



**INTERVENTION BY THE REPUBLIC OF SOUTH AFRICA ON  
THE OCCASION OF THE 11TH SESSION OF THE  
WORKING GROUP ON SMUGGLING OF MIGRANTS OF  
THE CONFERENCE OF THE STATES PARTIES TO THE  
UNITED NATIONS CONVENTION AGAINST  
TRANSNATIONAL ORGANISED CRIME**

**AGENDA ITEM 3: PROTECTION AND ASSISTANCE  
MEASURES FOR SMUGGLED MIGRANTS**

**11 JULY 2024**

**VIENNA, AUSTRIA**

Check against delivery!

## **Chairpersons,**

From the onset, my delegation appreciates the thematic focus of this year's Working Group discussions and thanks the panellists for the presentations.

## **Chairpersons,**

As is widely recognised that migration is one of the great driving forces of human progress and development, there are many reasons why people migrate, i.e. to seek economic opportunities, to access education for their children, to begin a family, to explore and experience new things. As such, profit-seeking criminals have taken advantage of this phenomenon as not everyone who migrates has the legal opportunities to do so, which opens them up to being taken advantage of by those who offer migrant smuggling services. Smugglers offer services that can be highly dangerous to the health and lives of those they smuggle, also they undermine the state's ability to protect its territorial sovereignty.

Smuggled migrants run a security risk as they are vulnerable to abuse and exploitation. They are exposed to risks at every stage of the journey due to the fact that smuggling networks often are linked to other forms of organized crimes, such as drug trafficking, weapons smuggling. Their safety and even their lives are often put at risk as they may along the way or upon reaching their destinations, be subjected to kidnapping, extortion, torture, and rape.

## **Co-Chairs,**

The exact size and extent of the phenomenon in South Africa, like elsewhere in the world is difficult to quantify but it's a real challenge which ought to be addressed. A collective ability to effectively counter migrant smuggling remains a core element in the realization of safe, orderly and regular migration, and thus a central component of the Global Compact for Migration.

We are of the firm view that countering smuggling needs improvement of cross-border coordination between different agencies and countries that involve sharing intelligence, increasing communication, and implementing joint operations to identify and intercept smuggling of migrants.

**Chairperson,**

My delegation maintains that addressing root causes of smuggling of migrants is of central importance. Our principled position is that, collectively, we should urgently address adverse drivers that lead people to seek out the services of smugglers. This includes climate-induced migration, instability, inequality, poverty, and other related structural deficiencies that compel people to leave their countries of origin. The element of push factors that force people to take unsafe and dangerous pathways in search of better livelihood should be a priority for the international community and therefore regional and international cooperation is critical in this regard.

At a national level my government has built partnerships with relevant stakeholders to identify the needs of smuggled migrants and provide relevant, human rights-based, gender- and culture-sensitive and age-appropriate protection and assistance measures. South Africa has established the National Inter-Sectoral Committee on Trafficking in Persons (NICTIP) to coordinate plans and strategies in trafficking which is the same resource used to coordinate smuggling of migrants as the two are intertwined. NICTIP is comprised of representatives from key national and provincial departments as well as civil society organizations. This structure also provides for educational programs, conducted through awareness campaigns and increased training of officials and communities in an effort to protect the rights of those being smuggled.

As part of our comprehensive efforts to regularise migration, we launched the Border Management Authority, in October 2023. The rationale for the establishment of the BMA was to enable South Africa to appropriately balance the facilitation and management of legitimate movement of persons and goods within the border law enforcement area and at ports of entry and co-operate and coordinate its border law enforcement functions with other organs of state, border communities or any other persons.

**Chairperson,**

My country has taken a step to harmonize the various legislations on citizenship, immigration, and refugee protection into one policy framework called the “White Paper on Citizenship, Immigration, and Refugee Protection” as an attempt to strengthen the protection of those within, and those seeking to reside within the borders of the country. The main focus of this Paper is on creating a migration regime that promotes legal migration while discouraging

illegal migration. The Paper recommends tougher criminal offence for perpetrators of human smuggling, human trafficking and illegal migrations.

Our Country's Justice Crime Prevention and Security Cluster (JCPS) considers combatting of smuggling of migrants and combating of trafficking of persons a priority in the Cluster's activities to ensure that all persons in South Africa are and feel safe. Our Immigration legislation is enforced through effective humane and speedy deportations. Furthermore, prior to the admission at Lindela Holding Facility every person is interviewed and screened prior to the admission. The facility meets the minimum standards for detention set out in the United Nations Standard Minimum Rules for the Treatment of Prisoners ("the Nelson Mandela Rules"), which have been adopted by South Africa as part of its commitment to securing global human rights, equality and promotion of a culture of peace.

### **Chairpersons,**

In fostering cooperation with other member states, South Africa engages at bilateral and multilateral levels both at the regional and global levels, such as at the Southern African Development Community (SADC). Within SADC, the region is jointly implementing the SADC Strategy to Combat Illegal Migration, Smuggling of Migrants and Trafficking in Persons. These engagements include technical assistance, visa co-operation, joint cross border operations to combat illegal migration and sharing of information. Furthermore South Africa as an important player in combating trans-national crime, has membership within INTERPOL, the Southern African Regional Police Chiefs Cooperation Organization (SARPCCO), and has formal police-to-police cooperation agreements with its neighbours.

Another example of successful partnerships includes the Trans-Kalahari Corridor Secretariat (TKCS) that involves South Africa, Botswana and Namibia. This structure is responsible for coordinating educational programs and inter-country joint law enforcement operations between the three member states along the corridor on a regular basis amongst other activities.

**I thank you.**