who helped her to get away from the house and report to the police. Mark is now serving a prison sentence.

Suggested Questions for Reflection

1. Do you know someone who has been a victim of human trafficking?
2. What feelings did you have when you read the three stories above?
3. Do you think victims in these stories were too trusting of the people who later trafficked them?
4. Do you think people in your area have enough information about human trafficking?

Concluding Prayer

God our Father, you always provide us with consolation, courage and hope during our time of pain and suffering. We pray this day for all the people who are victims of human trafficking. May they feel and experience your presence in their difficult situations, and always live in the hope that your strength will ultimately prevail against the evil they are suffering, **Amen**.

Session Two: Social Analysis

Experiences of human trafficking expressed in the three stories above lead us to ask key questions such as: “Why are these experiences occurring?”, “Why has trade of other human beings become an attractive business?” Responses to these questions lie in the factors that facilitate the trade and it is only by examining these factors that we can arrive at measures that can reduce the incidence as well as effects of this cruel practice, or measures that can altogether prevent it from occurring.

In Zambia, as elsewhere in Sub-Saharan Africa, vulnerability to being trafficked lies in structural factors such as poverty, gender stereotypes, information gap and the cultural practice of placing children in wealthier households especially within extended families. It must be noted though that factors that drive human trafficking tend to be complex as some are typical for destination countries, while others for transit countries and others for source countries. However, the ones cited above tend to be identified as common in most human trafficking scenarios especially in most countries in Africa where poverty is widespread. From the point of view of traffickers, often weak or lack of legislation as well as the exorbitant amounts of money accrued from this business serve as great incentives.

Poverty

Poverty provides an environment within which human trafficking can easily occur. It is common knowledge that poverty, especially income poverty, often limits opportunities to access even the minimum basic needs in life. If you are poor, you are unlikely to get an education, which is often a protection tool. You are also unlikely to have access to quality health care, food and shelter. With little or no access to such important social services, a promise of a better life with increased access to these services is a welcome idea. Traffickers take advantage of people in such conditions. The majority of Zambians are in this condition and many, especially women and children from rural areas, are being cheated into trafficking with a promise of a better life especially within the country. Traffickers know their victims are seeking alternatives to their situation and take advantage of this. These situations of vulnerability affect how choices are made by individuals trapped in them. Very often, offers of better options are hard to resist.

Gender inequality

Inequality based on gender is a fact of life and it has implications on how those who are its victims fare. Implicitly, females are denied the full and equal dignity men enjoy. With their association often with household chores, women's

opportunities in all spheres of life tend to be slim. Society, especially in the developing world, implicitly and sometimes explicitly teaches both men and women that it is the men's duty to provide for women and children. This responsibility often means a man has to work out ways of finding a livelihood for his household. This means that if there are opportunities for services which open chances of employment, for instance, education, it is the man who will be accorded such chances. In this situation of dependence on men for social and economic support, women remain powerless, especially in cases of being widowed or divorced. The women's social and economic insecurity translates into women being subjected to all forms of exploitation, which includes sexual exploitation. With little or no education and with fewer economic opportunities, an offer of a better life where these opportunities are available is a "chance never to be missed". It is therefore not surprising that most victims of human trafficking are females recruited especially for sexual exploitation.

Lack of education

Education is a powerful protection tool. With it, an individual's level of awareness and understanding of social, economic and political issues increases. Illiteracy or lack of education, on the other hand, often breeds ignorance, which is one of the key factors in human trafficking. It is often acknowledged that many victims of human trafficking are those who have not heard of this crime. Many Zambians do not have sufficient information about human trafficking and its hidden nature contributes to this situation. Although lack of education limits the means through which one can get information, such as reading, ignorance is often compounded by a relaxed approach to information dissemination to the public by government, civil society and the church. Lack of education does not mean that an individual cannot understand a social issue put in simple terms in the language they are able to understand.

Cultural Practices

Some of the cultural practices that had huge significance in our traditional way of life have great potential now to put individuals at risk. One such practice is the placement of children in wealthier households especially within the extended family. When children are sent to live in these families often with a promise of a better education, they end up being exploited as domestic workers. This practice is contributing immensely to internal trafficking which many people do not even recognise as trafficking, yet this is the form that reports show as rife in Zambia. For many, a child who has a chance to live in town is better off than if left in the village. Therefore, living in town is reward enough even if the promise to go to school is not fulfilled. Girls are also especially vulnerable to trafficking for forced marriage because of the cultural practice of early marriage among most Zambian ethnic groups.

Absence of legislation and huge profits

For traffickers, human trafficking is a lucrative business in which huge profits are realised with little capital needed for investment. For example, a trafficker who recruits ten girls for sexual exploitation makes huge profits as these girls will be forced to sleep with as many clients as the trafficker wishes in a day. Mostly, very little money would have been spent on recruitment. Traffickers also find this crime not a big risk because many countries, especially in Africa, do not have specific legislation that criminalises human trafficking. Therefore, it is easy “to get away” even if one is caught. A country may have sufficient legislation, like Zambia does, but if its neighbours do not have such legislation, traffickers may still not perceive the crime as a big risk since in some cases they will not face prosecution.

Suggested Questions for Reflection

1. Do you agree that the factors outlined above cause vulnerability to trafficking?
2. What other factors do you see as contributing to trafficking?
3. Do you think many Zambian households would consider as human trafficking the taking of a child from the village with a promise of educating her or him, and yet letting the person do the house work without putting her or him in school?
4. Do you think it is only the uneducated and the poor that are at risk of being trafficked?

Concluding Prayer

One member of the group should give a concluding prayer to close the discussion.

Session Three: Theological Reflection

The Church's concern about the issue of human trafficking stems from its teaching about the human person. For the Church, the human person is sacred because she or he is made in the image and likeness of God, the Creator. Therefore, the dignity and worth of the human person is of infinite value. This teaching is rooted in Scripture (Genesis 1: 26-27) and the writings of Popes and Bishops, all these being significant sources of the Church Social Teaching. It is because of the Church's upholding of human dignity that it emphasises the importance of human rights since what is at the centre of human rights is human dignity. The Church therefore strongly condemns anything that compromises the dignity of the human person and encourages all that which promotes this sacred dignity.

Scripture

Throughout Holy Scripture, the oppression of other human beings is denounced. We read in different texts in the Old Testament about the Prophets denouncing actions that dehumanise people especially the vulnerable such as widows, orphans and captives. Jesus Christ, who came so that we "may have life and have it in abundance" (John 10:10), also condemned all forms of exploitation and stressed the love of God and neighbour. St. Paul in his letters emphasises Christ's message of love of neighbour and the freedom that children of God should have. The following texts are example of what Scripture teaches about how we should relate to one another:

Exodus 22: 21-23: Do not ill-treat or oppress a foreigner; remember you were foreigners in Egypt. Do not ill-treat a widow or orphan. If you do, I the Lord will answer them when they cry out to me for help and I will be angry...

Isaiah 61: 1-2: The Sovereign Lord has filled me with his spirit. He has chosen me and sent me to bring good news to the poor. To heal the broken hearted, to announce release to captives, and freedom to those in prison.

Amos 8:4-6: Listen to this, you that trample on the needy and try to destroy the poor of the country. You say to yourselves, ...when will the Sabbath end, so that we can start selling again? Then we can overcharge, use false balances to cheat our customers.... We'll find a poor man who can't pay his debts, not even a price of sandals, and we'll buy him as a slave.

Mark 12:28-34: Love your neighbour as you love yourself.

Gal. 5:1,13-18: Christ has set us free! Stand then, as free people, and do not allow yourselves to become slaves again.... But if you act like wild animals, hurting and harming each other, then watch out, or you will completely destroy one another.

Scripture does not specifically mention the issue of trafficking in persons in the form that it takes today. It however instructs Christians to show concern for each other, especially for the weaker members of the human family and to treat each other justly. It emphasises the love of God and neighbour as the foundation for our Christian faith, which demands that we act justly. It therefore denounces all unjust acts such as taking other human beings as slaves and not caring for widows and orphans. Human trafficking thus is condemned as it is a form of slavery.

The Papal Teachings

The centrality of the human person demands that the Church pays attention to all forms of exploitation. Given this pastoral responsibility, the Church has expressed deep concern in regard to the issue of slavery which now takes the form of human trafficking.

For centuries now, the Church has consistently strongly spoken against slavery and it continues to do so today. Pope Gregory XVI, in his Encyclical *Supremo* (1939) warned Christians against the treatment of Indians and Black people as slaves. He wrote: "We, by apostolic authority, prohibit and strictly forbid any ecclesiastic or lay person from presuming to defend this trade in Blacks under no matter, what pretext or excuse...." His teaching was a re-echoing that of his predecessors Pope Eugene IV, who in his Encyclical *Sicut Dudum* (1435) condemned the treatment of the Black people in the newly colonised Canary Islands as slaves. Similarly, Pope Paul III in *Sublime Deus-The Sublime of God* (1537), also condemned the enslavement of the Indians of South America, an ethnic group that was treated with afflictions that would even rarely be used on brute animals as these did not have the Catholic Faith.

In recent times, Popes have spoken strongly against human trafficking. Writing in May, 2002, Pope John Paul II described trafficking in persons as constituting "a shocking offense against human dignity and a grave violation of fundamental human rights". It is an affront to fundamental values that are shared by all cultures and peoples, values rooted in the very nature of a human person". In his letter to Archbishop Jean-Louis Tauran (2002), Pope John Paul II stated that slavery, prostitution and the selling of women and children and the disgraceful working conditions in which human beings are treated poison society and offends God. And in his letter to women (1995), the Pope condemned the sexual violence women are subjected to and the culture that perpetrates it and corrupts young girls into allowing their bodies to be used for profit.

Like his predecessor, Pope Benedict XVI has also condemned trafficking in persons especially women, which he argues "flourishes where opportunities to improve their standard of living or even to survive are limited" (*Migration: A Sign of the Times*, 2006).

The Teaching of the Catholic Bishops

Bishops around the world have stressed the defence of human dignity as the principal foundation of the Church Social Teaching. For instance, speaking at a Mass to pray for the end to human trafficking, the South African Archbishop Buti Tihagale stated that human trafficking is evil and Christians should oppose it, for neglect of such violence strongly suggests complicity. He argued that forcing children and women into selling sex should never be tolerated in any society. He urged Christians to tirelessly campaign against evil practices such as trafficking and emphasised the point that “the nobility of a society will be judged by how it protects its vulnerable” members (Homily, 2010).

In their Pastoral Letter on human trafficking, the Canadian Bishops encouraged all the faithful to be in solidarity with all victims of exploitation and assured those who have been trafficked that today the Church walks with them as God did with the refugees of Exodus.

Bishops from British Columbia and Yukon also called upon men and women of good will to oppose the mentality that sees human being as commodities for exploitation for one's personal gain. In their Pastoral Statement, they encouraged Christians to treat victims with the compassion, love and respect which God's children deserve. This call demands dedicated service by everyone to end trafficking.

Suggested Questions for Reflection

1. Do you know other Scripture passages that relate to the ill-treatment of human beings?
2. Have you ever discussed the issue of human trafficking in your Church?
3. What lessons do we learn from Scripture about how we should treat each other as members of the human family?

Concluding Prayer

One member of the group should give a concluding prayer to close the discussion.

Session Four: Christian Response

Deep reflection on a social issue like human trafficking is very important. However, what is even more critical are the actions taken to prevent it from occurring and the actions meant to rescue victims. For us Christians, what should urge us into action are the principles drawn from the Church Social Teaching such as human dignity, the common good, solidarity, human rights and responsibilities and above all the greatest commandment of love of God and neighbour. Therefore, for us Christians, our belief in the sacredness of the human person does not give us a choice but to take action to restore and promote human dignity. Here are some suggested responses that would demand our efforts:

Law and Policy

Zambia is among the few countries in Southern Africa that have put in place a comprehensive anti-trafficking law. This law, assented to in September 2008, has the following objectives:

- i. The prohibition, prevention and prosecution of human trafficking,
- ii. The filing of and dealing with matters related to human trafficking,
- iii. The establishment of the Committee on Human Trafficking and the provision for its powers and functions,
- iv. The establishment of centres for victims of human trafficking,
- v. The establishment of the human trafficking fund,
- vi. The domestication of the protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations against Transnational Organised Crime (*Anti-Human Trafficking Act No 11, 2008*).

The above provisions, if backed up by a strong commitment to their implementation, could provide a complete effective system for the prevention of human trafficking and the restoration of victims to a productive life. Unfortunately, there has not been much commitment on the part of Government, as the primary duty-bearer of human rights, to ensure the implementation of these provisions. For example, while there are significant efforts made, such as the establishment of the Committee on Human Trafficking and the training of some law enforcement officers, no fund has been established and there are no centres provided for the rescued victims. In addition, victim identification and referral procedures have not been formalised and implemented and there has been limited public awareness on the issue.

Although Government is the primary duty-bearer of human rights issues such as trafficking, collaborative efforts from institutions such as the Church and Civil Society Organisations and families could help to reduce incidents of

human trafficking. These institutions can play an advocacy role in reminding Government to take its role with seriousness. To do advocacy work will demand that we take keen interest in this issue and understand it and its implications so that we can come up with strategies that can yield the best results.

For example, one of the ways that has proven effective in the fight against human trafficking in countries like Sweden is the criminalisation of the buying of sex so that the demand side of this crime is dealt with. This will help establish a norm that it is wrong to buy sex because those who sell sex are powerless in some way. We should advocate that such a law is in place in Zambia because here, as in most African countries, trafficking for sexual exploitation is the most common. Low demand or none at all will reduce human trafficking for this purpose. It could be argued that such a strategy will not be effective because in the case of cross-border trafficking, victims could still be exploited in other countries where this particular law does not apply. However, it can be argued that the context of Zambia shows that trafficking is mostly in-country, so we can still save lives from this degrading crime.

Public awareness

As mentioned earlier, people who know about trafficking will have second thoughts about any opportunities that come their way through friends and relatives. Those without the information are at greater risk. It is a fact that relatively few people have information about human trafficking. This is partly because Government has not paid much attention to awareness-raising. Furthermore, few organisations such as the International Organisation for Migration (IOM), Women and Law in Southern Africa (WLSA), the Religious Sisters of Charity, UNICEF and ILO and the Jesuit Centre for Theological Reflection (JCTR) are pro-actively carrying out anti-human trafficking activities.

It therefore becomes important that everyone takes part in disseminating simple messages that highlight the experiences and dangers of human trafficking, especially to would-be victims. These messages could come through Churches, schools, families, etc. The continuous flow of information will make the issue widely known in the way that HIV and AIDS has become widely known. At the moment, few people show knowledge of this issue even among the educated in the country. If every packet of sugar, a bag of mealie-meal, a packet of matches etc, had a simple message on human trafficking, and if every Sunday or whichever day of worship, there is a message on trafficking from priests, elders, pastors etc, and if there are adverts on buses, in toilets etc, many lives would be saved. Information flow needs such an aggressive approach. Since the nature of the crime is so hidden, people need to hear about it often so that they recognise its seriousness. All of us, therefore, have to take action with regard to sensitisation.

The Church in particular should play a key role in the education of the public on the issue of human trafficking. It can, for instance, encourage discussions on this issue in Small Christian Communities, train priests and religious so that wherever they are working, people are sensitised. It can also do public advocacy through its structures such as Caritas- Zambia, Justice and Peace Groups, Zambia Association of Sisterhoods, etc.

Poverty Reduction

The key long term strategy to fight human trafficking is the reduction of poverty. Poverty, especially income poverty, is at the heart of vulnerability to trafficking. One strategy to fight poverty is to pay attention to economic, social and cultural rights. These are the rights that relate to conditions necessary for meeting human basic needs. They include such rights as the right to education, health, food, shelter water and sanitation. The starting point for us in Zambia is to incorporate them in the Bill of Rights of the Zambian Constitution so that rights holders are able to claim them when they are denied. The most important aspect is their implementation, for when an environment is created where people are able to meet their basic needs, vulnerability to trafficking is reduced as the desire for “greener pastures” is reduced.

For the majority of Zambians, the whole idea of development is about fulfilling the necessary conditions to realise the potential of human personality, which in practical terms means increased access to human basic needs, reduction in poverty, unemployment and inequality. Therefore, progressive realisation of the economic, social and cultural rights can lead to this sort of development, thus reducing the incidence of trafficking in persons. Zambians should push for the inclusion of these rights in our Constitution.

Inequality based on gender

Concerns have often been raised about the discrimination females face in different spheres of life. Gender equality is recognised widely as one of the main goals of development. Despite these concerns, men continue to dominate, define and rule the world in many senses. It is often the unequal power relations that put females at risk. Therefore, it is imperative that there is ongoing research and debates on gender roles and how we can better help females to believe that they have the capacity to look after themselves if and only if the environment of equal opportunities is created. Additionally, both men and women should be aware of the fact that the realisation of women's rights contributes to the greater good of society. There is also need for ongoing debate on the sexual attitudes men and women have towards each other as these attitudes shape how each sex relates to the other.

Suggested Questions for Reflection

1. What more should the Government do to reduce chances of people being trafficked?
2. What should change in our culture to ensure gender equality?
3. Which other institutions do you see as key in preventing human trafficking from happening?
4. Do you think human trafficking can be greatly reduced if everyone has sufficient information about it?
5. What can you do at personal and community levels to contribute to the eradication of human trafficking?
6. What steps can we take as a Church to prevent human trafficking?

Concluding Prayer

Lord God, may your Spirit stir in us a deep awareness of the dignity of each person, so that we may truly recognise and appreciate human life and its sacredness. Fill us with your justice, love and generosity as individuals, community and as a nation, and inspire us to undertake actions that seek to promote not just our own self-interests, but that of each person's dignity and the good of all humanity, **Amen.**

Appendix: Some Quotations on Human Trafficking

Anti-Human Trafficking Act (No 11 of 2008)

Part II: Prohibition of Trafficking

- Subject to subsections (2) to (11), a person who intentionally and unlawfully traffics another person commits an offence and is liable, upon conviction, to imprisonment for a term of not less than twenty years and not exceeding thirty-years.
- Where the victim of an offence under subsection (1) is a child, the offender is liable to imprisonment for a term of not less than twenty-five years and not exceeding thirty-five years.
- Where the victim of an offence under subsection (1) is trafficked for the purpose of sexual exploitation, the offender is liable to imprisonment for a term of not less than twenty-five years and may be liable to imprisonment for life.
- Where the victim is trafficked for the purpose of engaging the victim in the worst forms of labour or child labour, the offender is liable to imprisonment for a term of not less than twenty-years and not exceeding thirty-five years.
- Where the victim of an offence under subsection (1) is abducted, the offender is liable to imprisonment for a term of not less than twenty-five years and not exceeding thirty-five years.
- Where the trafficking results in the death or grievous bodily harm of a victim, the offender may be liable to imprisonment for life.

Part XIII: Human Trafficking Fund

2. The Fund shall consist of:

- Voluntary contributions to the Fund from any person;
- Such monies as Parliament may approve for the purpose of the Fund and
- Any grants from any source within or outside Zambia approved by Minister responsible for Finance

3. The monies of the Fund shall be applied for:

- The basic material support of victims;
- Skills training of victims;
- Tracing the families of victims, and

- Any other matter connected with the rehabilitation and reintegration of victims in their best interest.

The Fund shall be vested in the Minister responsible for Finance and shall be managed and administered by the Minister responsible for Social Welfare.

The Anti- Human Trafficking Law in Zambia (Women and Law in Southern Africa)

2.2. How can you spot a case of human trafficking?

When deciding whether or not a person is a victim, the following shall be considered:

- (a) Whether the person has been exploited through violence, force, coercion, intimidation or threats, forcing the person to use drugs or causing the person to be addicted to drugs as a means of controlling that person or ... threatening that person with exposure to friends, family members or authorities if the person fails to submit the demands of the traffickers;
- (b) Whether the person is threatened with arrest by police for being illegally in the country or for offences committed as a direct result of the person's situation as a victim;
- (c) Whether the movement of the person is restricted through one or more of the following:
 - guarding the person at all times when taken to a doctor, hospital or clinic;
 - not allowing a person working at a brothel or similar establishment in Zambia or elsewhere to leave the premises unless accompanied by the trafficker or the trafficker's associate;
 - transporting the person between the person's place of employment and living quarters under the surveillance of a guard;
 - whether the passport, identity document or other travel document of the person has been destroyed by or is in the possession of another person;
 - whether the person is in possession of a fraudulent passport, identity document or other travel document;
 - whether evidence exists that the person has been forced to lie to the person's family or friends about the person's safety, well-being and whereabouts;
 - whether the person has been subjected to debt bondage;
 - whether the person has been forced to work whilst earning little, if any, and
 - whether the person has been required to do work that is different than originally promised to that person.

2.3. What should you do if you suspect that a person has been trafficked?

One must file a complaint of Human Trafficking.

The Anti-trafficking Act provides that a victim of trafficking or a person with information concerning the commission of an offence of trafficking may file a complaint with a police officer at a place where:

- the offender resides,
- the victim resides,
- the offence occurred or is occurring, or
- the victim is residing temporarily, if the victim has left the victim's normal place of abode.

If it is a child that has been trafficked, the law provides that he or she may be assisted by his or her friend to file a complaint concerning the commission of an offence of human trafficking. Where a victim is for any reason unable to file a complaint personally, a member of the victim's family or any other person with the knowledge of the offence may file a complaint on behalf of the victim. Where a person who could have been a complainant of trafficking has died, the complaint may be made by any person with any knowledge of the offence.

2.4. What should the police officer do after receiving such a complaint?

As soon as the police officer receives a complaint for human trafficking, he or she is required to do the following:

- interview the parties and witnesses to the offence, including children;
- record the complaint in detail and provide a copy of the written report to the victim;
- assist the victim to obtain medical treatment where necessary;
- assist in taking the victim to a safe place if the victim expresses concern about their safety;
- inform the victim about their rights and any basic support which may be available to assist them.

The police officer with whom the complaint has been lodged shall respond to the complaint of Human Trafficking and shall ensure that the person lodging the complaint is protected whether he or she is the victim or not. If the police officer fails to respond to a request for assistance, he or she shall be subject to disciplinary action.

2.6. Which other places can human trafficking cases be reported?

Cases of human trafficking or suspected human trafficking can be reported to any of the following institution:

- The Human Rights Commission (HRC)
- Women and Law in Southern Africa (WLSA)
- Legal Resource Chambers (LRF)
- Young Women Christian Association (YWCA)
- International Organisation for Migration (IOM)
- International Justice Mission (IJM)
- International Labour Organisation (ILO)

2.7. Are there Centres for victims of Human Trafficking?

According to the Anti-human Trafficking Act, the Government:

- Shall establish centres for adults and child human trafficking victims throughout Zambia and these centres shall secure the physical safety of victims;
- Shall provide temporary basic material support for the care of victims;
- Shall offer a programme for the provision of counselling and rehabilitation services to victims;
- Shall ensure the re-integration of adult victims into their families and communities;
- Shall offer a programme aimed at the provision of skills development training to adults and
- Shall offer programmes aimed at the provision of education to victims.

JESUIT CENTRE FOR THEOLOGICAL REFLECTION
"Promoting Faith and Justice"

P.O. Box 37774 10101 Lusaka - Zambia
Tel: 260 211 290410 Fax: 260 211 290759
E-mail:jctr@jesuits.org.zm Web:www.jctr.org.zm

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Jesuit Centre for Theological Reflection

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