

The following countries are covered in this section: Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru and the Bolivarian Republic of Venezuela.

Any missing information concerning the region was either unavailable or not accessed by UNODC.



Argentina

Institutional framework

The specific offence of trafficking in persons was established in Argentina in April 2008. Before this law was in force, offences such as “facilitation of prostitution” and the act of “reducing someone to a situation of servitude” were used to prosecute some forms of trafficking in persons. In July 2007, a presidential decree created a Programa Nacional de Prevención y Erradicación de La Trata de Personas y de Asistencia a sus Víctimas, and the Oficina de Asistencia Integral a la Víctima del Delito de la Procuración General de la Nación (OFAVI) adopted a contingency plan against trafficking in persons.

Criminal justice response

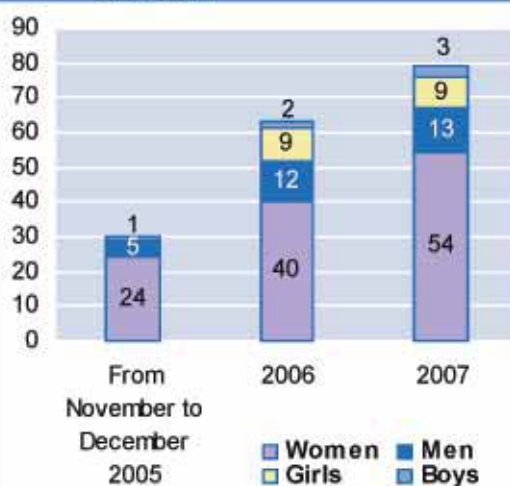
The Procuración General de la Nación (Public Prosecutor’s Office) in Buenos Aires established a special unit to cover sex crimes, including trafficking in persons, in 2005. Fifteen of the 23 federal provinces have structures in their own public prosecutor’s offices to assist victims of trafficking.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons between 2003 and 2007. In 2005 and the first semester of 2006, 61 cases of reducing someone to a situation analogous to servitude were detected, leading to one conviction.

Services provided to victims

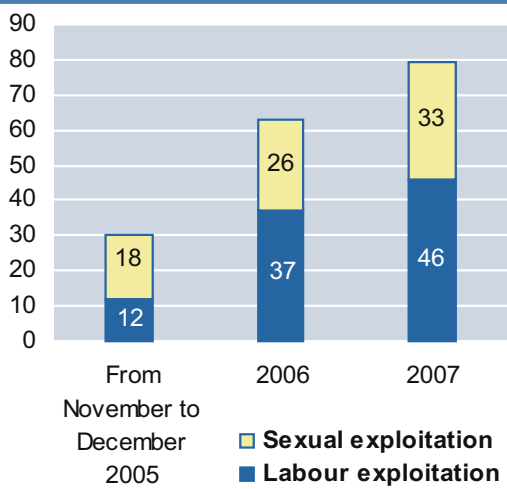
State authorities provide temporary stay permits, medical and psychosocial support, and housing for victims of trafficking. Victims of sexual exploitation have been accepted in shelters for domestic violence or were sheltered in small family hotels in Buenos Aires. In February 2008, one shelter specifically for human trafficking victims opened in the province of Misiones.

Fig. 93: Victims of trafficking in persons identified by various institutions and assisted by IOM-Programme AVOT in Argentina, by gender and age (November 2005-2007)



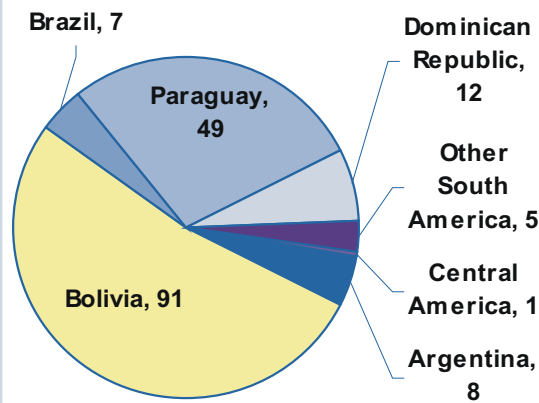
Source: Programa AVOT (Asistencia a Víctimas de la Trata de Personas), IOM-Buenos Aires.

Fig. 94: Victims of trafficking in persons identified by various institutions and assisted by IOM-Programme AVOT in Argentina, by form of exploitation (November 2005-2007)



Source: Programa AVOT (Asistencia a Víctimas de la Trata de Personas), IOM-Buenos Aires

Fig. 95: Victims of trafficking in persons identified by various institutions and assisted by IOM-Programme AVOT in Argentina, by country of citizenship (November 2005-2007)



Source: Programa AVOT (Asistencia a Víctimas de la Trata de Personas), IOM-Buenos Aires

Additional information

The victims reported above were identified by OFAVI, which is connected to the Public Prosecutor’s Office, as well as other government offices, consulate services of countries of origin and civil society organizations. These institutions have been working in partnership with IOM-Buenos Aires in Programme AVOT (Asistencia a Víctimas de la Trata de Personas).

In addition to those reported above, one Argentine victim of human trafficking was returned from Central America in 2006 and another was returned from South Europe in 2007. Both were assisted by IOM.

Bolivia

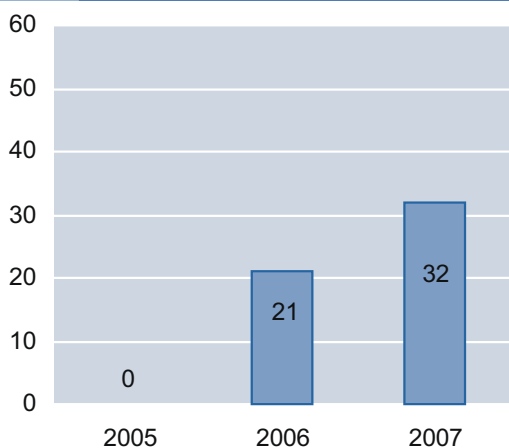
Institutional framework

The specific offence of trafficking in persons was established in Bolivia in January 2006. A national action plan was enacted and implemented for 2006-2010.

Criminal justice response

There are specialized units within the Special Forces of La Paz, Cochabamba and Santa Cruz dealing with trafficking in persons and the smuggling of migrants.

Fig. 96: Cases of trafficking in persons investigated by the National Police in Bolivia (2005-2007)



Source: Policía Nacional, Dirección Nacional División Trata y Tráfico de Seres Humanos

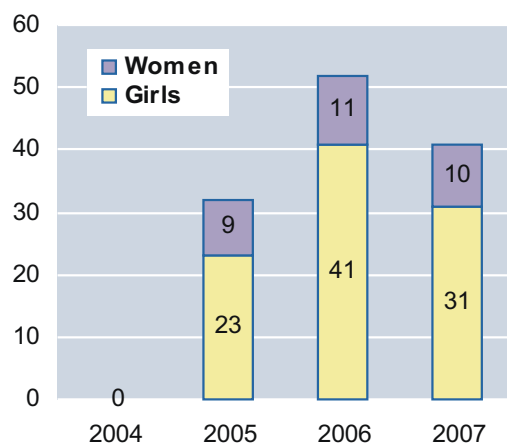
Services provided to victims

State authorities, NGOs and international organizations provide medical and psychological support and housing and shelter for victims of trafficking in persons.

Additional information

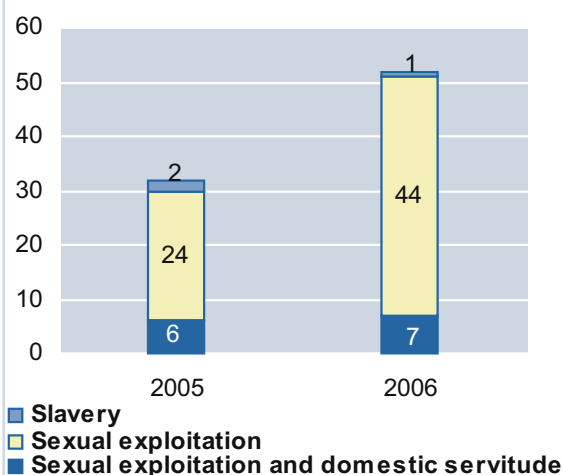
Authorities reported 85 suspected cases of trafficking in persons and 27 cases of possible child trafficking in 2007 in addition to the ones indicated in the charts above. According to the Ministry of Justice, the only official system for victim identification currently in place is the police. Victims identified by State authorities and rep-

Fig. 97: Victims of trafficking in persons identified by State authorities in Bolivia, by age (2004-2007)



Source: SEDEGES (Servicio Departamental de Gestión Social)

Fig. 98: Victims of trafficking in persons identified by State authorities in Bolivia, by type of exploitation (2005-2006)



Source: SEDEGES (Servicio Departamental de Gestión Social)

resented in the chart above as having suffered mixed exploitation were subjected to sexual exploitation and domestic servitude.

The only shelter available for trafficking victims, the Centro de Terapia de Mujeres, is located in La Paz. This shelter is primarily designed to assist adolescent victims of violence between the ages of 12 and 18, but it also has been used to shelter female (women and girls) victims of trafficking.

Brazil

Institutional framework

Brazil has specific provisions criminalizing trafficking in persons in its penal code. These provisions were last reformed in 2005 when the offence of international trafficking (Article 231) was supplemented by the offence of internal trafficking (Article 231-A) – both articles refer only to sexual exploitation. Article 149 of the penal code criminalizes “reducing someone to a situation analogous to slavery”, including trafficking in persons cases.

Within the legislative frame of its labour law, Brazil developed a Labour Justice System with its own specific body of public prosecutors and judges enforcing labour legislation. The Labour Justice System has also developed its own set of sanctions that include fines and other administrative measures but not detention.

Brazil has had a National Policy on Trafficking in Persons in place since 2006 and a National Plan of Action for 2008-2010 that entered into force in January 2008. Some federal states, like Pernambuco, Sao Paulo, Ceara and Bahia as well as some larger municipalities, have started drafting local plans of action against human trafficking that mirror the national documents.

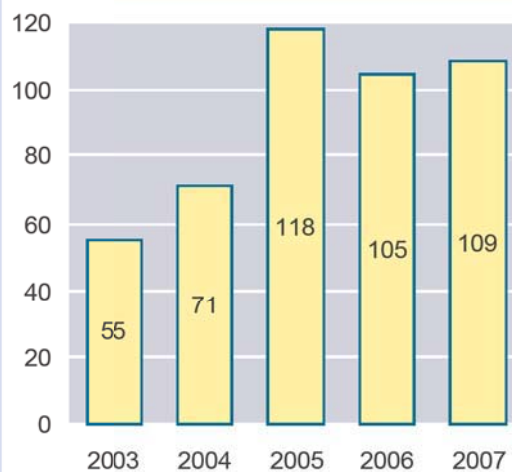
Criminal justice response

Brazil has a federal criminal justice system with several law enforcement and judicial structures (federal, state, labour, children and adolescents) in place that deal with trafficking within their respective areas. For instance, the Federal Police investigate international trafficking as well as internal trafficking when it involves more than one state. Within the Federal Police, the Central Division of Human Rights is the specialized body for investigations regarding crimes against human rights, including human trafficking. The Federal Road Police Patrol has a dedicated unit focused on human trafficking cases occurring on the roads.

All convictions for trafficking in persons offences refer to sexual exploitation. All those convicted

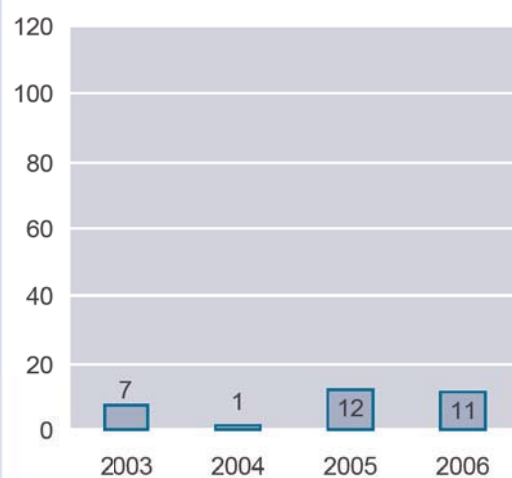
under these offences from 2004 to February 2007 were Brazilians, with the exception of six Europeans. Of the cases investigated under the slave labour offence, a total of 11 were prosecuted by the federal court with no convictions.

Fig. 99: Cases of trafficking in persons investigated by the Federal Police in Brazil (2003-2007)



Source: Federal Police databank

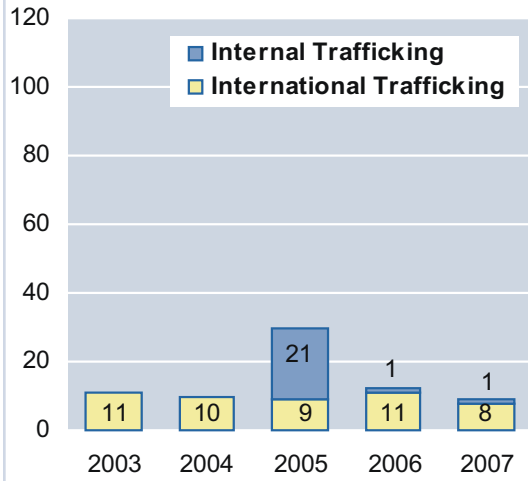
Fig. 100: Cases of trafficking in persons prosecuted as a result of Federal Police investigations in Brazil (2003-2007)



Source: Federal Police databank

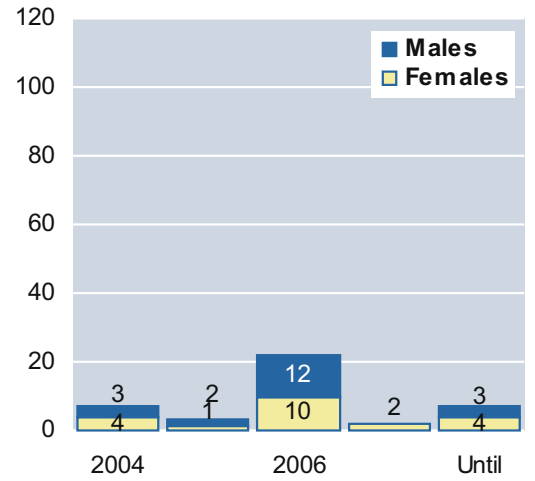


Fig. 101: Cases of trafficking in persons investigated by State Police in Brazil (2003-2007)



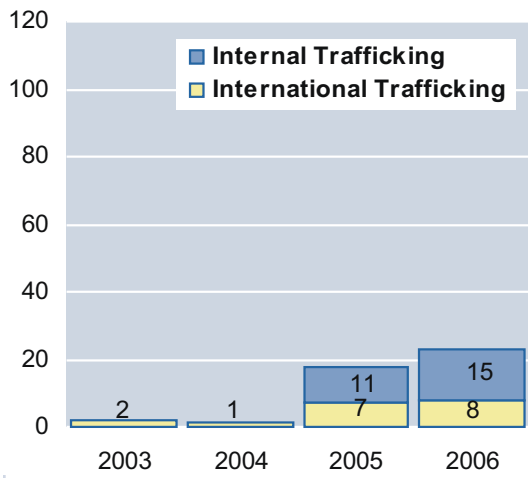
Source: International Labour Office - Estudo Proteger e Responsabilizar

Fig. 103: Persons convicted in federal and state courts of trafficking in persons in Brazil, by gender (2004-February 2008)



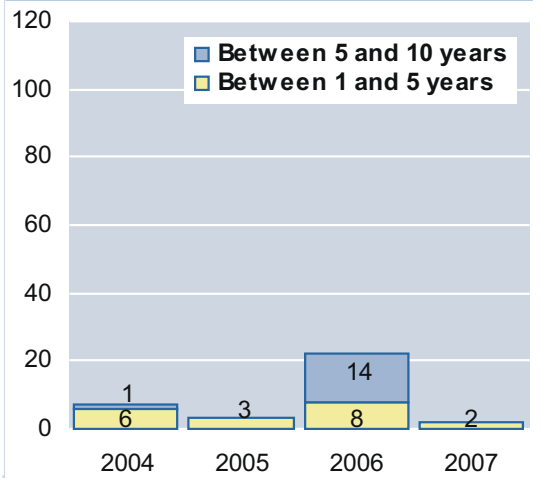
Sources: Federal Police databank, Justiça federal, local courts

Fig. 102: Cases of trafficking in persons prosecuted as a result of State Police investigations in Brazil (2003-2007)



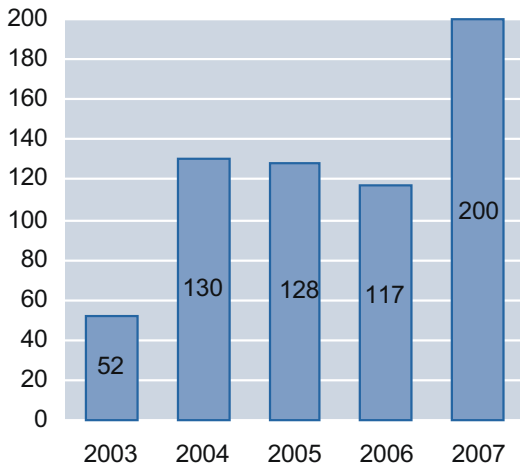
Source: International Labour Office - Estudo Proteger e Responsabilizar

Fig. 104: Sanctions imposed by federal and state courts for trafficking in persons in Brazil



Sources: Federal Police databank, Justiça federal, local courts

Fig. 105: Cases of slave labour (Article 149 of the penal code) investigated by Federal Police in Brazil (2003-2007)

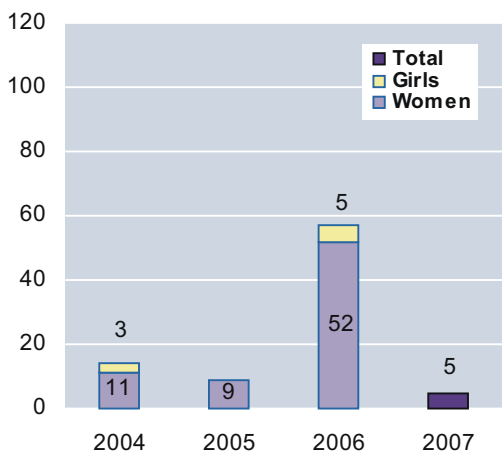


Sources: Federal Police databank

Services provided to victims

State authorities and local NGOs provide legal protection, medical and psychosocial support, and housing and shelter for victims of human trafficking. International organizations financially support specific shelters in the country, but they do not provide these services directly. In 2008, the text of a new Foreigners' Statute to enable the concession of visas to trafficking victims was under consideration by Congress.

Fig. 106: Victims of trafficking in persons identified by federal and state courts in Brazil during criminal proceedings, by age (2004-2007)



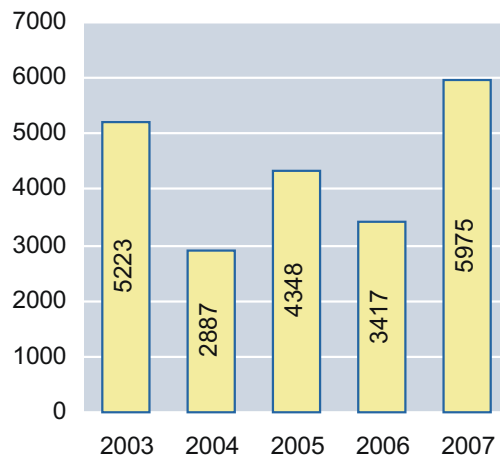
Sources: Federal and state courts

Additional information

All victims of trafficking identified and reported above were citizens of Brazil.

In the context of the Labour Justice System, the Federal Mobile Group targets slave labour according to the labour legislation. This group was formed in 1995 by the Ministry of Labour, the Labour Public Prosecutor's Office and the Federal Police.

Fig. 107: Persons found in slave labour conditions by the Federal Mobile Group from the Ministry of Labour in Brazil (2003-2007)



Source: Ministry of Labour

All victims of slave labour identified by the Federal Mobile Group were citizens of Brazil and almost all of them were adult males. The above numbers only refer to workers under slave conditions detected in rural areas. Bolivian, Peruvian, Paraguayan and Ecuadorian victims of trafficking for the purpose of slave labour were detected in the State of Sao Paulo, but the actual numbers of these victims were not available for the reporting period.

Chile

Institutional framework

Chile has provisions criminalizing the facilitation of entry or exit of the Chilean territory for the purpose of prostitution. This offence is used to prosecute some forms of trafficking in persons, but trafficking for forced labour and internal trafficking are not covered by this provision. Draft legislation establishing the specific offence of trafficking in persons received the approval of the senate in 2007 and was pending with the Chamber of Deputies in 2008.

Criminal justice response

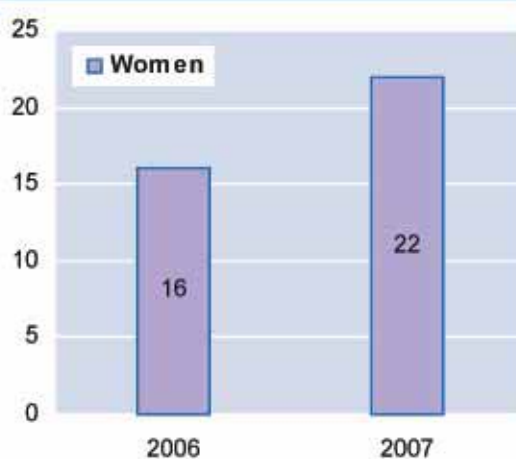
The largest cities in Chile have a special police unit for sex crimes (BRISEXME), including trafficking in persons. The Fiscalía Nacional (Public Prosecutor's Office) also has a unit specializing in sex crimes.

Four women were prosecuted for human trafficking in 2005 and one man in 2006. Two women – one Bolivian and one Paraguayan – were convicted in 2006, and one person was convicted in 2007. The women convicted in 2006 received sentences of between one to five years and five to 10 years, respectively.

Services provided to victims

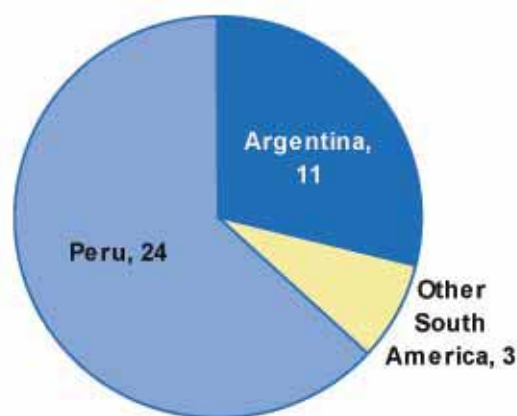
State authorities and local NGOs provide temporary visas and housing and shelter for victims of human trafficking. The government gives public support to NGOs that run shelters only for children and adolescent victims of sexual exploitation, including human trafficking victims. All victims identified by State authorities in 2006 and 2007 were adult females trafficked for sexual exploitation.

Fig. 108: Victims of trafficking in persons related offences, identified by the Public Prosecutor's Office in Chile, (2006-2007)



Source: Fiscalía Nacional

Fig. 109: Victims of trafficking in persons related offence, identified by the Public Prosecutor's Office in Chile, by country of citizenship (2006-2007)



Source: Fiscalía Nacional

Colombia

Institutional framework

The specific offence of trafficking in persons was established in Colombia in 2002, and a new law was adopted in 2005. This law has a wider definition of trafficking in persons than included in the UN Trafficking Protocol since the Colombian law considers the consent of an adult irrelevant when defining situations of trafficking in persons. A national action plan was adopted in 2005.

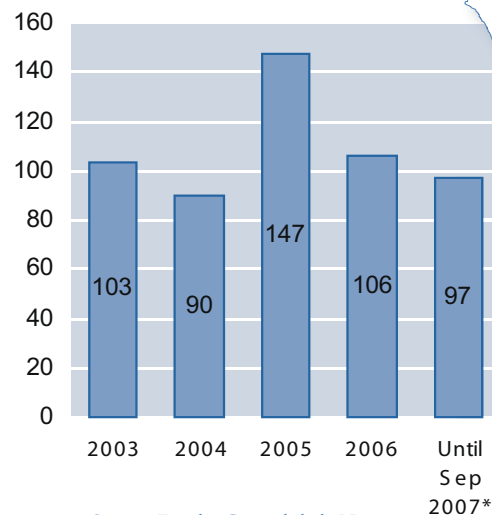
Criminal justice response

Some police officers who are part of the Group for Sexual Crimes have special training to combat the smuggling of migrants and trafficking in persons. The Departamento Administrativo de Seguridad (DAS) also has a group specially trained for such investigations, operating under the direction of Interpol.

The Fiscalía (Public Prosecutor's Office) established a National Unit of Human Rights in March 2007 focusing on trafficking in persons. Also in 2007, as part of the Estrategia Nacional de Lucha contra la Trata de Personas, the Ministry of Justice and Interior and the UNODC field office in Colombia implemented the Centro Operativo Anti-Trata de Personas (C.O.A.T.) in order to create and develop an elite group of public servants devoted to the prosecution of trafficking cases.

Three prosecutions for trafficking in persons were recorded in Colombia from 2003 to September 2007; two prosecutions were initiated in 2005 and one in 2007 (up to September); and three convictions were recorded from 2003 to September 2007.

Fig. 110: Cases of trafficking in persons investigated in Colombia (2003-September 2007)

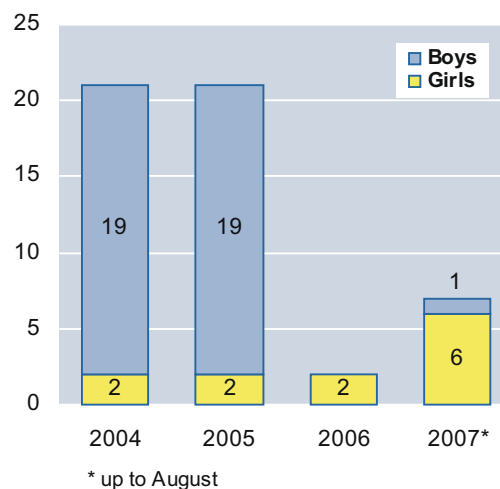


Source: Fiscalía General de la Nación

Services provided to victims

State authorities provide legal protections, temporary visas, medical and psychological support, and housing and shelter for victims. Local NGOs offer housing and shelter, medical and psychosocial support, and legal assistance. Additionally, international organizations provide housing and shelter.

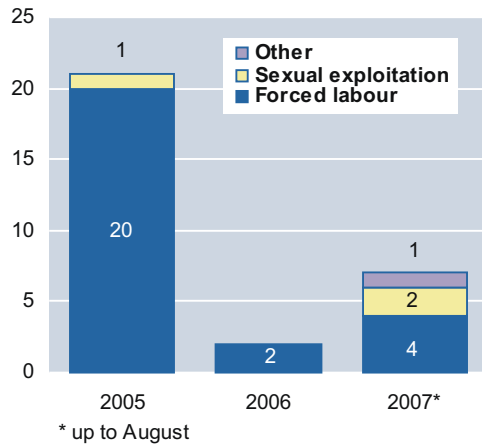
Fig. 111: Victims of trafficking in persons identified by State authorities in Colombia, by gender (2004-August 2007)



* up to August

Source: Instituto Colombiano de Bienstar Social

Fig. 112: Victims of trafficking in persons identified by State authorities in Colombia, by form of exploitation (2005-August 2007)



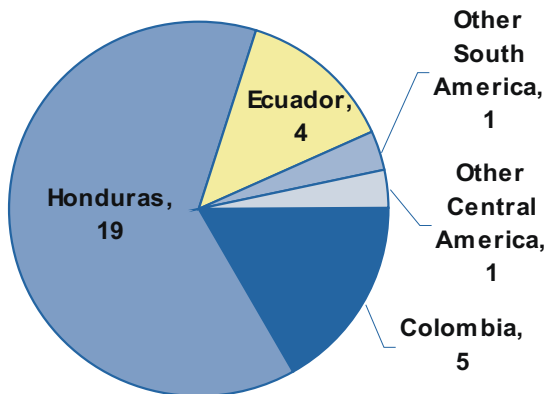
Source: Instituto Colombiano de Bienstar Social

Additional information

The above figures on identified victims were provided by the Instituto Colombiano de Bienstar Social (ICBF), a public institution charged with the protection of children and adolescents that also runs the public shelters for this age group.

In August 2007, the RITRA (Registro de Información de Trata de Personas) system was launched. This system collects information from the different institutions dealing with trafficking cases, whether from a criminal justice perspective or from those providing direct assistance.

Fig. 113: Victims of trafficking in persons identified by State authorities in Colombia, by country of citizenship (2005-August 2007)



Source: Instituto Colombiano de Bienstar Social

Ecuador

Institutional framework

The specific offence of trafficking in persons was established in Ecuador in 2005 but the legislation does not include “removal of organs” as purpose of trafficking. A national action plan for combating trafficking in persons and other forms of exploitation was adopted in 2006.

Criminal justice response

The National Police of Ecuador has a specific unit investigating child trafficking that is connected to the Dirección Nacional de Policía Especializada en Niños, Niñas y Adolescentes (DINAPEN) and exists in four regions of the country.

Between 2005 and the end of 2007, there were 160 cases of various forms of sexual exploitation against children (child pornography, sex tourism, etc.), including cases of trafficking in persons. Over the same period, there were 10 convictions for these offences, six in the capital of Quito and four in Machala, close to the Peruvian border. All cases were related to various forms of sexual exploitation, mostly with victims under 18 years of age. All persons convicted were citizens of Ecuador and received sentences ranging between six and 12 years detention.

Services provided to victims

State authorities provide legal protection, temporary visas, and housing and shelter to victims of human trafficking. With funding from the State, some NGOs run shelters in Sucumbíos and Quito for minors who are victims of trafficking. Religious orders, such as Hermanas Adoratrices, provide housing for children and adolescent victims of sex trafficking in the cities of Lago Agrio, Cuenca and Santo Domingo.

Additional information

The National Witness/Victim Protection Programme and the National Institute for Children and the Family (Instituto Nacional de La Niñez y la Familia, INNFA) identified child victims of trafficking during the reporting period. However, as the information has not yet been systematized, there are no statistics on identified victims of trafficking in Ecuador.

The National Institute for Children and the Family (Instituto Nacional de La Niñez y la Familia, INNFA) has also a fund to repatriate Ecuadorian minors trafficked abroad. A new shelter for child victims of trafficking is due to open in 2008 in the city of Machala.



Paraguay

Institutional framework

Paraguay has a provision criminalizing the use of force or fraud to facilitate the entry or exit of a person from or to the country for the purpose of prostitution. This offence is used to prosecute some forms of trafficking in persons, but it does not cover internal trafficking and refers only to sexual exploitation. Draft legislation establishing the specific offence of trafficking in persons is planned to enter into force in 2009. National action plans are in place relating to trafficking in persons for the sexual exploitation of children and adolescents and for child labor.

Criminal justice response

Since 2005, the Public Prosecutor’s Office has created specialized units for sex crimes, potentially including human trafficking cases.

Information related only to the capital of Asuncion indicates that there were 65 cases investigated under the offence of facilitating the entry of prostitutes. Over the same period, 19 persons were investigated by the police for the same offence, prosecution was commenced against 11 persons and seven persons were convicted – all those convicted were Paraguayan.

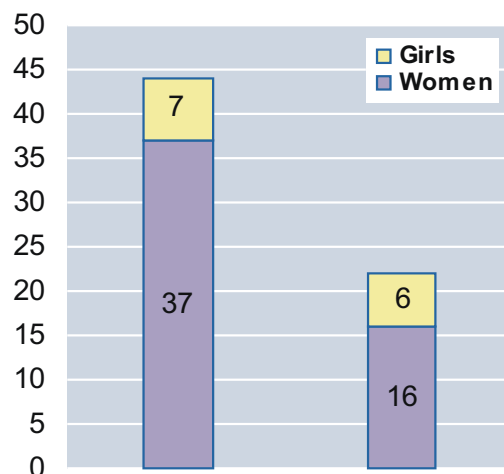
Services provided to victims

State authorities provide legal protection, medical and psychosocial support, and housing and shelter. Local NGOs offer housing and shelter.

Additional information

Currently, there are two shelters funded by the State that receive minors who are victims of sexual violence, including human trafficking, and one shelter that receives adult victims. All victims of trafficking in persons identified and sheltered in 2005 and 2006 were Paraguayans returned from other countries. Since most victims were repatriated from Argentina, they were normally returned and provided with reintegration assistance by IOM-Buenos Aires.

Fig. 114: Victims of the offence “use of force or fraud to facilitate the entry or exit of a person from or to the country for the purpose of prostitution” identified by State authorities in Paraguay, by age (2005-2006)



Source: Office of the Public Prosecutor

Peru

Institutional framework

The specific offence of trafficking in persons for sexual exploitation has existed in Peru since 2004. In January 2007, the criminal code was amended to expand the trafficking offence to include the other forms of exploitation listed in Article 3 of the UN Trafficking Protocol. A national plan of action was presented to the government in July 2007.

Criminal justice response

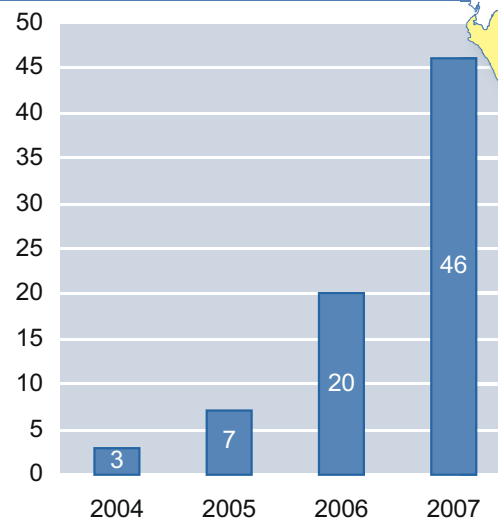
A special investigative unit, the Departamento de Investigación contra la Trata de Personas e Investigaciones Especiales, was created in January 2004. This unit has investigative responsibility at the national level for trafficking in persons.

Four persons were prosecuted in 2006. In the same year, one Peruvian male was convicted for trafficking in persons for sexual exploitation and received a sentence of between five and 10 years detention. No other convictions were recorded between 2003 and 2006.

Services provided to victims

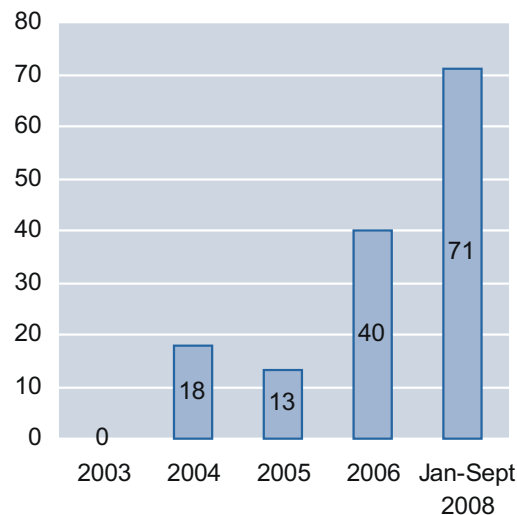
State authorities and local NGOs provide legal protections, temporary visas, medical and psychological support, and housing and shelters.

Fig. 115: Cases of trafficking in persons investigated in Peru (2004-2007)



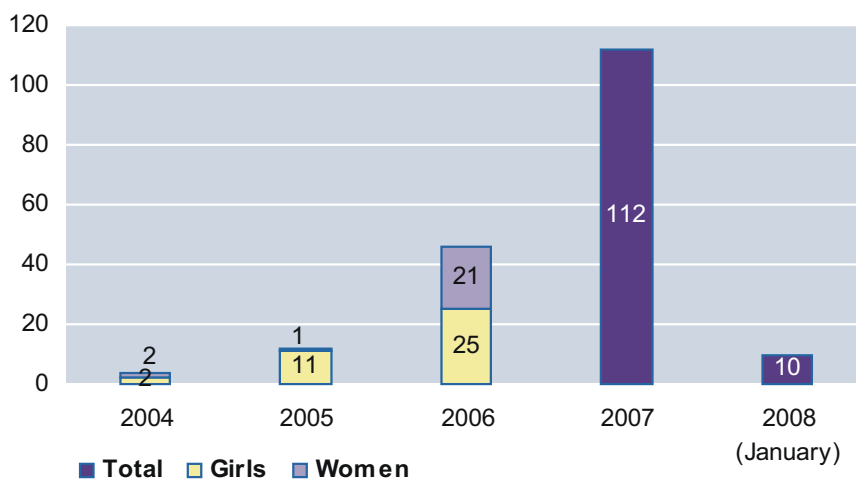
Source: Capital Humano y Social Alternativo

Fig. 116: Persons suspected of trafficking in Peru (2003-September 2007)



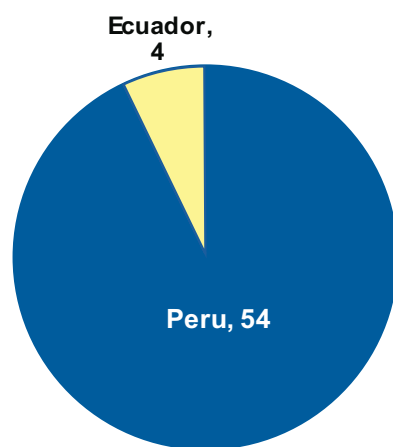
Source: Capital Humano y Social Alternativo

Fig. 117: Victims of trafficking in persons identified by State authorities in Peru, by age (2004-January 2008)



Source: Policía Nacional del Perú/Sistema RETA

Fig. 118: Victims of trafficking in persons identified by State authorities in Peru, by country of citizenship (2005-2006)



Source: Policía Nacional del Perú/Sistema RETA

Additional information

The RETA system was developed in the early years of this decade. This system includes a data-bank that centralizes information on victims and traffickers from the different authorities and actors, including NGOs, dealing with trafficking in persons.

All the victims identified in 2005 and 2006 were trafficked for sexual exploitation. There is no clear information concerning the destination of the reported victims, but it appears that a significant portion of them were trafficked internally.

Venezuela (Bolivarian Republic of)

Institutional framework

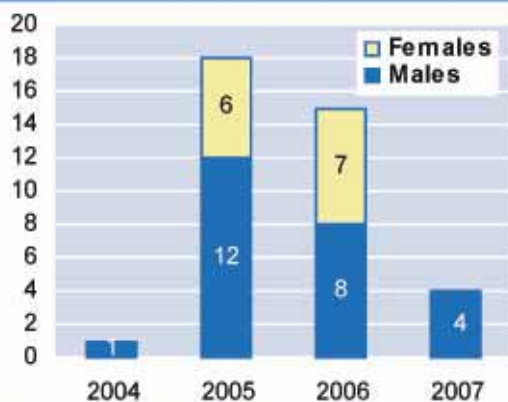
International trafficking in persons was criminalized in Venezuela in 2005 under the organic law against organized crime and under the immigration law (2004). In March 2007, a new specific offence criminalizing trafficking in women and girls was introduced into the penal code under the organic law on the Right of Women to a Violence-Free Life. The organic law for the

protection of minors and Article 174 of the penal code criminalizing the reduction into slavery and analogous conditions also are used to criminalize trafficking cases. In addition, the Venezuelan constitution explicitly prohibits trafficking in persons.

A national action plan was adopted in 2006.

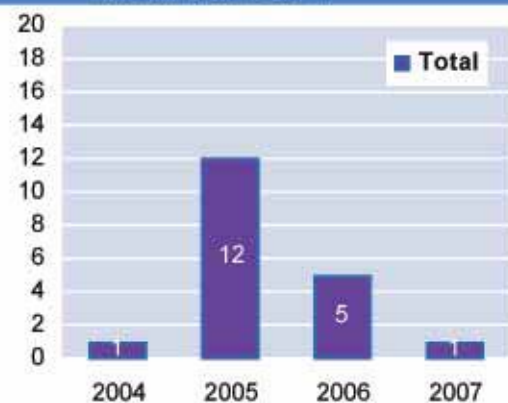
Criminal justice response

Fig. 119: Persons prosecuted for trafficking in persons and other related offences in Venezuela, by gender (2004-2007)



Source: Direccion General de Actuacion Procesal-Ministerio Publico

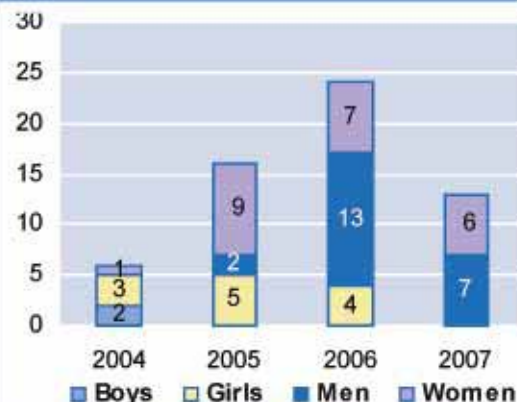
Fig. 120: Persons convicted of trafficking in persons and other related offences in Venezuela (2004-2007)



Source: Direccion General de Actuacion Procesal-Ministerio Publico

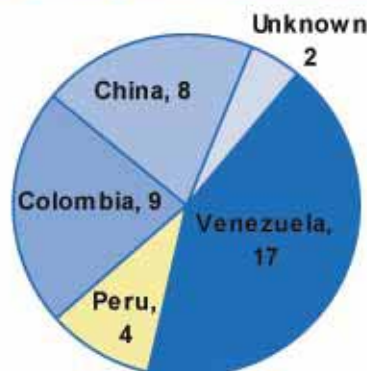
Services provided to victims

Fig. 121: Victims of trafficking in persons identified by State authorities in Venezuela, by age and gender (2004-2007)



Source: Direccion General de Actuacion Procesal-Ministerio Publico

Fig. 122: Victims of trafficking in persons identified by State authorities in Venezuela, by country of citizenship (2004-2007)



Source: Direccion General de Actuacion Procesal-Ministerio Publico

