



REPUBLIC OF NAMIBIA

MINISTRY OF GENDER EQUALITY AND CHILD WELFARE

Tabling of the Trafficking in Persons Bill

By: Honourable Doreen
Minister of Gender Equality and Child Welfare

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Honourable speaker,

Honourable members of Parliament of this august house,

May I take this opportunity to table before this august house the Combating of Trafficking in Persons Bill.

Human Trafficking is defined in the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (the Trafficking Protocol) as "the recruitment, transport, transfer, harbouring or receipt of a person by such means as threat or use of force or other forms of coercion, of abduction, of fraud or deception for the purpose of exploitation. Every country in the world is affected by human trafficking, whether as a country of origin, transit or destination for victims.

In 2010, the General Assembly adopted the Global Plan of Action to Combat Trafficking in Persons, urging Governments worldwide to take coordinated and consistent measures to defeat this scourge. The Plan calls for integrating the fight against human trafficking into the UN's broader programmes in order to boost development and strengthen security worldwide

Honourable members, the Combating of Trafficking in Persons Bill aimed at:

- a) Giving effect to Namibia's obligations relating to trafficking in persons in terms of international agreements binding on Namibia, especially the trafficking in persons protocol; and

- b) Preventing and combating Trafficking in Persons
- c) Providing for the Prosecutions of persons who commit offences in terms of the Act; and
- d) Providing Appropriate penalties; and
- e) Providing measures for the protection of and assistance to victims of trafficking

Namibia is alleged to be the country of origin, transit, and destination for women, children, and possibly men subjected to forced labour and sex trafficking in the SADC region. Sadly, out of 15 SADC member states, it is only two member states that do not have stand-alone legislation on trafficking in Persons; Namibia is one of the two member states not having a stand-alone legislation on trafficking in Persons.

There are some provisions though not comprehensive, pertaining to aspects of human trafficking or which deal with related crimes in the following legislations, namely;

- a) The Namibian Constitution
- b) The Prevention of Organised Crime Act No. 29 of 2004 (POCA)
- c) The Child Care and Protection Act No. 3 of 2015 specifically
- d) The Combating of Immoral Practices Act No. 21 of 1980
- e) Combating of Rape Act, 8 of 2000
- f) Labour Act, 11 of 2007
- g) Immigration Control Act, 7 of 1993

Namibia has ratified the *United Nations Convention against Transnational Organised Crime and the additional Protocol to Prevent, Suppress and Punish Trafficking in Humans, especially women and children* in 2003.

For effective coordination to fight trafficking in persons in Namibia, a National Committee has been established chaired by The Hon. Minister of International Relations and Cooperation and comprised of the following Ministries and Offices: Home Affairs and Immigration, Justice, Finance, Safety and Security, Gender Equality and Child Welfare, Labour, Industrial Relations and Employment Creation, Health and Social Services, Works and Transport, Fisheries and Marine Resources, Offices of the Attorney General and Prosecutor General.

The Committee works with relevant stakeholders on matters pertaining to Trafficking in Persons in the country.

The Inter-ministerial Committee on Human Trafficking consisting of office/ministries/agencies (OMAs) started with the layman draft on Combating of Trafficking in Person Bill. The layman draft was shared with the Cluster on Gender Based Violence (GBV) and Human Rights (consisting of government, NGO/CSO, faith-based organisation, academia and development partners) during a national consultative workshops and inputs from the workshop was incorporated. The Bill was then submitted to the Cabinet Committee on Legislation (CCL) for their discussion. There were queries from CCL that were discussed with the Inter-Ministerial

Committee and GBV & Human Rights Cluster. The Bill was again submitted back to the CCL for their approval and submission to the MOJ legal drafters. The drafted Bill was then submitted to the Attorney-General before tabling in Parliament.

The Combating of Trafficking in Persons Bill is of great importance to the protection of human rights in Namibia; and I am humbly requesting this august house to support the Combating of Trafficking in Persons Bill.

I submit Honourable Speaker.