### **REGIONAL REPORT:** COUNTER-TRAFFICKING ACTIONS **REGIONAL COALITION AGAINST TRAFFICKING IN PERSONS** AND SMUGGLING OF MIGRANTS

COALICIÓN REGIONAL ONTRA LA TRATA DE PERSONAS EL TRÁFICO ILÍCITO DE MIGRANTES

#### **IANUARY-DECEMBER 2019**

The Regional Coalition against Trafficking in Persons and Smuggling of Migrants (CORETT) aims to adopt and promote regional standards, policies, and processes to combat and prevent these crimes and improve care for victims of human trafficking, as well as to be a source of advice for countries that require it.

CORETT has a Chair and a Technical Secretariat, and is made up of the following institutions:

- The Anti-Trafficking in Person Council of Belize.
- Coalición Nacional Contra el Tráfico Ilícito de Migrantes y Trata de Personas of Costa Rica
- Consejo Nacional Contra la Trata de Personas of El Salvador
- Secretaría contra la Violencia Sexual, Explotación y Trata de Personas of Guatemala
- Comisión Interinstitucional Contra la Explotación Sexual Comercial y la Trata de Personas of Honduras

- Comisión Intersecretarial para Prevenir, Sancionar y Erradicar los Delitos en Materia de Trata de Personas y para la Protección y Asistencia a las Víctimas de estos Delitos of Mexico

- Coalición Nacional contra la Trata de Personas of Nicaragua
- Comisión Nacional Contra la Trata de Personas of Panama

- Comisión Interinstitucional de Combate a la Trata de Personas y el Tráfico Ilícito de Migrantes of the Dominican Republic

This infographic highlights the actions carried out in the region against trafficking in persons, specifically in the areas of identification and assistance of victims, prosecution, repatriation, and prevention of trafficking in persons. It should be noted that, in the case of Mexico, the data presented are preliminary figures and are subject to change.

### COUNTRIES IN THE COALITION



### VICTIM IDENTIFICATION

An identified victim of human trafficking is defined as a person who has been officially identified by the relevant government institution and is guaranteed a series of rights and protections.

In all cases, except for Nicaragua and Honduras, both national and foreign victims are included in the identification process. For Honduras, national victims identified abroad are also included.

In terms of the the progress made in victim identification, Guatemala implemented the National Trafficking System to record statistical information and signed an agreement between the Ministry of Labor and Social Security, the Attorney General's Office, and the Public Prosecutor's Office to detect cases of human trafficking.

In Costa Rica, two laws were passed to correct the definition of trafficking in persons, improving and facilitating the identification process.



Basemap source: ESRJ and UN World Map

Designation for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Ornanization for





#### DEMOGRAPHIC PROFILE



An additional 335 persons were identified in Mexico, whose age and sex are unknown.

#### NATIONALITIES<sup>1</sup>

During 2019, most of the persons identified as victims of human trafficking by the relevant institutions were within their country of nationality. In addition, it should be noted that most of the foreign victims identified were nationals of countries in the region. In the cases of Nicaragua and Honduras, only national victims were reported.

#### Persons identified as victims of trafficking within their country of nationality: 872 (55%)

#### Trafficked persons identified outside their country of nationality: 241 (15%)



<sup>1</sup> There is no disaggregated information for Guatemala and the information for the Dominican Republic is partial.

#### REGIONAL REPORT: COUNTER-TRAFFICKING ACTIONS

### FORMS OF EXPLOITATION



Means the obtaining of economic or other benefits through the involvement of another person in forced prostitution, sexual servitude or other sexual services, including forced pregnancy, acts of pornography and the production of pornographic materials.



Means any work or service required of an individual under the threat of any penalty, dismissal, or payment of wages below the legal minimum, and for which the individual does not volunteer.

14 (1%) FORCED MARRIAGE

Union of two persons in which at least one of them has not given full or free consent to such marriage.



Unauthorized adoption of babies, children, sale, and trafficking of mothers for sale.



The obligation of a person to practice begging under the coercion of another, where the profits go to the exploiter or trafficker.



The performance of criminal activities can be a purpose of trafficking, understanding this purpose as the exploitation of a person for the purpose of committing among others: theft, robbery, drug trafficking or any other activity subject to sanctions and involving an economic gain.



These include the retention of minors and the corruption of minors.



For Mexico, the purpose for which 78 people were trafficked is unknown.

### VICTIM ASSISTANCE<sup>2</sup>



#### DEMOGRAPHIC PROFILE



In the case of Mexico, 335 victims were reported to have received assistance; however, their sex and/or age is unknown.

### FORMS OF ASSISTANCE





This service includes accompaniment for filling allegations and during the judicial process, as well as accompaniment with consulates and embassies.



This type of services includes individual therapy, group therapy, and psychological first aid.



This service includes accommodation, either in state or NGO shelters, or rental assistance

<sup>2</sup> The number of people assisted per service is not available for Belize, Nicaragua and the Dominican Republic.



This service includes cash assistance, food, hygiene kits and clothing.



This includes support services for integration into the education system, particularly in the case of underage victims, as well as vocational training and support for entrepreneurship.



This includes family reunification and counseling.

In relation to victim assistance, some countries have taken noteworthy actions; for example, Nicaragua began implementing the National Strategy for Comprehensive Care and Support for Victims of Trafficking in Persons, while in most countries, care for victims is provided with an Age-appropriate approach.

In terms of services, Costa Rica provides language courses and training for the economic independence of the victims, while Honduras also considers incorporation into the formal education system.

In terms of health services, some countries, such as Costa Rica, provide for HIV testing.

<sup>3</sup>This service does not include data from Honduras.

# PROSECUTION AND ACCESS TO JUSTICE

During 2019, the different Prosecutor's Offices, Public Prosecutors' Offices and Courts in the region were responsible for investigating and prosecuting justice in cases of human trafficking in the region.

Among the main advances during this period, in Belize, was the continuation of the agreement between the Belize Police Department and the Human Trafficking Institute to partner in building the capacity of ATIP Police Unit, in order to provide for office space for members of the specialized unit, as well as staff of the Institute, who will provide on-going technical investigative assistance in trafficking in persons cases.

In Guatemala, specialized courts and tribunals were created in the departments of Guatemala and Quetzaltenango. Also, Guatemala implemented programs to protect victims or witnesses of the crime of human trafficking.



- <sup>4</sup> No data on open processes is available for Costa Rica and Mexico.
- <sup>5</sup> There is no data on acquittals for Belize and Costa Rica.
- <sup>6</sup> There is no data on convictions for Belize
- <sup>7</sup> There is no data on sentenced persons for Belize and Mexico.

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#### REPARATION MEASURES

#### Economic reparations:

In Guatemala, compensation in the amount of 15,000 Quetzales was awarded for each aggrieved victim.
In the Dominican Republic, compensation was awarded in the amount of 500,000 Dominican pesos for each of the victims. Compensation was awarded to 2 minor victims, represented by their mother, in the amount of RD\$1,000,000.

#### Non-financial reparations:

- In Guatemala, 3 vinyl banners were ordered to be printed with a message against human trafficking, indicating the points or areas to place them.

#### Regional coordination in the pursuit of justice for victims of human trafficking.

During 2019, the region continued to strengthen coordination and cooperation between justice institutions.

The project "Contribution to Strengthening the Integral Approach to the Crime of Trafficking in Persons in Central America", implemented by ECPAT Guatemala, and supported by OXFAM, Impunity Watch and the Dutch Ministry of Foreign Affairs, continued. In the framework of this project, which began in 2016, the cooperation has been consolidated with the victim assistance offices of the Public Prosecutor's Office, the Regional Network of Specialized Prosecutors against Trafficking in Persons of Guatemala, El Salvador, Honduras, Costa Rica, Panama and the Dominican Republic, and its Technical Secretariat, with the Regional Coalition against Trafficking in Persons and Smuggling of Migrants.

## REPATRIATION<sup>8</sup>

During 2019, 110 persons were repatriated. The main reason for repatriation was the interest of the victims to return to their countries of origin. In the case of Nicaragua, no repatriation process was carried out during 2019.



### DEMOGRAPHIC PROFILE



#### REGIONAL COORDINATION IN REPATRIATION OF VICTIMS OF HUMAN TRAFFICKING

During 2019, CORETT member countries coordinated repatriation processes, in which the following stand out:

The identification of Costa Rican victims of human trafficking in Panamanian territory, where the cases were duly accredited by the Panama Response Team. Subsequently, Costa Rica carried out a process of validation of such accreditation, to then articulate the repatriation between the Immediate Response Teams and the Migration Directorates of both countries.

The identification of a minor victim in Panama, who was resettled to the United States of America as a compensation offered by the U.S. Government, due to the fact that the person identified as responsible for the crime of trafficking of the minor was a U.S. citizen.

### PREVENTION



During 2019, the different institutions in charge of the prevention of human trafficking carried out trainings, seminars and workshops aimed at people who could potentially be victims of trafficking, as well as workers of public and private institutions that could have contact with victims, on issues of awareness, detection, and care of victims.

### DEMOGRAPHIC PROFILE<sup>9</sup>









The means of direct prevention include all those that involve direct contact with potential victims or those who have a professional role in the prevention of human trafficking, such as awarenessraising workshops and trainings, awareness-raising workshops and trainings.



Indirect means of prevention include those that do not involve direct contact with individuals in the target populations, but which indirectly influence them: publicity campaigns, dissemination of information materials or media campaigns.

<sup>°</sup> Disaggregated data are not available for Belize, Costa Rica, Nicaragua and the Dominican Republic.

<sup>10</sup> No data are available for Belize, Costa Rica, Dominican Republic, El Salvador, Mexico, Nicaragua and Guatemala.

<sup>11</sup> No data are available for El Salvador.

<sup>12</sup> No data are available for Belize and El Salvador.

#### REGIONAL COORDINATION IN THE PREVENTION OF HUMAN TRAFFICKING

During 2019, regional prevention processes were coordinated, both among the Governments themselves, as well as with Non-Governmental Organizations, International Agencies, and other International Cooperation actors.

The Paniamor Foundation implemented the Project: "Towards a Central American civil society strengthened against violence and organized in the fight against human trafficking and smuggling of migrants" in Costa Rica, Nicaragua, El Salvador, Honduras, Guatemala and the Dominican Republic, with the purpose of building the capacities of local, national and regional civil society organizations for the prevention and assistance of children, adolescents, youth and women victims of human trafficking and smuggled migrants.

The United Nations Office on Drugs and Crime continued with the implementation of the "Blue Heart" Campaign in the region, specifically in Costa Rica, El Salvador, Guatemala, Honduras, Mexico and Panama. During 2019, the Dominican Republic joined this campaign.

### EVENTS OF INTEREST



In 2019, the Belize Police Department and the Human Trafficking Institute entered into the second year of their agreement to partner in building the capacity of ATIP Police Unit. The agreement provides for office space for members of the specialized unit, as well as staff of the Institute, who will provide on-going technical investigative assistance in trafficking in persons (TIP) cases. The space will also serve as a secure and private location for interviewing TIP victims and witnesses, collecting evidence, and planning operations.

Also, the Council Participated in RET's "Call to Action" tour in Benque Viejo. The goal: strengthen government-civil society partnership capacity to sustain transparent local and community-based responses to GBV and TIP and other forms of violence and corruption.



Within the framework of the launching of the border patrols, the Executive Secretariat of the National Council against Trafficking in Persons joined the initiative of the President of the Republic and, under the command of the Ministry of Justice and Public Security, to identify the needs and complement the work of the Border Patrols, in order to prevent cross-border crimes such as trafficking in persons and smuggling of migrants. The objective of the Border Patrol will be to prevent such crimes at unauthorized points known as "blind crossings". The Border Patrol will be made up of 300 immigration officers and 800 officers from the Border Security Division of the National Civil Police, and will work in coordination with the countries of Northern Central America at border points.

A collaboration agreement was signed between the Ministry of Justice and Public Security and Lawyers Without Borders Canada, to plan activities related to prevention, assistance and protection of victims, providing tools in accordance with international standards and best practices that can contribute elements to improve the attention to victims of these cross-border crimes committed against women, girls and people in vulnerable situations.

The Ministry of Tourism, which is a member of the National Council against Trafficking in Persons of El Salvador, joined the Regional Action Group of the Americas (GARA) for the prevention of sexual exploitation of children and adolescents in tourism and to provide an urgent response to this issue.



The General Directorate for the Control of Legal Conventionality of the Secretariat for Human Rights and the Office of the United Nations High Commissioner for Human Rights reviewed the Law and Regulations against Trafficking in Persons to detect gaps and inconsistencies in both legal instruments. The Directorate of Conventionality issued a legal opinion on the instruments, so that reforms could be made to strengthen the guidelines established in these legal frameworks.

A comparative analysis was made of the Law against Trafficking in Persons and the crimes typified in the current Penal Code related to Trafficking in Persons and Commercial Sexual Exploitation, in relation to what is proposed in the new Penal Code approved, assessing at the same time the criteria established in international norms. It concluded with the preparation of a document containing observations on gaps, setbacks, inconsistencies, improvements, comparisons with the same norms in other countries in the region and proposals on the ideal approach for the country.

### EVENTS OF INTEREST



During 2019, the National Plan for the Development of Awareness Raising, Information and/or Training, Dissemination and/or Positioning Campaigns, implemented by SVET, was developed, as well as other actions for the prevention of human trafficking implemented by governmental and civil society institutions. The National Trafficking System was also implemented to record statistical information.

Likewise, during this year, inter-institutional coordination was strengthened for the rescue of victims of human trafficking and the worst forms of child labor through the activation of the Immediate Response Team and other ex officio procedures.

On the other hand, the Ministry of Labor and Social Welfare, the Attorney General's Office and the Public Prosecutor's Office signed an agreement for the detection of human trafficking cases, in order to strengthen coordination for the detection and referral of possible cases of human trafficking.

Likewise, the Ministry of Labor and Social Security implemented the Inspection Plan of the General Labor Inspectorate. In the area of justice, specialized courts and tribunals were created in the departments of Guatemala and Quetzaltenango, and programs were implemented to protect victims or witnesses of the crime of trafficking in persons.



The National Forum "Strategies for guaranteeing human rights in the area of human trafficking" was held as an input for the preparation of a National Human Rights Program, which was held in the State of Tlaxcala, one of the emblematic corridors for human trafficking for sexual purposes.

The roadmap for preventing and combating the sexual exploitation of children and adolescents, trafficking in minors and child labor in the travel and tourism sector: Towards the 2030 Agenda was approved.



During this period, the National Strategy for Comprehensive Care and Support for Victims of Human Trafficking in Nicaragua was implemented.

On the other hand, the Protocol for the Repatriation of Victims of Human Trafficking and the National Strategic Plan for the Prevention, Attention, Investigation, Prosecution and Punishment of the Crime of Trafficking in Persons, and the Protocol for the Repatriation of Victims of Trafficking in Persons were implemented.



During 2019, a case of human trafficking of an LGBTIQ person, of Costa Rican nationality, was detected for the first time. Similarly, there was a case of repatriation of a minor from Panama to the United States, as compensation offered by the Government of the United States.

### EVENTS OF INTEREST



In 2019, the Legislative Assembly approved Law 9726, which corrected an error in the publication of Law 9545, namely Article 5 of Law 9095, referring to the concept of trafficking in persons, an aspect of great importance, since such definition serves as a reference for legal operators, including judges.



The Dominican Government, through the Ministry of Women, presented in 2019 the OJO PELAO campaign within the framework of the minute and a half festival aimed at film and audiovisual students from different universities in the country, with the purpose of developing audiovisuals to raise awareness on the issue of human trafficking as a form of violence. The campaign produced brochures, stickers and posters, which were distributed in awareness-raising workshops in all regions of the country. This activity was sponsored by the Ministry of Women and the Spanish Agency for International Development Cooperation (AECID).

The National Migration Institute developed 3 qualitative studies, within the framework of the project agreement "Trafficking in Persons. Studies based on female migrations related to the Dominican Republic", with the financial support of the European Union. The approaches were: State of the art: "Life before, during and after trafficking: analytical and methodological framework of the research"; "Trafficking of Dominican women abroad"; and "Trafficking of foreign women in the Dominican Republic".

In the month of May 2019, the Dominican State adhered to the United Nations Blue Heart Campaign, as a national initiative that strengthens the actions of the Government of the local agenda. In the framework of the World Day against Trafficking in Persons, on July 30, government institutions enabled, for the first time, advertising material and blue lighting in front of institutional buildings as a unison and coherent message of the commitment to continue moving forward to prevent human trafficking in the Dominican Republic.



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