

LA EXPERIENCIA DE LAS MUJERES
VÍCTIMAS DE TRATA EN AMÉRICA CENTRAL
Y REPÚBLICA DOMINICANA
Y LA ACTUACIÓN DE LAS INSTITUCIONES

**ESTUDIO
REGIONAL**

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Investigadora regional: Ana Lorena Hidalgo

Coordinación general: Águeda Marín, Coordinadora Unidad contra el Tráfico Ilícito de Migrantes y la Trata de Personas. Organización Internacional para las Migraciones

Ana de Mendoza, Responsable Programa de Cooperación Regional con Centroamérica:

Línea Género (AECID-COMMCA-SICA)

Revisión de estilo: María Elena Guadrón

Portada: Xiomara Blanco

Diseño y diagramación: Teresa Gómez Lugo, Vía Creativa S.A., viacreativa00@gmail.com

Impresión: Impresos Díaz, carlosdiazve@gmail.com

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Organización Internacional para las Migraciones (OIM)

Oficina Regional para Centroamérica y México

Avenida Central, Calles 27 y 29, casa N. 2775

San José, Costa Rica

Teléfono (506) 2221-5348 • Fax (506) 2222-0590

www.oim.or.cr

Agencia Española de Cooperación Internacional para el Desarrollo (AECID)

Avenida Reyes Católicos 14

28040 Madrid, España

www.aecid.es

Consejo de Ministras de la Mujer de Centroamérica (COMMCA)

Boulevard Orden de Malta 470

Urbanización Santa Elena

Antiguo Cuscatlán, El Salvador

www.sica.int/commca

Sistema de la Integración Centroamericana (SICA)

Boulevard Orden de Malta 470

Urbanización Santa Elena

Antiguo Cuscatlán, El Salvador

www.sica.int

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IMPRESO EN COSTA RICA.

Experiences of Women Victims of Trafficking in Central America and the Dominican Republic and Related Institutional Action

Regional Study

**Ana Lorena Hidalgo
Regional Researcher**

Introduction

The Central American Council of Ministers for Women's Affairs (COMMCA), by way of the Central American System for Social Integration (SISCA), decided to carry out a *Regional Study on Trafficking in Women in Central America and the Dominican Republic: Experiences of Women Victims and Institutional Action*.

The study was directed by the International Organization for Migration (Regional Office for Central America and Mexico) and was performed between August and December of 2007. The effort was supported by the Regional Cooperation Program for Central America (gender theme) with funds from the Spanish International Cooperation Agency for Development (AECID).

The activity took place within the framework of the *Regional Plan of Action on Smuggling and Trafficking in Women* of COMMCA (prevention theme) and the *Cooperation Agreement between the Secretariat General of the Central American Integration System and the International Organization for Migration*. Said agreement was signed in 1999 and covers those areas of collaboration that are of special interest to both institutions, including the human rights of the migrant population in general and women and children in particular, as well as migrant smuggling and trafficking in persons.

The regional document presented here represents a synthesis and analysis of the results of the seven national studies carried out in the Spanish-speaking countries of Central America (Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica and Panama) and in the Dominican Republic.

Objectives of the Study

The objectives defined for this study were as follows:

General Objective

- Document the experiences of women survivors of trafficking in Central America and the Dominican Republic and the actions of public and private institutions regarding the assistance given to this population.

Specific Objectives

- Document the experiences of women survivors of trafficking in Central America and the Dominican Republic and identify the personal and social factors related to protection and devulnerabilization that affected their experience.
- Document the actions of the key institutions involved in assisting women victims of trafficking.
- Determine the perception that women survivors of trafficking have regarding the response they have received from the institutions that provide assistance to this population.
- Formulate conclusions and recommendations designed to improve the quality of public and private institutional actions related to assisting women survivors of trafficking and preventing said crime in this region.

Target Populations

The target populations defined for this study were those described below:

- a) Service providers in public institutions and social organizations considered to be key actors in assisting women survivors of trafficking, based on their institutional profile or area of activity.
- b) Central American and Dominican women and women of other nationalities (residents of said countries) who have survived a trafficking experience that occurred when they were at least fifteen years of age.

Conclusions Regarding the Study Results

Although it is not possible to determine the exact magnitude of trafficking involving women victims, due to the criminal and hidden nature of the activity, this study confirms that it is a **growing social problem** in the

countries covered by the study. Without exception, the survivors told of having suffered the process of victimization together with one or more women, while at the same time having contact with many others in similar conditions at the places of exploitation.

This conclusion is supported by the information obtained from a review of regional press coverage and institutional documentation which, despite being disperse and poorly systematized, attests to a growing number of complaints filed and cases handled in all of the countries in recent years. In addition, it was concluded that in all of the countries studied the **legislative gaps** and the scant application of the existing laws cause many cases of trafficking in persons to be recorded as other types of criminal activity, thus directly resulting an underreporting of the phenomenon. The problem is even worse in the case of internal trafficking, since many countries do not even classify it as such.

This study confirmed that trafficking for purposes of **sexual exploitation** is one of the most prevalent modes in the region, since a majority of the survivors interviewed reported being victimized in that manner. Nevertheless, one important finding of this study is the fact that, in more than a few cases, **several types of exploitation coexist** and that women are moved from one context and one type of exploitation to another depending on the security needs of the traffickers and the diminishment or loss of the women's "use value" for a given type of exploitation. In this manner, besides being exploited as sexual slaves and forced into prostitution, women are also exploited as domestic servants and for other types of labor.

This study has also allowed documentation of another mode of exploitation related to trafficking in women, which is the **sale of children** that are born within the context of trafficking.

With some differences between countries, the study confirmed that they are countries of origin, transit, and destination for trafficking in women. One of the relevant findings, however, was the fact that a high percentage of the victims were exploited within what could be called a **"regional market"** for trafficking in women. According to the results, Guatemala, Costa Rica, and Mexico are the preferred destinations.

This does not imply that women from the region are not transported to and exploited in other parts of the world and vice versa, as was also confirmed by the study. The definite presence of an intra-regional movement of persons, however, should serve to alert the authorities to the need to adopt focuses and strengthen regional investigation and prosecution actions.

Despite representing only 13% of all the cases studied, the existence of **internal trafficking** of adult women in some countries in the region was also confirmed by the study. Data obtained from other studies and

institutional information in some countries indicate that the prevalence of internal trafficking is much greater than that detected within the scope of this study, thus it would be recommendable to carry out research specifically focused on that dimension of the crime in each country and on a regional level.

The study confirmed that trafficking in women is made possible in the region due to the existence of **structural conditions** that favor it, mainly social exclusion, lack of opportunities, and violence against women. The gender factor cuts across all of these conditions, since the traditional discrimination against women in all areas of social life makes them especially vulnerable to trafficking networks. For many of the survivors interviewed during this study, the experience of being trafficked is one more chapter in a **history of mistreatment, abuse, and impunity**, and one more example of the inability of society and governments to break the cycle. This leads to the conclusion that any strategy and any policy that seeks to eradicate trafficking in women must necessarily deal with its structural causes.

Based on survivor testimony and information analysis, it can be concluded that the **recruitment** of new victims is a constant effort on the part of the networks in order to keep a specific demand and market supplied. The mechanisms used for recruitment seem to be similar in all cases. In some cases, the recruiter is someone close to the victims, which implies a high degree of trust (a boyfriend, a female friend, a neighbor, etc.). This level of trust is even greater when the recruiter is also a woman. Such cases are characterized by the recruiter being "understanding" of the victim's economic or emotional situation and "allowing" her to earn money through commercial sexual exploitation. In other cases, the recruiter is a complete stranger who promises very beneficial working conditions, especially in economic terms. In some countries (the Dominican Republic, for example), the trafficking networks have perfected their deceitful techniques and even draw up work contracts to make the offer look legitimate, when actually said contracts are not valid at all.

In addition, the study showed that the trafficking networks maintain **targeted and active recruitment** efforts focused especially on at-risk women and youth. Besides the recruitment strategies described in other studies, one particular strategy identified in this study is **community recruitment**, which involves recruiters who systematically visit and identify potential victims in communities with at-risk populations, approaching single mothers with no supporting partners, unemployed women, pregnant teenagers, etc. This discovery is relevant for purposes of developing information and prevention campaigns.

The survivors' testimony reveals their ceaseless **attempts to escape** from the trafficking situation or seek help once they become aware of their situation, despite the risk of mistreatment and threats they may incur. Their

search for help, however, is hampered by the absence of a public response to the problem that could support their personal struggle.

In several of the countries studied, the survivors were emphatic in pointing out **police complicity** with the trafficking networks, especially on the part of local law enforcement personnel. The victims state that some police officers not only are aware of the exploitative conditions, but even use the "services" of these women as payment for their silence and complicity. Police complicity not only stimulates the traffickers' impunity, but also affects women victims negatively by limiting their possible means of support and instilling a sense of hopelessness. This fact highlights the need to develop specialized law enforcement units with a specific focus and investigative techniques and personnel that are less liable to be intimidated or bribed by friendship or neighborhood connections.

Another of the relevant conclusions of this study is that none of the seven countries have policies, protocols, or practices for **repatriating** adult victims, as required by the international instruments that protect trafficking victims. Protocols do exist for children and adolescents, but said procedures do not necessarily reflect the reality of the return processes used for adults. Neither do detection protocols exist to allow migration officers and administrative personnel to differentiate between an irregular migrant and a potential victim of trafficking in persons. The main consequence of this limitation is that most women victims are **deported** to their country of origin without any consideration for their safety and thus submitted to a risk of additional mistreatment, as evidenced by survivor testimony.

Some survivors who were detected and/or assisted by institutions with some level of specialization were able to benefit from the **return assistance** program developed by the International Organization for Migration in the countries covered by this study. In such cases, the victims are accompanied initially both in the destination country and in their country of origin, and are more likely to be referred to domestic institutions for ongoing assistance.

The **impact of the trafficking experience** affects all aspects of the survivor's life, creating scars that are difficult to heal and that compromise their quality of life in the future. The physical, emotional, and psychological scars are the most relevant, and their degree of severity depends to a great extent on the assistance and emotional and psychological accompaniment these women have access to after being removed from the exploitative situation and in the long term.

The testimony of the women interviewed for this study clearly indicates the qualitative difference that benefits those survivors who have the opportunity to participate in comprehensive assistance and **reinsertion** programs in their country of origin. The women who were interviewed identified the psychological and emotional accompaniment as the most important aspect of these programs, because it allows them to comprehend and reframe their

experience in order to heal their scars within a social and community context that tends to blame the victims and frequently fails to offer them understanding and support. Equally as important are the opportunities these programs offer to victims in terms of education, vocational training, and employment. Where such programs do not exist, these women have to depend solely on their personal and family resources, making the risk of revictimization greater. This study was only able to identify, however, comprehensive assistance and reinsertion programs in two countries.

One important result of this study is that it establishes a direct relationship between **trafficking in women and femicide** and between **trafficking in women and forced disappearance**. The testimony of survivors in several countries confirms that many women are killed while being exploited and that others disappear without a trace. This research finding is important because it sheds light on the subject and suggests a focus for future studies on the growing number of violent deaths suffered by women in the region.

Despite its prevalence, trafficking in adult women is a **poorly researched and hidden phenomenon** that, in general, is **given scant attention** by the region's institutions. Most of the information produced at the regional level, as well as most of the policies, programs, and services existing in the countries studied (with the exception of the Dominican Republic), focus on minors.

There are few institutions with a specific mandate to deal with the problem of trafficking in persons. Instead, this responsibility has been added to the ordinary tasks of existing institutions due to the pressing need to address the issue. This implies that the processes of specialization and the creation of specific professional positions have been gradual, as with the need to seek additional budgetary resources in order to carry out related actions.

This process of incorporating the issue of trafficking into institutional agendas is currently affected by significant gaps in theoretical and practical knowledge, the absence of efforts to systematize actions, and a lack of coordination amongst the different entities that deal with this issue.

The fact that governments and society give more attention to underage victims can be explained by, among other factors, the overall cultural progress made in protecting children and adolescents based on their disadvantaged status and at-risk condition due to their limited experience, knowledge, information, power, etc. This progress represents a great step forward in protecting the human rights of underage persons who are victims of trafficking, but there has been no corresponding progress in favor of adults who are victims of the same crime.

Prevailing cultural perspectives tend to assume that adults always know what they are doing, always act in a voluntary and conscientious manner, and thus are responsible for all of their actions and the consequences thereof. This

makes it more difficult to comprehend the status of an adult as a victim. As a result, there is less political will, less allocation of resources, and less public attention paid to the needs of such adults. In the case of adult women forced into prostitution, **moral prejudice** is an additional factor that contributes to keeping the problem hidden. Sometimes such practices are attributed to "lifestyle choices" made by women, thus ignoring the coercive factor inherent to trafficking.

There also exists what could be called an "**information gap**" that helps keep hidden the problem of trafficking in women. This crime and its characteristics and dynamics are unknown to the general public, including a majority of public officials and private-sector professionals, or else it is confused with other crimes such as migrant smuggling or procuring. This gap undoubtedly not only allows such criminal activity to flourish but also protects the impunity of the trafficking networks. It also prevents creation of the necessary conditions of credibility and institutional support that allow victims to seek help and accuse their victimizers.

On the other hand, in the form of a positive lesson learned, the study showed that **police raids** on the places of exploitation were what allowed some of the women victims to escape from their enslaved condition. Some of the raids were in response to tips provided by relatives or friends of the survivors, while others were routine raids. This important finding shows that such police actions, which normally focus on apprehending irregular migrants or detecting exploited minors, should also focus on identifying potential victims of trafficking, including adult women, and that the agents who partake in such raids should be trained to detect such conditions by looking beyond the migratory status or age of the victims.

One of the factors that prevents women from escaping from exploitative situations is the lack of information regarding where they can turn for help. One of the positive lessons learned from the experiences of the survivors highlights the effort that can be carried out in potential places of exploitation by **public institutions and social organizations that promote human rights**. Some survivors indicated that visits to places of exploitation by social workers promoting sexual and reproductive health, and their handouts explaining how to find help, allowed the victims to make contact when the chance arose. One survivor told how, despite her desperation and solitude, she remembered the name and telephone number of a women's assistance program that ended up being a key factor in her liberation.

Likewise, the survivors pointed out the importance of the **public information and awareness campaigns** which, according to their experience, can serve to dissuade traffickers who come to feel controlled, thus reducing their level of criminal activity to a certain extent:

"... After that, when the last couples arrived, they didn't bring any more because they said there was this announcement about 'trafficking in

women.' They got a little scared, and said that they had to stick with the ones they already had." (ES08)

Finally, the absence of research focusing on the **clients and users** of the "services" or work performed by women survivors of trafficking should be mentioned as a limiting factor for this study and, at the same time, as a topic requiring urgent attention in the form of subsequent studies. Some of the information compiled in the national studies points to the existence of a domestic clientele comprised of powerful economic and political figures, as well as a foreign clientele, and also indicates the existence of a disturbing degree of tolerance and even incitement of the crime of trafficking among high circles of power. Knowledge concerning the profile of these users would allow efforts to be focused on the demand side of the problem, while also attributing to them their share of responsibility for the existence of this crime, since traditionally all the blame has been put on the victims.

Challenges and Recommendations

Trafficking in women in Central America and the Dominican Republic represents one of the most serious and perverse violations of human rights. It also represents one more example of the violence suffered by women and a reality that neither individual governments nor the group of national communities can continue to ignore.

This study shows that in this region there exists an indeterminate but growing number of women who are enslaved and exploited on a daily basis, as well as large at-risk population groups exposed to the deliberate and unpunished actions of trafficking networks. The presence of national, regional, and international networks that traffic human beings in this region also constitutes a growing threat to each country's institutionality and legality.

The following points describe what are considered to be the **most urgent challenges** that governments and national communities must face in order to stop the growth of this transnational organized crime, along with some recommendations for working towards meeting those challenges.

- 1) The first challenge would be the need to **research, expose, and raise awareness regarding trafficking in women** among the national community in each country. Trafficking in persons and women needs to be identified, given a name, characterized, and placed on the public agenda as a priority human rights issue that is closely linked to violence against women.
 - Promote studies and research focusing on the trafficking of adult women in all of the countries in order to follow up on this study and explore its results in further detail, including both internal and

international trafficking and all of the modes of exploitation, thus shedding light on the prevalence and frequency of their characteristics and behavior.

- Strengthen and screen the institutional records of key entities (police agencies, migration departments, prosecutor's offices, and national women's institutes) based on the unification and harmonization of basic concepts and indicators, such that all cases involving trafficking in women can be properly classified and recorded, with annual reports produced.
- Promote the creation of a unified governmental database that allows centralization of information related to the crime of trafficking in women and identification of the most frequently used routes and areas as well as the networks and their collaborators, in order to determine the specific nature of the problem within each population.
- Design and develop, in a regular and systematic manner, information and communication strategies concerning trafficking in women and targeted at the general public in each country, in order to raise awareness of the crime, create understanding and empathy for its victims, and encourage citizen participation in the form of watchfulness and reporting of trafficking activity and potential risk situations.

2) A second challenge consists of inserting this issue into the political agenda of the region's States and governments through the design and execution of **specific public policies** concerning trafficking in women and the creation and strengthening of the corresponding specific public institutional mechanisms.

- Promote the full implementation of the *Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women* as a mechanism to contribute towards eliminating one of the structural causes that make women vulnerable to traffickers and their networks (in other words, elimination of violence against women in all of its facets), and as an instrument for prosecuting the crime of trafficking and reducing impunity.
- Review current and proposed national, regional, and local policies regarding trafficking in persons, with a gender-based focus, in order to ensure that the needs of women and the specific nature of trafficking in women are properly reflected.
- Include trafficking in women as a cross-cutting theme in all national policies and plans of action related to women and trafficking.

- Ensure that the State provides adequate human, material, and economic resources to all those institutions committed to the execution of plans to combat trafficking in women.
- Strengthen the participation and influence of national women's organizations in the interinstitutional coordination efforts regarding trafficking in women.
- Include assistance and prevention efforts focused on trafficking in women in the programs managed by national institutions involved in researching and acting on the status of women.
- Encourage the creation and strengthening of specialized units focused on dealing with trafficking in persons, including trafficking in women, within key institutions such as police agencies, prosecutor's offices, foreign affairs departments, migration departments, and national organizations that address women's issues.
- Promote the design and adoption of national policies and regional agreements to ensure special migratory treatment for women survivors of trafficking in destination countries.
- Develop and institutionalize awareness and training processes focusing on the phenomenon of trafficking in persons in general and trafficking in women specifically in all related public spheres of action, with special attention given to those public officials who could potentially have contact with trafficking victims, along with personnel from non-governmental organizations.

3) A third strategic challenge consists of developing **direct assistance services** for female victims of trafficking of all ages that unconditionally ensure their protection, security, and comprehensive attention.

- Ensure the existence in each country of, at minimum, the following basic free services for women victims of trafficking (both nationals and foreigners): temporary shelter, immediate psychological attention, free medical care, specialized legal and psychosocial counseling, and social reinsertion support and alternatives.
- Promote the decentralization of these basic services.
- Design and put into practice institutional and interinstitutional protocols for providing assistance to women survivors of trafficking that ensure prompt and effective assistance that does not revictimize them.
- Develop communication strategies targeted at each country's female population to warn of the risks involved with trafficking in persons and

inform about the existing resources for victim assistance and protection, including a toll-free emergency hotline.

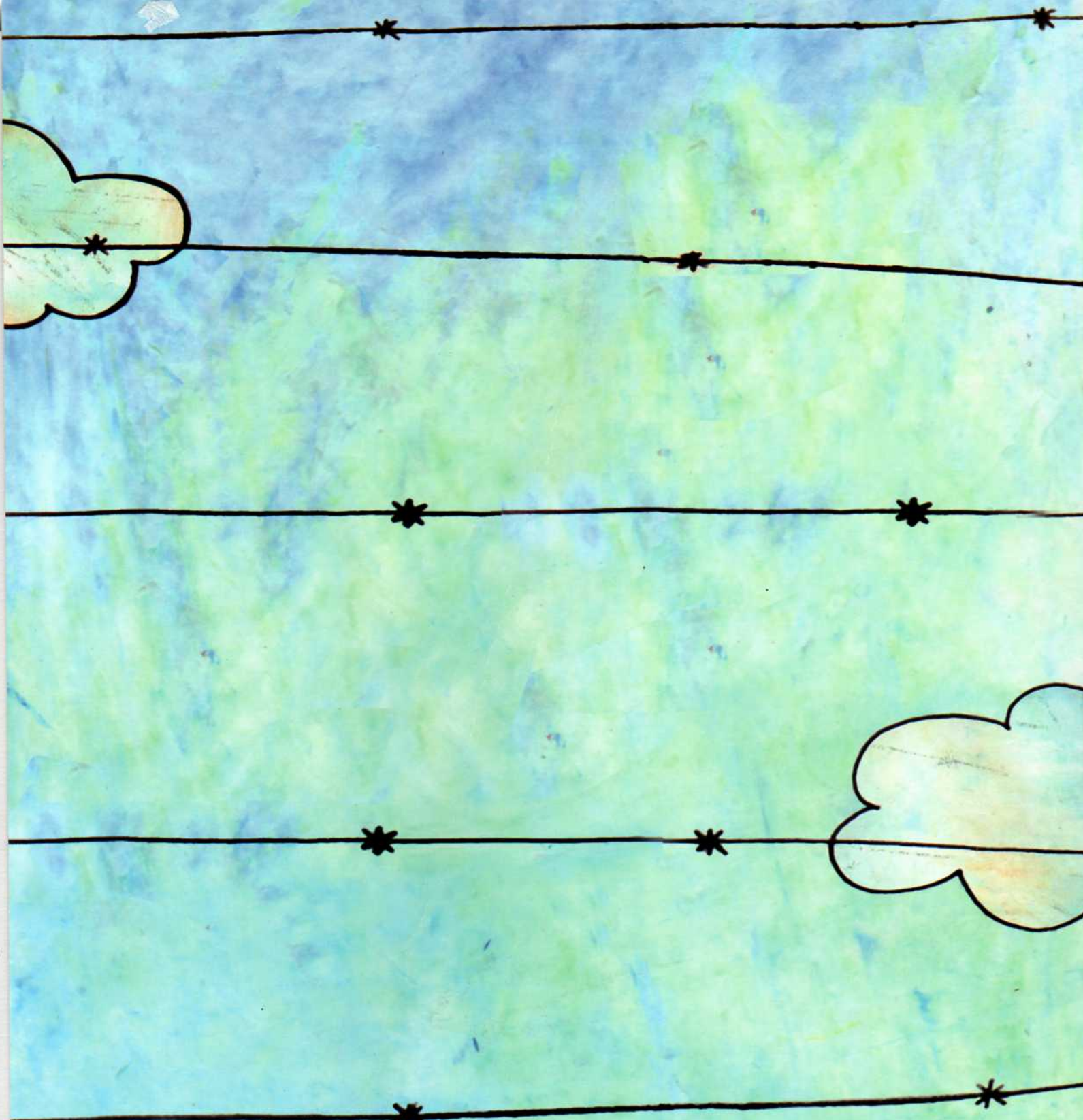
- Execute specific actions to **reduce impunity and corruption**, strengthen investigation and prosecution of the crime, and punish the traffickers and users or clients that benefit from the exploitation of women.
- Promote the review and reform (where necessary) of national legislation related to trafficking in persons in order to bring said legislation in line with international standards and requirements and ensure that all modes of trafficking are classified and punished, including internal and international trafficking.
- Ensure that the investigation and prosecution of trafficking in persons, including trafficking in women, are effectively addressed with the same technical and operative capacity and the same human, material, and technological resources used to address transnational organized criminal activity.
- Encourage multilateral collaboration amongst the region's countries and countries from outside the region that have more extensive experience with this issue, in order to exchange know-how and develop regional strategies for investigation and prosecution.
- Put into operation effective mechanisms for reporting, investigating, and punishing acts of corruption and complicity on the part of public officials in favor of trafficking networks.
- Promote the approval of specific legislation for the protection of victims and witnesses of trafficking in persons, as well as a protocol for the repatriation of adult trafficking victims.

4) Stopping the trafficking of women and providing victims with proper assistance and support are tasks to be taken on by society as a whole. For this reason it is important to enable the participation of **civil society organizations** and the **private sector** in formulating the social response to the phenomenon of trafficking in women.

- Strengthen political lobbying efforts to encourage incorporation of the issue of trafficking in women into governmental bodies, legislative agendas, and judicial forums, as well as the creation of national and institutional policies with a gender-based focus and a perspective regarding violence against women.
- Include assistance and prevention efforts focused on trafficking in women in the programs and services offered by civil society

organizations related to violence against women, sexual and reproductive rights, and other rights.

- Establish alliances with the private sector for purposes of developing proposals for accreditation and quality standards, for domestic and international companies based in the countries studied, favoring work processes that do not involve women working under trafficking conditions.
- Include prevention, assistance, and social communication initiatives related to trafficking in persons in corporate social responsibility programs.
- Establish alliances with domestic communications media to involve them in public information, prevention, and education actions focusing on trafficking in women.



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