“TRICKED AND ENSLAVED”
HUMAN TRAFFICKING CASES
PERU – 2010
INTRODUCTION

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I. Presentation

Capital Humano y Social Alternativo (CHS Alternativo) launched a Psychological and Legal Aid Center to care for victims of human trafficking and relatives of missing persons. Its impact is explained briefly in section II.

In section III, we provide you with eight (8) actual cases of trafficking which shed light on various situations and modes of recruitment, transfer, and exploitation that the victims suffered. All are cases that have been treated at the Center in 2010. The names of people involved, and the cities of recruitment, transfer and exploitation have been modified to protect the victims. Some of the cases were coordinated with the Multi-sector Work Group against Trafficking in Persons, and others had the support of the IOM (International Organization for Migration).

The victims arrived at the center through various channels: Women's Emergency Centers (CEM), the Ministry for Women and Social Development (MIMDES), the Peruvian Office of the Ombudsman for the Defense of Human Rights, Public Ministry, NGO partners from the regional Watch Groups against Human Trafficking, Peruvian National Police (police stations and National Anti-Human Trafficking Division) as well as family and / or friends of those affected, including others.

State action in some cases has been decisive and positive, but otherwise the report reveals that there is still room for improvement. The most salient points are highlighted in section IV.

Finally, some pointed considerations to take into account for the future work of the Center are highlighted in the last section.
The Victim Attention Center has come to fruition thanks to support from the Association for Research and Expertise on Latin American Issues (AIETI) and funding from the City of Madrid.

We especially thank the staff of the Center for their contributions to this publication.

And we also thank the Peruvian Congressional Sub-Work Group against Human Trafficking and Migrant Smuggling which has endorsed this publication and for the second year row was formed due to the initiative and chairmanship of Dr. Rosario Sasieta. The Congresswoman has been able to mobilize Congress by her personal commitment and interest in erradicating this crime in the country, assuming the cause of freedom of the victims and families of trafficking in Peru.

**Definition of human trafficking**

*Human trafficking is a *crime that threatens personal freedom*; it is the recruitment, transportation, transfer, harboring, receipt or retention of a person using the use of violence, threats, fraud, deception, and abuse of power among others for the purpose of labor or sexual exploitation, the sale of children, begging or organ trafficking.*
II. The Center for Legal and Psychological Aid

CHS Alternativo’s Center for Legal and Psychological Aid provides free care to victims of trafficking and related crimes, their families and vulnerable people or those affected by these crimes. It also serves families of missing persons, who are particularly vulnerable given their missing status putting them at greater risk of being captured and held by organizations or individuals seeking to exploit them.

CHS Alternativo’s Center also operates as a liaison between private institutions and State services to meet the needs of those affected by human trafficking and their families. The Center does not replace the State responsibilities (as stipulated by the law). On the contrary, it seeks to fortify State actions and to help each institution responsible to more adequately fulfill their obligations to protect, defend and support victims in their reintegration process.

The psychological attention offers to victims and their families a place where they can feel heard. The approach used is "psychological counseling" giving the recipient targeted support and guidance. For their reason a maximum of six (6) sessions is provided. Thus, we established two (2) basic processes as part of the methodology: support and referral.

- Support: Provide first level support and guidance to victims of trafficking and their immediate families.

- Referral: The center joins victims and their families to a network of care to provide as appropriate, legal and psychological assistance long-term.
With regard to legal service, there are two (2) sessions on average, that are for the purposed on orienting the victims and family members on:

a) The legal actions brought before the various players in the criminal justice system (police, prosecutors and court system), with emphasis on the protection and assistance available from Peruvian State institutions, and

b) On how to connect with each of these entities to clarify the facts and establish a damages claim for the situation of exploitation.

The psychological and legal assistance work to complement each other as necessary in order to empower victims to make decisions. This allows them to manage expectations, demands and frustrations that arise due to the situation of confinement and exploitation.

During the first year and a half of operation, procedures and operations for the Center have been built and consolidated as the demand services has increased with greater consultations. Tools and treatment protocols have been developed including a network comprised of eleven institutions and professionals in law and psychology for the long-term care of victims and cases that require it. Since its inception, the Center has attended to 29 victims, providing them with legal and psychological care.

Currently we are equipped with an Attention Center that serves a reference for the attention of Human Trafficking cases, with a process map for the care of victims that is adjusted on a case by case basis given the needs of the individual beneficiaries and with a series of tools for the diagnostic evaluation of those needs.
III. Snapshots of Human Trafficking Cases attended to in the Center

The eight cases that we present below were selected because they depict the circumstances that lead to human trafficking. As we can appreciate the classic cycle of capture, transport and exploitation that distinguish a human trafficking case from any other is in each situation. What changes is the mode of attracting the victims, tricking them and finally exploiting them. The crude experiences of the victims are difficult to transmit. We have omitted details and secondary circumstances, as we do not wish to impress but rather hope that these cases will contribute to increasing the awareness of the crime and encourage dialogue for its prevention.
1. KIDNAPPED TO BE EXPLOITED

Juana comes from a family with separated parents. She lived for 16 years with her father and brother in a province of the Peruvian jungle, where she managed to finish high school being the mother of a one year-old child. Due to her constant behavioral problems, her father decided to send her to live with her mother in the city of Pucallpa.

For several months she worked as a waitress in a restaurant in Pucallpa until the day when a friend of her mother’s offered her a job as an escort in the city of Tacna. With an absence of opportunities, curiosity about a new place, and the confidence that traveling with her cousin and aunt would be safe, she accepted the job offer and left town, leaving her son in her family’s care.

For two months she worked in a night club, owned by a friend of her mother. Here she was not forced to do anything; her job was to serve customers and accompany them while consuming alcohol in the establishment. In this place there were rumors about people who came to pick up girls for sexual exploitation in various brothels in the southern region of the country.

Juana passed her days in between the night club and the house where she had been assigned to live with her aunt and cousin. One day while walking near the square with her cousin, she was kidnapped by two people in a car.

From that moment, Jane was separated from her cousin and taken to a place where there were other girls that were being sexually exploited. She was deprived of her liberty, forced to take drugs and physically abused if she refused to serve customers. Days later, she was taken by her captors to the house where she had lived while working at the night club to collect her belongings. Upon reaching her home, Juana was able to tell a lady who lived there about the situation; it was she who reported the crime to the local Police Division of Investigation (DIVINCRI).
That same day, as her captors were taking her back to the room where they had her captive, the van in which they were traveling was intercepted by the police.

Juana was immediately taken to the police station to submit her statement. However, the person who was traveling and holding her captive in the van was released on the grounds that there was not enough evidence against him.

Juana was temporarily housed in a safe house, due to the constant threats she received. She has now returned to her home and is working. The situation of her cousin is uncertain.
Once the victim has been captured she is forced into sexual activity or labor through violence or coercion, a situation that often includes death threats against her and/or her family. When the victim is already immersed in the situation of exploitation, control becomes more aggressive: the victim has little or no contact with the outside world and they usually "move" her from one city to another to facilitate uprooting.
2. FROM FRIENDS TO EXPLOITERS

Carla is the older of two siblings, and she lived with her parents until the day that she was kidnapped by Luis and Willy who entered her home armed and forcibly took her to a place on the outskirts of the Lima. She had met them months prior while visiting a cousin at the army barracks. She was 14.

Her relationship with her parents had always been distant. However, when she met Luis and Willy, the fights with her parents increased. Carla began frequenting these two young men outside the barracks, despite the recommendations of her cousin. She went out to parties every weekend where she began using drugs and alcohol. Her phone number was widely dispersed by both young men and, as reported by Carla, she was forced by them to go out with whoever contacted her.

She ran away twice from home and went to live in the house of Luis, with whom she had begun a relationship. Carla had quit school, but was not yet ready to leave home for good, "I said jokingly to Luis that I would go with him."

The day that she was taken by force from her home, she was moved to a house at the foot of a hill in Comas (a district north of Lima). The area was used as a restaurant by day and as a brothel by night. It also operated as a production and distribution center for drugs. The place was guarded by armed personnel twenty-four hours a day.

Faced with the indifference of the people living in surrounding areas, girls were taken to the place, children from different regions of Peru. The main "customers" came from different military barracks in Lima.
For 3 months Carla was deprived of her freedom, monitored and taken every night to clubs around the city where she was forced to serve clients from 11 pm until 4 am. Carla said to have observed drugs that were moved by placing them in the bodies of the girls that were taken to the place.

Furthermore, Carla's parents had gone to the police station to report her disappearance. However, there was no progress on the police report until the day that Carla managed to escape with two friends while the security guards were out running an errand.

Carla is now housed in a Prevention Center, has a lawyer and is receiving psychological care.

Over 70% of the aggrieved served, all female, were sexually exploited in night clubs and various bars.
3. THEFT OF INNOCENCE

The story of Margarita, 12 years of age, begins when she escaped from the shelter where she was living for a year by court order as a result of having been abused by her mother. According to the victim’s stepfather, she was captured by a lady who offered her a job as a nanny in Lima.

Once captured, Margarita was taken by river to the San Martin Region, where she was held for one month while "her papers were organized" in order to continue the tour.

Back in Lima, she was taken to a snack-bar facility located in the city’s most populous district. Upon her arrival she was forced to have sexual relations with "clients" and threatened with a gun by the establishment’s owner after her refusal. Moreover, she was physically abused by the person who captured and transferred her.

Four days later she was accidently released as a result of a police operation when a client denounced the theft of his belongings. She was housed for 17 days in a Police Juvenile Preventive Center until she could return to her hometown. The judge in charge of her case has authorized her return with her mother. Currently she is pregnant as a result of the sexual assault that occurred during her captivity and she has been receiving counseling from CHS Alternativo.
In almost all cases, it has been corroborated that transit cities are used to falsify the documentation of the victims before reaching their destination.
4. A DANGEROUS LOVE

Viviana was 19 when Nestor, an acquaintance from her neighborhood, offered her a job in a seafood restaurant in Lima. Viviana thought it would be a good opportunity to leave Aguaytía (village forest area located in the Ucayali region), and earn money to support herself. Nestor went to Lima, and began working in the restaurant as a waitress. Soon, Nestor introduced her to his friend Edy with whom she fell in love.

Once Edy earned her trust, he began to sexually exploit her. Initially he forced Viviana to have sexual relations with men in various nightclubs in Lima; he then took her to Aguaytía where he had a night club and continued forcing her. Months later, she was being moved from one place to another in the country, always held threatened and sexually exploited. This stage lasted two years.

Finally, one day when they were in Huanuco, Viviana fled and could seek help. Thanks to the support of a friend, she was able to return to her native Aguaytía with her family.

Edy continued to contact Viviana by phone and threaten her, increasingly angrier after finding out that a friend had helped her and extending his threats to him. Given this, Viviana and her friend went to the DIVINTRAP (Anti-Trafficking Division of the National Police) in Lima to make a report against Edy for human trafficking. They currently have a lawyer. The case is progressing slowly and she still does not have protection for herself and her family.
Almost 50% of the cases treated at the center correspond to victims who were captured in the Amazon.
5. THE DREAM THAT BECAME A NIGHTMARE

Lola was 32 years-old, from a humble family in a neighborhood of a Central American country. The youngest of three siblings, she cannot read or write and previously worked in the fields (agricultural work). She has a 15 year-old daughter and is a single mother.

Lola was captured by a false job offer in the home of Alberto, a neighbor who had won the trust of her family. The proposal was tempting: a good job as a cook in a Peruvian hacienda, earning lots of money. Lola, excited about the opportunity to raise money to help cover the costs of running her home and paying for her daughter’s higher education, agreed.

A few days later she left in the hold of a ship to Peru with Tatiana, a childhood friend who accepted the same job offer, and Alberto. Lola does not remember how long they were traveling, or where they arrived to; she only knows that it was a Peruvian port.

Upon arriving in Peru, they were taken on a trip several hours by land. Tied and their faces covered, they were taken to a run-down cottage, where they were kept locked up and their captors tried to abuse them. It was there where they heard that they had been brought for sexual exploitation. Two days later, Lola and her friend Tatiana escaped, hitting the men that monitored them with sticks and bottles.

After their escape they ran without knowing the course, all they wanted was to get out of there and seek help. After several hours of running through what she describes as a desert, Lola fainted. From that moment she cannot remember anything until the moment that she woke up next to a woman who had found them and taken them to her home.
When Lola was feeling better, she told her story to the lady who took her to the pastor's home in the Christian community where she belonged. Lola was welcomed and hosted there for many months.

After 5 months, Lola could return home with the help of various national and international organizations. Now Lola is with her family in Central America. The situation of Tatiana is unknown; after she was separated from Lola, she never heard from her again.

The most common form of recruitment is through false job offers (deception) representing 88% of cases.
6. HANSEL AND GRETEL IN THE XXI CENTURY

Sandra's story began six years ago, when she was 12. She and her brother were taken to Lima by a lady by the name of Flor, who befriended and gained the trust of their parents, offering to bring their children to Lima and give them a better life.

In Lima, Flor only let Sandra and her brother Peter our to go to school, making them work the remaining part of their time as domestic workers in her home, without rest or pay. They were not allowed to make phone calls or communicate with their parents. While still a minor, Sandra was repeatedly raped by the son of Flor, and then forced to stay with him for two years while he physically and psychologically abused her, while at the same time she suffered sexual and labor exploitation.

In December 2009, Sandra was able to escape with the help of a neighbor, and made it to her aunt and uncle’s home with whom she currently lives.

The time that the victims who have been treated remained in situations of exploitation, ranges from 4 days to more than 6 years.
SNAPSHOTS OF HUMAN TRAFFICKING CASES ATTENDED TO IN THE CENTER
7. A JOB THAT COST THEM THEIR FREEDOM

Karina saw a newspaper ad which offered a good job opportunity. She called and interviewed the next day with a lady named "Cecilia" in a chicken restaurant. Karina explained about her experience in textile factories and everything related to clothing and sewing, receiving from the lady a similar job offer to work in Chile. The lady offered to pay the ticket and all necessary expenses, provided that they travel together the next day. In addition, she said that she just needed to bring clothes and her state ID.

The next day, Karina met Cecilia at the bus terminal, who informed her that she would not be able to travel due to an emergency, but nevertheless she had already made all arrangements for someone to meet Karina at the border of the country. Thus, Karina traveled by bus to the city of Tacna, where she was received by a Peruvian lady named Sol who accompanied her and gave her directions to cross to the city of Arica on the side of Chile. Upon arriving in Arica, she was brought to a house where she met another young Peruvian named Norma. Once there they asked for her ID and made her sign a document committing to work for 3 months. When Karina asked about the job being offered, the manager of the place told her she would work serving customers in order to pay for the money owed to them as a result of the costs associated with bringing her to Chile, and he threatened to report her to the police if she tried to escape.

That same day, 3 other Peruvian girls were brought to the place. They were kept locked up and went almost 4 days without eating; later a Chilean woman and man arrived who insulted and beat them, punishing them by not letting them go to the bathroom.

Karina and the other young women pleaded to call Peru in order to ask for money to be released. While locked in the room the young women threw a wallet out the window onto the neighbor’s patio containing a message asking for help.
The police intervened in the locale just before the young women were to be moved to another location.

Karina and the other five Peruvian women returned to Peru and live with their families, but have chosen not to testify for fear of retaliation. Karina is currently working.

Although traffickers are primarily men, many women are involved as accomplices to attract victims.
8. JOURNEY TO CAPTIVITY

Paula was 17 when she was captured while working at a Chinese restaurant in her hometown in the mountains of Peru. There, Francisco, the owner of the establishment proposed that she travel to Buenos Aires to work with his family as a cashier in a supermarket. For her work they would pay her a good sum of money and would also pay another sum to her mother in Peru so that she would be okay. After insisting several times, Paula agreed to go. They waited until she turned 18 to process her DNI (National Identity Document). One day after getting her document, Paula traveled with Francisco to Lima, even though her mother and sisters didn’t approve. The bus ticket was paid for by Francisco.

When Paula arrived in Buenos Aires, the daughter of Francisco picked her up at the airport and seized her documents. She took her to her house, where she -in fact had a super market. There she had to attend to the public during very long hours, and then work preparing meats. During the month that she “worked” she was provided almost no food and was kept in solitary confinement.

At first Paula slept with Janet, the daughter of Francisco, but then she put together a bed out of cardboard made from beer cases. Paula was exploited for a month, and then asked to be allowed to return home; she was told that it was impossible, at which time she sought help from a customer who reported the incident to the police. The next day the police rescued Paula, arrested and brought Janet in, and brought Paula to a shelter where she stayed for 14 days, until with the support of Foreign Affairs of Peru, she returned to Lima.

Today, Paula has returned to her home and is working in a locale near the other one. However, she fears for her safety and the retaliation that the police report against the people who captured and exploited her could generate. Paula already has an attorney handling her case.
Salaries promised in false job offers are always above the amount that the people who are captured could earn in the places where they are currently working.
IV. – State Actions

During the process of coordinating with the State sector, the organization frequently had the collaboration and support of different public officials and institutions. However, in other cases it was possible to validate that there still exists insufficient awareness of the obligations that correspond to each sector, and above all, with regard to the procedure and protocol for attending to the protection and attention to victims that should be followed in order to ensure that this is efficient and humane.

The victims in our care have reported a series of best and worst practices on part of State institutions. Some of these circumstances occurred during the time in which they were victims of Trafficking (the capture, transport or exploitation), and others, once they were rescued.

**Receipt of the report and the rescue**
If the victims arrived at the Center, it is because they were able to escape the situation of exploitation, in some cases by themselves, and in others as a result of third party actions, or as a result of reports that lead to police or prosecutor operatives.

However, not all of the reports that family members or friends made were attended to quickly and diligently. In some cases, the reports even made by victims were not received, showing a lack of trust of the victims and even making them feel responsible for their situation.

**Preservation of identity**
From the moment that a victim is rescued, or escapes and makes the denouncement, the State has the obligation to preserve the identity of the person, ensuring his or her protection. This is even more important in the case of children (minors under the age of 18).
It has been found in several cases, that the media has mishandled first-hand information, revealing precise details and even pictures of the victims, putting them at risk.

Some public officials have exposed the people who need their protection and care, in violation of the law and their professional ethical code.

**Shelter and containment**

When a private organization does not take care of the initial housing for victims, usually the National Police, especially when they are minors. In some other cases MIMDES (the Ministry for Women and Social Development) has complied with the provisions of the rules and their responsibility to find shelter for victims.

Other times, there have been situations that have impacted the victims during the time that they are under State care by court order.

There is a vacuum with regard to the existence of shelters for victims of age who are unprotected and without financial resources. This is a topic that the State must address. Meanwhile, victims have limited support from private institutions in this regard.

**Psychological and legal care**

Counseling is not yet provided in a systematic matter for victims. The State’s temporary shelters are not equipped with staff that is qualified to handle these cases, and they also do not allow access to the victims to external psychological attention and support, leaving the victims totally abandoned, at a moment of great vulnerability.
Once the victims return to their regions, only in some cases have the Women's Emergency Centers offered them psychological care. Additionally, for the time being they are working with a private network of care.

Psychological care has been requested but has not yet been finalized with the Ministry of Health.

Legal Services when they have been required have been provided by the Ministry of Justice through its public attorneys. However, these lawyers even need to strengthen their knowledge about the crime and how to handle the victim's emotional needs.

The pace of the prosecution of these cases is extremely slow, leading to a series of negative results for the victims, affecting their recovery process and putting them in a state of helplessness, particularly as their traffickers can be released and perpetuate their threats. This is more serious when it comes to criminal organizations.

**Protection of victims and witnesses**

What is being done in this field is still incipient. There is a major effort of the newly created "Unit of Protection of Victims and Witnesses" of the Public Ministry, but gaps remain in protection, for example, when the victim returns to their place of origin. In some cases, it has been the Police that have taken charge of providing protection to the victims at the scene of exploitation. Moreover, the Office of the Ombudsman has always been present every time they have been asked to guarantee the rights and protection of victims.

**Transfer and return to hometown**

When the case has involved Peruvians abroad, the coordinations with the Ministry of Foreign Affairs and the Multi-Sector Work Group against Human Trafficking have been positive.
In other cases of internal trafficking, the Courts have helped to accelerate the transfer of under-age victims to their homes.

However, budgetary constraints continue to exist to cover the travel expenses and to assess with interdisciplinary teams, the desirability of the victims due to safety and rehabilitation concerns to return to their places of origin.

**Social and professional reintegration**
While the laws provide support to victims for their social rehabilitation and employment, only in limited cases has there been some kind of effective support such as vocational training or providing facilities to continue with schooling.
V. – Some final considerations

• The cases described show several of the factors that make certain persons vulnerable to becoming victims of trafficking. Among them are: broken families, a situation of poverty and limited training or education.

• Factors of vulnerability are determinant as they hamper access to respectable job opportunities -which do not put at risk the person’s personal integrity or human rights.

• False job offers, seduction and the use of force are frequently found patterns in trafficking cases treated at the Care Center.

• Routes are international, interregional and interprovincial. However, the absence of efficient controls leads to common routes being used by traffickers to transport their victims with impunity.

• A correlation between human smuggling and trafficking has been found. The transit and movement of victims is just as simple by international routes as it is by the national road circuit. The borders are crossed with ease.

• It is possible to have information differentiated by region, both from the RETA System and the studies we have completed on the perceptions of trafficking in Peru and the Balances of state management. As a result the cities of origin should prioritize prevention and the cities of exploitation should prioritize strategies of prosecuting the criminals and protecting victims.
• There is a need to increase prevention efforts by providing information, through radio programs and as part of the educational system as most victims are between 13 and 25 years of age.

• The rescued victim feels the urgent need to obtain personal safety, to return to his or her place of origin and then receive job training or education. Psychological support should be directed to provide emotional support to resume daily life.

• Victims of trafficking face multiple barriers to accessing a justice system that punishes the offenders and allows the victims to obtain compensation for damages caused to them.

• Programs of assistance and support to victims of trafficking should be directed to reinstate the damages incurred through comprehensive assistance to ensure their full recovery and social reintegration.

• Several international trafficking cases treated at the Center are not registered in the official Human Trafficking Registration System (RETA-PNP). There is a lack of sustained effort that is needed to record cases of human trafficking, and the strategies employed by traffickers and all the information surrounding their crime; only through the analysis of these can we design strategies to combat the crime effectively.