EXECUTIVE SUMMARY

Balance of civil society on the situation of trafficking in persons in Peru 2018-2019
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## Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>APNOP</td>
<td>Budget allocations that do not result in delivered products or services</td>
</tr>
<tr>
<td>CAR</td>
<td>Residential Shelter</td>
</tr>
<tr>
<td>CEM</td>
<td>Emergency Center for Women</td>
</tr>
<tr>
<td>CHS Alternativo</td>
<td>Capital Humano y Social Alternativo</td>
</tr>
<tr>
<td>CMNPTP-TIM</td>
<td>Permanent Multisectoral Commission against Trafficking in Persons and Smuggling of Migrants</td>
</tr>
<tr>
<td>DEMUNA</td>
<td>Municipal Ombudsmen for Children and Adolescents</td>
</tr>
<tr>
<td>DEPINTRAP</td>
<td>Department of Investigation of Trafficking in Persons and Illegal Trafficking of Migrants of the Peruvian National Police</td>
</tr>
<tr>
<td>DIRCTPTIM</td>
<td>Directorate Against Trafficking in Persons and Illegal Trafficking of Migrants of the Peruvian National Police (known before as DEPINTRAP)</td>
</tr>
<tr>
<td>DIRINCRN</td>
<td>Criminal Investigation Division of the Peruvian National Police</td>
</tr>
<tr>
<td>DIVINDAT</td>
<td>High Technology Crime Investigation Division of the Peruvian National Police</td>
</tr>
<tr>
<td>FISTRAP</td>
<td>Provincial Prosecutor’s Office specialized in crimes of trafficking in persons</td>
</tr>
<tr>
<td>ICT</td>
<td>Information and Communications Technology</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labor Organization</td>
</tr>
<tr>
<td>INABIF</td>
<td>The National Family Welfare Program (affiliated to the Ministry of Women and Vulnerable Populations)</td>
</tr>
<tr>
<td>INEI</td>
<td>National Institute of Statistics and Informatics</td>
</tr>
<tr>
<td>IOM</td>
<td>International Organization for Migration</td>
</tr>
<tr>
<td>MCLCP</td>
<td>Integrated Committees to Fight Poverty</td>
</tr>
<tr>
<td>MIDIS</td>
<td>Ministry of Development and Social Inclusion</td>
</tr>
<tr>
<td>MIMP</td>
<td>Ministry of Women and Vulnerable Populations</td>
</tr>
<tr>
<td>MINCETUR</td>
<td>Ministry of Foreign Trade and Tourism</td>
</tr>
<tr>
<td>MINDEF</td>
<td>Ministry of Defense</td>
</tr>
<tr>
<td>MINEDU</td>
<td>Ministry of Education</td>
</tr>
</tbody>
</table>

1. (Only used English acronyms for organizations/terms recognized worldwide, the rest are left in Spanish)
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>MINEM</td>
<td>Ministry of Energy and Mines</td>
</tr>
<tr>
<td>MININTER</td>
<td>Ministry of the Interior</td>
</tr>
<tr>
<td>MINJUSDH</td>
<td>Ministry of Justice and Human Rights</td>
</tr>
<tr>
<td>MINSA</td>
<td>Ministerio de Salud</td>
</tr>
<tr>
<td>MP-FN</td>
<td>Public Ministry – Office of the National Prosecutor</td>
</tr>
<tr>
<td>MRE</td>
<td>Ministry of Foreign Affairs</td>
</tr>
<tr>
<td>MTPE</td>
<td>Ministry of Labor and Promotion of Employment</td>
</tr>
<tr>
<td>MTC</td>
<td>Ministry of Transportation and Communications</td>
</tr>
<tr>
<td>NNA</td>
<td>children and teenagers</td>
</tr>
<tr>
<td>ObservaLAtrata</td>
<td>Latin American Observatory of Trafficking in Persons</td>
</tr>
<tr>
<td>OAS</td>
<td>Organization of American States</td>
</tr>
<tr>
<td>OCA</td>
<td>Constitutionally Autonomous Agencies</td>
</tr>
<tr>
<td>PIM</td>
<td>Modified Initial Budget</td>
</tr>
<tr>
<td>PJ</td>
<td>Judiciary</td>
</tr>
<tr>
<td>PNAIA 2012-2021</td>
<td>National Plan for Action for Children and Adolescents 2012-2021</td>
</tr>
<tr>
<td>PNAT</td>
<td>National Plan for Action Against Trafficking in Persons</td>
</tr>
<tr>
<td>PNP</td>
<td>Peruvian National Police</td>
</tr>
<tr>
<td>POI</td>
<td>Institutional Operational Plan</td>
</tr>
<tr>
<td>RENIEC</td>
<td>National Registry of Identification and Civil Status</td>
</tr>
<tr>
<td>RETA</td>
<td>National Registry of Victims and Cases of Trafficking in Persons and Illegal Trafficking of Migrants</td>
</tr>
<tr>
<td>SEC</td>
<td>Sexual Exploitation of Children and Minors</td>
</tr>
<tr>
<td>SISTRA</td>
<td>Information System of the Public Ministry</td>
</tr>
<tr>
<td>ST-GTMPTP</td>
<td>Technical Secretariat of the Permanent Multisectoral Work Group Against Trafficking in Persons</td>
</tr>
<tr>
<td>SUNAFIL</td>
<td>National Superintendence of Labor Inspection (affiliated to Ministry of Labor and Promotion of Employment)</td>
</tr>
<tr>
<td>SUTRAN</td>
<td>Superintendence of Land Transportation of People, Cargo and Goods (affiliated to Ministry of Transportation and Communications)</td>
</tr>
<tr>
<td>TdP</td>
<td>Trafficking in Persons</td>
</tr>
<tr>
<td>TlDM</td>
<td>Illegal Trafficking of Migrants</td>
</tr>
<tr>
<td>UCAVIT</td>
<td>Central Unit for Assistance to Victims and Witnesses</td>
</tr>
<tr>
<td>UDAVIT</td>
<td>District Unit for the Protection and Assistance to Victims and Witnesses</td>
</tr>
<tr>
<td>UPE</td>
<td>Special Protection Units</td>
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<tr>
<td>UPE</td>
<td>Unidad de protección especial</td>
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</tbody>
</table>
We present the VII Alternative Report, corresponding to 2018 and 2019, in relation to the implementation of public policy against trafficking in persons and related crimes.

The years 2018 and 2019 were characterized by a serious institutional crisis, based on corruption and insecurity, which transcended in the field of justice operators, until it reached the political sphere. This caused a continuous confrontation between the Legislature and the Executive, which culminated in the closing of Congress in September 2019.

In those years, the State did not comply with the provisions of Law 29918, which requires the Prime Minister and the Ministries of the Interior and Women and Vulnerable Populations to account for the actions that the Executive has put into practice to stop crime and support victims, among other responsibilities. Therefore, the report that we present is an alternative to the one that corresponds to the Executive to present by law.

One of the consistent recommendations throughout the previous Alternative Reports has been the need to create a budget program to address trafficking in persons at all levels of government. This year we insist on this again, despite the fact that there is already a law that allows the initiation of a budget program to finance the National Plan of Action against Trafficking in Persons in Peru.

In 2019, new classifications of crimes related to sexual exploitation were incorporated into the Penal Code. Furthermore, the competence of prosecutors specializing in trafficking in persons to investigate other forms of exploitation increased. This opens a new scenario to rethink a single category of crime that responds to human exploitation, in a way that provides legal security against the fragmentation and dispersion of crime and, finally, strengthens the capacity of the State in the management of resources.

In this Executive Summary, we show the main findings of the VII Alternative Report and invite you to join us in this difficult pandemic time— which will surely bring more victims of human exploitation— to demand a more determined and efficient response from the Peruvian State.
The years 2018 and 2019 showed the precariousness of Peruvian politics, manifested in the constant confrontations between the Executive and Parliament. The most critical moment occurred at the end of September 2019, when the then Prime Minister, Salvador del Solar, raised a “question of trust” before Congress requesting the approval of the bill presented by the Executive on the selection of the magistrates of the Constitutional Court.

### Chronology of Political Events

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>March 21: Resignation of Pedro Pablo Kuczynski, due to political scandals.</td>
</tr>
<tr>
<td></td>
<td>March 24: Martín Vizcarra assumes the presidency with a Ministerial Cabinet chaired by César Villanueva.</td>
</tr>
<tr>
<td></td>
<td>June 28: Those responsible for the death of two young people who worked locked in containers in the fire in the Nicolini gallery are sentenced to 34 years in prison.</td>
</tr>
<tr>
<td></td>
<td>July 5: The women held by Félix Manrique, “Prince Gurdjieff”, in Satipo, Junin are rescued and he is accused of the crime of trafficking in persons for the purpose of similar exploitation.</td>
</tr>
<tr>
<td></td>
<td>October 4: Regional and municipal elections are held.</td>
</tr>
<tr>
<td></td>
<td>September: The Women’s Commission invites the Minister of the Interior, Mauro Medina, to present the progress regarding the goals of the PNAT 2017-2021, without success.</td>
</tr>
</tbody>
</table>
Faced with the decision of the Congress to continue with the election of new magistrates, the President of the Republic considered that there was a “de facto refusal” of the request of his Premier, therefore he decreed the dissolution of Congress and the calling of new elections by January 2020.

This situation affected the fight against trafficking in persons since 2019 was the second consecutive year in which the Executive had not presented the annual report on the progress of the PNAT before the Congress of the Republic, nor the evaluation medium term, as stated by Law 29918.
During 2018, the crimes of harassment, sexual harassment, sexual blackmail and dissemination of images, audiovisual materials or sexual audios, among others, were incorporated into the Criminal Code. In addition, the Action Guide for Public Defenders in the Investigation of the Crime of Trafficking in Persons was approved with the implementation of the Victim Centered Approach.

**Regulatory Chronology 2018**

- **February 8**
  - Supreme Decree No. 001-2018-MIMP
    - Regulation of the Legislative Decree for the Protection of Girls, Boys and Adolescents without Parental Care or at Risk of Losing them (Legislative Decree 1297)

- **February 20**
  - The National Council of the Magistracy closes definitely the investigation against magistrates Javier Villa Stein, Josué Pariona, Duberlí Rodríguez, César Hinostroza and José Neyra. These magistrates had acquitted a woman who made an adolescent work as an “escort lady” in Madre de Dios.

- **April 20**
  - Ministerial Resolution 356-2018 / MINSA
    - The Technical Document “National Plan to Strengthen Community Mental Health Services 2018-2021” is approved
Directive 09-2018-MTPE-ProductiveYouth /DE
The Operational Mechanics Directive of the Targeting and Selection of Beneficiaries of the National Employment Youth Program Jóvenes Productivos (Productive Youth) included among its targeting characteristics, for reasons of vulnerability, young victims of the crime of human trafficking registered in the MP-FN system and young people affected by acts of violence treated in the CEMs of the MIMP.

September 11

Law 30903
Incorporates the sanction of permanent disqualification of teachers for sexual harassment
December 29

Legislative Decree 1428
Establishes measures for the attention of cases of disappearance of people in vulnerable situations
September 15

JULY AUGUST SEPTEMBER OCTOBER NOVEMBER DECEMBER

Legislative Decree 1410
Incorporates the crimes of harassment, sexual harassment, sexual blackmail and dissemination of images, audiovisual materials or sexual audios, among others.

September 11

November 27

Ministerial Resolution 0502-2018-JUS
The Action Guide for Public Defenders in the Investigation of the Crime of Trafficking in Persons with the implementation of the Victim-Centered Approach is approved.

December 28

Law 30901
Disqualifies convicted persons for femicide, rape, trafficking in persons or sexual exploitation, among others, to carry out activities that involve contact with children and teenagers.

Legislative Decree 1407
Victims of trafficking in humans can have access to the public defense service.
Regulatory Chronology 2019

During 2019, devices such as the Guide for the Preparation of the Individual Reintegration Plan for Victims of Trafficking and the Protocol for the Accreditation of the Vulnerability Situation of Victims of Human Trafficking were approved. In addition, there were two plenary agreements of the Supreme Court of Justice.

- **Law 30925**
  Strengthens the implementation of temporary shelters for victims of trafficking in persons and sexual exploitation. In addition, it mentions that in the design of the multisectoral budget program of the MININTER, priority should be given to the prevention, prosecution of crime and comprehensive protection, and the integration and quality reintegration of victims of trafficking in persons.

- **Law 30947**
  Community mental health centers close to the first level of care are established.

- **Supreme Decree 009-2019-MIMP**
  The Guide for the preparation of the individual reintegration plan for victims of trafficking is approved.

- **Supreme Decree 013-2019-IN**
  The 2019 – 2023 National Citizen Security Plan is approved with a decentralized approach, which promotes the union of efforts and resources of the three levels of government.

- **The First National Meeting of Regional Governments Against Trafficking in Persons** was held, which was carried out by the MININTER through the General Directorate of Democratic Security (for its acronym in Spanish DGSD).

- **The National Gender Equality Policy** is published.

- **Law 30963**
  It modifies and creates new criminal offenses to punish sexual exploitation, both of adult victims and of children and adolescents. In the latter case, the criminal penalty is also increased (the minimum is raised from 4 to 15 years in prison).
Supreme Decree 014-2019-MIMP
It establishes that the investigation and punishment of sexual harassment must protect the victim and guarantee a reserved, confidential, impartial, thorough and effective investigation.

July 22

Legislative Decree 1368
Approves the National Specialized Justice System for the protection and punishment of violence against women and members of the family group.

July 27

Resolution 3308-2019-MP-FN
Amends the Operations Manual of the Prosecutor’s Offices Specialized in Human Trafficking Crimes, in order to include in its material competence related crimes and/or exploitation in its different forms.

November 23

Administrative Resolution 430-2019-CE-PJ
It establishes that the Second Permanent Preparatory Investigation Court of Ventanilla District expand its competence to hear Organized Crimes, Laundering of Assets and Trafficking in persons.

November 30

Plenary Agreement 06-2019/CJ-116
It covered bankruptcy problems between the crimes of trafficking in humans and sexual exploitation.

September 2

Plenary Agreement 08-2019/CJ-116
Regarding the hermeneutical differences between criminal organization criminal gang and crimes committed by a criminal organization.

September 10

Protocol of the Public Ministry for the accreditation of the situation of vulnerability of victims of human trafficking.

September 24

The MTPE presents a project for the labor reintegration of victims of forced labor and trafficking in persons for the purposes of labor and sexual exploitation.

December

Resolution of the Attorney General’s Office 2291-2019-MP-FN
Update of the MP-FN Protocol for the care of victims of the crime of trafficking in persons, persons in situations of smuggling of migrants and victims of crimes in the context of migration.

September 24
1. Methodology

As in previous editions, the VII Alternative Report is based on the information requested from public bodies with responsibility for the implementation of the actions of the National Action Plan against Trafficking in Persons 2017-2021. This request is based on the Law of Transparency and Access to Information. The analysis period corresponds to 2018 and 2019.

Information has been collected from the members of the Permanent Multisectoral Commission against Trafficking in Persons and Smuggling of Migrants (hereinafter, CMNPTP-TIM), in charge of leading, coordinating and monitoring the implementation of the PNAT. In addition to the MININTER, which presides over it, information was requested from the other member institutions: Ministry of Women and Vulnerable Populations (MIMP), Ministry of Health (MINSAN), Ministry of Justice and Human Rights (MINJUSDH), Ministry of Labor and Promotion of Employment (MTPE), Ministry of Foreign Relations (MRE), Ministry of Foreign Trade and Tourism (MINCETUR), Ministry of Transport and Communications (MTC) and Ministry of Education (MINEDU). Information has also been collected from Constitutionally Autonomous Agencies (OCA), such as the National Institute of Statistics and Informatics (INEI), the Public Ministry-Public Prosecutor’s Office (MP-FN), the Judiciary (PJ) and the National Registry of Identification and Civil Status (RENIEC).

Information was also requested from the 25 regional governments of the country, and from local governments, specifically provincial municipalities of Peru and district municipalities of Lima.

In total, they responded to the request for information:

» 8 ministries
» 4 constitutionally autonomous bodies
» 24 regional governments
» 95 provincial municipalities
» 35 district municipalities of Lima
2. Governance

The PNAT 2017-2021 incorporates institutional governance as its first strategic objective, an axis that seeks to guarantee strategies for a better organization of the State, through the adoption of public policies and the mobilization of resources efficiently and effectively. It should be noted that the PNAT needs to be synchronized with the OAS II Work Plan to Combat Trafficking in Persons in the Western Hemisphere, since only 42.4% of the established guidelines have been fully incorporated. This has led to important absences, such as the need to identify vulnerable groups —the case of the indigenous population— or the integration of the fight against cybercrime in the strategy against trafficking in persons.

The main findings in this axis are the following:

2.1. Strengthening of inter-institutional articulation

Currently, the National Policy against Trafficking in Persons is being drafted, which would replace the PNAT, within the framework of the National Policy for Public Management.

Of the 25 regional governments, 17 reported having a regional plan against trafficking in persons.

Regarding local governments, in this period, it was reported the existence of 25 committees or commissions for the prevention, care and punishment of trafficking in persons.

During the period, spaces for interregional articulation were promoted, especially in Cuzco, Piura, Madre de Dios, La Libertad, Lambayeque, Tumbes and San Martín.

Technical assistance to regional and local committees is a success, as a result making the problem more visible, the commitment of the authorities and the exchange of knowledge.
2.2. Baseline and monitoring of the PNAT

A MININTER committee has been formed in charge of recording information in the PNAT Monitoring System.

The preparation of the baseline by the MININTER is still pending. Three regional governments (Apurímac, Moquegua and Junín) and one local government (Ilo) report progress in the formulation of their baselines.

2.3. Knowledge management for public policies

Studies have been prepared and practices have been systematized from the MRE (3 academic documents), the MININTER (2 systematization documents), the INEI (3 systematization documents and 6 technical reports), the Ombudsman’s Office (1 report) and the MINJUSDH (1 guide).

During the period, 7 regional governments (Tumbes, La Libertad, Apurímac, Madre de Dios, Huánuco, San Martín and Pasco) report having prepared documents to systematize experiences, lessons learned and good practices in the matter of trafficking in persons.

A number of 7 entities have information systems that incorporate data on trafficking in persons and its forms of exploitation (MININTER, MP-FN, MIMP, MINJUSDH, MTPE, PJ and INEI). However, there is no evidence of the interconnection of these systems.

2.4. Budget by sectors

The budget allocation for the implementation of the PNAT in 2018 was S/. 10,213,557.5, while in 2019, it was reduced to S/. 7,758,410.81. This constitutes 0.0064% of the General Budget of the Republic and an investment of S/. 0.30 cents per citizen in 2018; in 2019 it constitutes 0.0046% of the General Budget and an investment of S/. 0.23 per citizen.

Of the budget assigned to the PNAT, the implementation has been less. In 2018 an implementation of S/. 9,262,796.5 was reported, and in 2019 it was reported S/. 5,398,821.65. These figures reduce the investment per citizen to S/. 0.28 in 2018 and S/. 0.16 in 2019.

The institutions that assigned a specific budget for actions related to the PNAT were MININTER, MIMP, MINCETUR, MINJUSDH, MRE, MTPE, MTC and PJ.
MININTER reported that, in 2018, it assigned S/. 7,269,280 for the issue of trafficking in persons and related crimes, without providing information on budget execution. For 2019, the amount decreased to S/. 4,062,370 with an implementation of S/. 2,189,891.

Only 6 regional governments (Huancavelica, Moquegua, Madre de Dios, Puno, Pasco and Loreto) reported a budget allocation for the PNAT with a sum of S/. 213, 593 in 2018 and S/. 206,268 in 2019.

Only 9 local governments (Lima, Lambayeque, Pachitea, Ccatca, Atalaya, Santiago de Surco, Cuzco, Huancavelica and Puno) indicated having allocated a budget for the PNAT, with a sum of S/. 211,569.50 in 2018 and S/. 207,559 in 2019.

<table>
<thead>
<tr>
<th>State Budget for the Implementation of the PNAT for 2014 - 2019</th>
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<tbody>
<tr>
<td><strong>Year</strong></td>
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<tr>
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<tr>
<td></td>
</tr>
<tr>
<td>2014</td>
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<td>2015</td>
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<td>2016</td>
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<tr>
<td>2017</td>
</tr>
<tr>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
</tr>
</tbody>
</table>

* In the first semester of 2018, an allocated budget of 8,696,993 was reported.
** Source: Public Sector Budget Law for the fiscal year and reported information. Elaboration: CHS Alternativo

2.5. Fight against cross-border trafficking

Although the MRE did not report information regarding the agreements made in 2019, the MININTER reported that, in the period, binational agreements have been made between Peru and Ecuador, Bolivia, Colombia, Chile and Argentina on the matter of trafficking of persons.

In 2018, the MRE coordinated and designed 3 cooperation instruments with Uruguay, the United Kingdom and Paraguay, and 3 roadmaps of binational instruments were approved with Chile, Colombia and the United States.
## Budget Allocated to the Fight Against Trafficking in Persons

The budget allocated to the fight against trafficking in persons in 2019 only represents 0.0046% of the total annual budget, and is equivalent to an investment of S/. 0.23 per citizen for the prevention, prosecution and attention of human trafficking during that year.

<table>
<thead>
<tr>
<th>Year</th>
<th>Budget Allocated (S/)</th>
<th>Percentage of Annual Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>7,758,410.81</td>
<td>0.0046%</td>
</tr>
<tr>
<td>2018</td>
<td>10,213,557.50</td>
<td></td>
</tr>
<tr>
<td>2017</td>
<td>11,000,035</td>
<td></td>
</tr>
<tr>
<td>2016</td>
<td>6,485,049.50</td>
<td>0.0025%</td>
</tr>
<tr>
<td>2015</td>
<td>14,163,523</td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td>2,963,328</td>
<td></td>
</tr>
</tbody>
</table>
How much does the State invest per person?

The budget allocated to the fight against trafficking in persons in Peru, in recent years, has not been more than 50 cents per person.

- **S/ 0.23** per person
- **S/ 0.30** per person
- **S/ 0.34** per person
- **S/ 0.21** per person
- **S/ 0.45** per person
- **S/ 0.10** per person
2.6. Incorporation of the crime of trafficking in persons in public safety

The MININTER does not have a record of the number of municipal public safety plans that incorporates the problem.

Less than a third of regional governments and only 6% of local governments announce that they incorporate the problem into their public safety plans.

2.7. Main conclusions

» It is necessary that, through the National Budget System, activities against trafficking in persons become a budget program as a way to ensure that the vulnerable population receives adequate and timely care.

» There is a lack of a specific and sufficient budget to finance the strategic objectives of the PNAT, which indicates a fragile political will to implement national policy and current regulations.

» National policies are in a slow process of decentralization; however, there are no specialized human resources or the corresponding budgetary allocation.

» The articulation processes between the three levels of government must be strengthened in the programmatic agenda to avoid limiting the territorial management capacity of the regional and local governments.

» At least half of the guidelines of the OAS II Work Plan to Combat Trafficking in Persons in the Western Hemisphere, are pending incorporation into the PNAT, since only 42.4% have been fully incorporated, with significant absences.
3. Prevention and Awareness

The second strategic objective of the PNAT 2017-2021 indicates the urgency of reducing risk factors for trafficking in persons, guaranteeing safe environments and reducing social tolerance to crime, especially in the areas with the highest prevalence.

3.1. Services and information channels of trafficking in persons

There are 5 institutions (MININTER, MIMP, MINSA, MP-FN, MINJUSDH) and 7 regional governments (Cusco, Puno, Loreto, Lima, Ayacucho, Huancavelica and Pasco) that have services and information channels related to the trafficking in persons.

3.2. Increased levels of information and awareness

In the period, the various entities reported, in total, 356 prevention and awareness actions, which mainly consisted of talks, campaigns and trainings.

There is a large participation in the Campaña Corazón Azul (Blue Heart Campaign), both by ministries and OCA and by regional governments.

The highest activity reported corresponds to information and awareness actions. However, they do not necessarily account for the impact and sustainability of this information on people or the effectiveness of the methodology used.

The MRE, MTC, MTPE, PJ, RENIEC, MIMP and MINCETUR have carried out training activities for civil servants, and public officials in the matter of trafficking in persons.

Information and awareness-raising activities have been carried out in the media by the efforts of the MTPE, MP-FN and MININTER.
3.3. Promoting a culture of reporting

MININTER increased the human and logistical resources of Line 1818 and trained 85% of its operators.

The MTPE and the MIMP report having broadcasted Line 1818 and having provided training workshops to public officials.

3.4. Articulated approach to the structural risk factors of the State sectors

The MTPE is designing a labor reintegration project for victims of forced labor or trafficking in persons for the purposes of labor and sexual exploitation to help improve the employability of victims in Cuzco and Puno. In addition, it provides job training services through the Jóvenes Productivos (Productive Youth) and Impulsa Perú (Promote Peru) programs.

The regional governments of Tumbes, Callao, Piura, Huánuco, Huancavelica and Cajamarca are working to strengthen basic and higher education.

3.5. Main conclusions

» Of the total number of institutions from which information was requested, only 16% provided information for the Prevention Axis in 2019, and 18% in 2018. This expresses the high level of non-compliance of state institutions with the obligation to execute prevention actions against the phenomenon of trafficking in persons.

» The actions indicated in the Prevention Axis belonging to the segment of groups at risk account for a very limited work of the State, taking into account the need and importance of developing prevention mechanisms primarily with populations at risk and highly vulnerable.

» From the information reported for this axis in terms of increasing the levels of information and awareness regarding trafficking in persons, we can see that, in 2018 and 2019, the same dynamics of State action regarding previous years have been maintained, since the priorities have been the informative activities and training strategies for public officials who carry out prevention tasks. These actions need to detail the scope of the strategies and methodologies used, as well as the contents and the sensitized population.
So far, the State does not have a system for monitoring and evaluating the impacts of the prevention actions developed, which limits the improvement of its performance in this field.

Addressing the structural risk factors of trafficking in persons and its forms of exploitation in areas with a high incidence of crime is of utmost importance in a country where levels of poverty, unemployment, discrimination, violence and informality are high and they become recurring risk and vulnerability factors of the population. In general, it can be indicated that, according to the information submitted, this is one of the least achieved objectives of the PNAT.

**Prevention by sector**

These are some of the outstanding achievements of each sector according to the reported prevention actions.

<table>
<thead>
<tr>
<th>Sector</th>
<th>Achievements</th>
</tr>
</thead>
<tbody>
<tr>
<td>MTPE</td>
<td>102 Informative activities (awareness campaigns, mobile service, workshops and work tables) carried out by SUNAFIL (2018).</td>
</tr>
<tr>
<td>MINCETUR</td>
<td>12,768 people (citizens, teachers, students and tour operators) made aware on how to prevent exploitation in the field of tourism (2019).</td>
</tr>
<tr>
<td>MINJUS</td>
<td>The prevention campaign “I give trafficking a zero” reached 10 regions of the country with the participation of 83 educational institutions (2018).</td>
</tr>
<tr>
<td>MININTER</td>
<td>14 regional governments received technical assistance (2018).</td>
</tr>
<tr>
<td>MIMP</td>
<td>17,036 people nationwide informed about trafficking in persons (2019).</td>
</tr>
<tr>
<td></td>
<td>18 million users received text message alluding to the fight against trafficking in persons sent in partnership with Movistar (2018).</td>
</tr>
<tr>
<td></td>
<td>55,000 people reached through the Campaña Corazón Azul (Blue Heart Campaign) (2019).</td>
</tr>
</tbody>
</table>
Prevent trafficking in persons from the regions

What did regional governments do during 2018 and 2019 to alert people about the crime?

- **6 out of 25 regions**
  Did not report their anti-trafficking prevention activities.

- **16,854 people**
  Made aware in Loreto (schoolchildren, teachers, youth organizations and of NNA, users of services of health and general population) through various activities.

- **Cusco, Cajamarca and Piura**
  Met the goal of informing 10% of the population about crime of trafficking in persons.

- **48 information activities**
  and awareness raising were reported by Lambayeque.

- **6 GORE used TICs**
  as part of the strategy to inform and raise awareness.

- **9 GORE**
  participated in the national Blue Heart campaign.

Regional ranking

Each type of activity reported is worth one point. There are 8 types of activities. The region with the most types of activity reported is Huancavelica.
Reported the number of people informed
Carried out campaigns
Trained service personnel / justice officials
Used TICs

Did not report the number of people informed
Trained students
Participated in coordination meetings
Trained companies / journalists

Caption

4. Attention, Protection and Reintegration

This axis aims to guarantee quality care services and spaces, comprehensive protection, integration and reintegration, considering the needs of the victims and their family and community environment.

4.1. Articulated and comprehensive actions at the 3 levels of government

The MIMP has approved and implemented a general instrument that establishes guidelines for articulated actions for the reintegration of victims. Guide for the preparation of the individual reintegration plan for victims of trafficking through Supreme Decree 009-2019 MIMP.

The MIMP has promoted a strategy for the pilot implementation of the Individual Reintegration Plan in North Lima involving different districts and ministries and with the accompaniment of civil society and international cooperation.

4.2. Improve services of protection

There are currently 19 UPEs; In 2018, 8 new ones were implemented (Apurímac, Ayacucho, Cajamarca, Huánuco, South of Lima, Loreto, Tacna and Tumbes) and in 2019, 3 more were implemented (Lambayeque, Puno and Ucayali).

The Risk Assessment Table for the UPE was approved with Ministerial Resolution 065-2018-MIMP to carry out the socio-family evaluation of the victim.
In 2018, 141 NNA victims were treated, of which 71 were admitted to a CAR, while in 2019, 130 NNA victims were housed, almost double the number of the previous year. Of the 141 NNA attended in 2018, 60% had the respective Individual Work Plan.

The MINJUSDH reported that there are 336 public defenders of victims nationwide, 9 are trained in this type of crime and are located in strategic areas. Between January and October 2019, 1,114 victims of human trafficking were sponsored, which represents an increase over previous years. The district directorates with the highest number of cases are Puno (31%), Loreto (11%), Lima (9%) and Madre de Dios (9%).

To ensure the legal defense process of the victims and a sensitive intervention, the MINJUSDH issued the Action Guide for Public Defenders in the Investigation of the Crime of Trafficking in Persons with the implementation of the Victim Centered Approach (Ministerial Resolution 0502-2018-JUS).

The MP-FN also seeks to ensure a victim-centered approach through the formulation of the Protocol for the Attention of Victims of the Crime of Trafficking in Persons, Persons in Situation of Smuggling of Migrants and Victims of Crime in the Context of Migration (Resolution of the Attorney General’s Office 2291-2019-MP-FN).

The MP-FN Victims and Witnesses Protection and Assistance Program served 791 in 2018 and 920 people in 2019, an average of 87% of these were victims of the crime of trafficking in persons and the remaining 14% had the status of witnesses.

In 2018 and 2019, on average, 7 out of 10 beneficiaries received legal and psychological assistance, while half accessed social services.

The UDAVIT participated actively in the operations carried out both by specialized prosecutors for trafficking in persons and by those investigating organized crime. To fulfill these functions, the Program is made up of trained professionals and 22 reception rooms, 99 Gesell chambers and 40 single interview rooms.

The Protocol for the Accreditation of the Vulnerability Situation of the Victims of Trafficking in Persons (Resolution of the Office of the Prosecutor of the Nation 2636-2018-MP-FN) was approved and the Methodological Proposal for Training in the Protocol for the Accreditation of the Vulnerability Situation of Victims of Human Trafficking was developed to be used in training workshops for MP-FN operators.
The MRE has trained diplomats on the problem of trafficking in persons and has organized and financed the safe, orderly and regular repatriation of 3 nationals, as well as the repatriation of foreign victims of trafficking in persons in Peru.

Regarding comprehensive health care provided to victims and their families, the MIMP reported that CEM services increased to 396 nationwide and attended to 73 cases of trafficking in persons in 2019. Additionally, MINSA has 155 community health mental health centers in the country (75 new in 2018 and 49 new in 2019).

4.3. Implement integration and reintegration services from the needs and expectations of the victim

The regional governments of Tumbes, Lambayeque, Moquegua, Madre de Dios, Cajamarca, Cuzco and Junín have shelter homes or temporary shelters.

In 2019, 5 new specialized CARs were implemented, totaling 7 in the country.

In 2018, almost all adolescent girls in CARs (96%) were integrated into the education system.

No response was obtained from MINEDU to account for progress in actions or programs dedicated to reintegration into regular, alternative or higher basic education.

Regarding technical training, the MTPE has the National Employment Youth Program Jóvenes Productivos (Productive Youth) with a focus on young victims of the crime of trafficking in persons. Additionally, the MTPE in alliance with the MP-FN presented a project to Fondoempleo for the labor insertion of victims of forced labor and trafficking in persons, which was approved and will start with a group of 40 women victims in Cuzco and Puno.
The ideal assistance protocol for victims of trafficking in persons

**PROTECTION**
1711 beneficiaries of the MP-FN protection and assistance program.

**ASSISTANCE**
MINSA implemented 124 community mental health centers.

**IMMEDIATE ASSISTANCE**
11 new UPEs have been implemented in 2018 and 2019.

**SHELTERS**
130 NNA victims of trafficking in persons were housed in 7 specialized CARs (5 of them created in 2019).

**LIFE PLAN**
The Guide for the Preparation of the Reintegration Plan for people affected by the crime of trafficking in persons of the MIMP was approved.

**JUSTICE**
1985 victims of human trafficking were sponsored by MINJUSTHD.
4.4. Main conclusions

» It can be found that the MP-FN strengthened its work of assistance and protection to victims and witnesses, even increasing the number of reception rooms, Gesell chambers and single interview rooms, as well as dictating norms that establish common criteria and unique routes for attention with the focus on the victim.

» The MIMP has also strengthened its programs and services to assist victims, such as UPE, Specialized CARs and CEM; and its normative work to determine the situation of vulnerability of the victims and for the elaboration of the individual reintegration plan. New centers have been created for victims of trafficking. However, the effort to develop individual plans for 100% of the child victims remains to be deepened.
It should also be noted that, since the end of 2018, the MINJUSDH has specialized public defenders and specialized in sponsoring victims of trafficking in persons in 9 cities, but these public defenders of victims have difficulties to constitute themselves as civic actors, in order to exercise a more effective sponsorship of the victim during the criminal process and achieve comprehensive and adequate civil reparation.

MINSA made a significant investment to implement 155 community mental health centers. Although they serve victims of trafficking in persons, we consider it important that they register in a different way, as they do with victims of child abuse or violence in the family group.

In 2018, the MTPE incorporated young victims of trafficking in persons as a vulnerable group so that they can access the National Employment Youth Program, and approved the implementation of the project for the labor reintegration of victims of forced labor and trafficking in persons with the financing from Fondoempleo.

There is a greater involvement of regional governments, especially through their Social Development departments; at the same time, the lack of knowledge of the municipalities about the problem of trafficking in persons is evident, since most of them affirm that there are no reports, that the previous administration did not inform them of actions in this matter or that attention to victims is a task that depends on the PNP, the MP-FN or the MIMP.
5. Inspection and Crime prosecution

5.1. Registered Reports

In the triennium 2016-2018, the MP-FN knew an average of 1,384 cases, which meant an increase of 35% compared to the 1,022 in 2015 and almost tripled the average of the years 2012, 2013 and 2014. It is worth highlighting a lack of concordance between the information reported by the MP-FN and by the MININTER: in 2018, the MP-FN learned of 1,355 cases, while the MININTER reported receiving, in the same year, 734 reports (INEI, 2020).

5.2. Interinstitutional cooperation and articulation

SUTRAN participates in coordination with its deconcentrated units to organize joint control and inspection operations in land terminals and national roads. In some regions, operations are carried out with the participation of the PNP and the Special Prosecutor’s Office.

MININTER reported the creation of a communication and alert tool between sectors of control and prosecution.

Only 11 regional governments and 9 provincial municipalities indicated that they had referred 100% of the cases of trafficking in persons detected in the control actions to the prosecution bodies. This reflects the lack of efforts to achieve the goal.

The MIMP reports that the UPE emergency teams participate in the postoperative procedures when they are summoned by the MP-FN and the MINJUSDH. In this regard, the MP-FN reports that all operations have had the participation of specialized teams.

Faced with the need to review and improve the regulatory framework, the PJ reports that the Supreme Court of Justice of the Republic, in the XI Full Jurisdiction of the Permanent, Transitory and Special Criminal Chambers, approved both the Plenary Agreement 06-2019 / CJ -116, which addresses bankruptcy problems in
criminal offenses trafficking in persons and crimes of sexual exploitation, such as Plenary Agreement 08-2019 / CIJ-116, referring to the hermeneutical differences between criminal organization, criminal gang and crimes committed by a criminal organization. The approval of both agreements seeks to improve the control, prosecution and punishment of trafficking in persons, its forms of exploitation and related crimes; likewise, it is framed in article 116 of the TUO of the Organic Law of the PJ.

The 2018-2019 period stands out for the approval of 7 criminal offenses that sanction a set of acts related to sexual exploitation, all within the framework of strengthening the fight against gender violence. Indeed, it is Law 30963.

**FORMS OF RECRUITMENT FOR TRAFFICKING IN PERSONS**

According to information from the MININTER as of 2019, these were the recruitment modalities for the crime of trafficking in persons:

- **job offer** (78.2 %)
- **Internet** (4.7 %)
- **Fake study offers** (2.7 %)
- **Seduction** (0.8 %)
- Does not detail form of recruitment (13.5 %)
The Prosecution in Numbers

The number of reports and victims were not reported by the Public Ministry or by the National Police. These figures correspond to the INEI statistical bulletin 2019-2020.

Specialized Prosecutors’ Offices

Currently exist 10 prosecutors specialized in human trafficking in nine fiscal districts.

The specialized prosecutor’s office North of Lima was the last to be created (March 2019), when the Resolution of the Board of Supreme Prosecutors 041-2019-FN-JFS was published.
Impunity rate

Despite efforts, human trafficking remains a crime with a high rate of impunity. Meanwhile, cases continue to increase.

**65 convictions**

were dictated by the Judicial Power against human traffickers: the highest number in the last decade.

that is only **4.8%** conviction in 2018

**1384 cases of trafficking in persons**

were the average in the years 2016–2018. This represented an increase of 35% compared to the 2015 cases.

<table>
<thead>
<tr>
<th>Year</th>
<th>Cases known to the Prosecutor’s Office</th>
<th>Convictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>457</td>
<td>23</td>
</tr>
<tr>
<td>2013</td>
<td>458</td>
<td>40</td>
</tr>
<tr>
<td>2014</td>
<td>501</td>
<td>25</td>
</tr>
<tr>
<td>2015</td>
<td>1022</td>
<td>26</td>
</tr>
<tr>
<td>2016</td>
<td>1332</td>
<td>30</td>
</tr>
<tr>
<td>2017</td>
<td>1464</td>
<td>38</td>
</tr>
<tr>
<td>2018</td>
<td>1355</td>
<td>65</td>
</tr>
</tbody>
</table>

Cases known to the Prosecutor’s Office vs. Convictions

PUBLIC PROSECUTOR

JUDICIAL AUTHORITIES
5.3. Strengthening of Institutions

Currently there are 10 prosecutors specialized in crimes of trafficking in persons: Lima (2), North of Lima, Callao, Cuzco, Loreto, Madre de Dios, Puno, Tacna and Tumbes. In 2019, its powers were expanded to include related crimes or exploitation in its different forms. However, this expansion of responsibilities was not accompanied by a greater allocation of budgetary resources.

In 2019, an Inter-institutional Operational Guide draft was prepared for the actions of prosecutors and police in the investigation of the crime of trafficking in persons.

The MININTER, the MP-FN and the PJ have various systems for registering reports and investigations: RETA PNP, SISTRA, SIAFT, SGF, SIJ and the National Registry of Convictions.

5.4. Strengthening the Processes

Most of the sectors do not provide information in this regard. As for the regional governments, only 5 report having closed premises or spaces where exploitation of victims was identified: Tumbes, Arequipa, Ica, Moquegua and Junín.

Five regional municipalities were implemented for inspection and sanction: San Martín, Junín, Lima, Pasco and Madre de Dios.

Only 13 regional governments have expanded the coverage of the oversight mechanism and have trained the staff.

5.5. Main conclusions

» The approval of the new criminal regulations related to trafficking in persons and other forms of human exploitation is especially important because it is generating institutional changes. There are 10 new criminal types: sexual exploitation and its modifications, forced labor and servitude, and other forms. In each case, the increasingly comprehensive sanction of human exploitation stands out, but the number and complexity of the current regulation are disputed, especially with regard to sexual exploitation.

» A notable measure has been to expand the powers of specialized prosecutors. This measure must allow that these instances do not need to force the criminal types to face a situation of exploitation. However, it is essential to provide them with greater resources in order to have a direct impact on each situation.
The main concern is the “abandonment” in which administrative oversight and its relationship with the fight against human trafficking seem to be, not only because of the scant information on the measures developed, but also because this neglect is more latent in the regional and local governments.

In relation to the punishment of the crime, it is very important to approve the full jurisdiction of the Supreme Court, which has resolved the bankruptcy problem between sexual exploitation and trafficking in persons, a criterion applicable to other types of crime. However, the justice operators consider that there are still some gaps due to the existence of criminally sanctioned conduct similar to one another, among other factors.

The link between control and prosecution of trafficking in persons is more limited in the case of regional and local governments, in light of the number of responses not submitted and the content of those received. These two levels of government have become a priority in the fight against trafficking in persons because of their preventive capacity, but also because some of their powers strengthen the prosecution of crime.
6. Main challenges in the fight against trafficking in persons

» It is imperative to implement a budget program to fight against human exploitation, including trafficking in persons.

» At least half of the guidelines of the OAS II Work Plan to Combat Trafficking in Persons in the Western Hemisphere remain to be incorporated into the PNAT.

» In 2019, the State allocated S/. 0.23 per person per year to protect them from trafficking in persons, a figure that decreased to S/. 0.16 per person in the execution of the budget. It is required at least to maintain the investment per citizen and, if possible, increase it in order to implement the necessary actions to combat this social scourge.

» The budget assigned and executed for the implementation of the PNAT decreased from 2018 (S/. 10,213,557 assigned and S/. 9,262,796.5 executed) to 2019 (S/. 7,758,410 assigned and S/. 5,398,821.65 executed). The amounts assigned represent 0.0064% and 0.0046% of the General Budget of the Republic, respectively. It is necessary for the State to maintain budget allocations to comply with the proper implementation of the PNAT. In the best of cases, an annual increase would be beneficial in the fight against crimes of human exploitation.

» 76% of regional governments have not reported a budget allocation for the fight against human trafficking. It is the duty of the regions to assign and execute the corresponding budget.

» 84% of the institutions from which information was requested did not send data on the execution of preventive actions, which reveals the non-compliance by the state bodies of the norms that oblige them to carry out this type of actions.
» Since 2017, the State does not have a system for monitoring and evaluating the impact of the preventive actions it develops, which limits the improvement of its performance. This challenge must be met with the greatest possible diligence.

» Only 6 regional governments and 1 local government reported on concrete actions to address structural risk factors for trafficking in persons, especially in areas with a high incidence of crime. As it is known, reducing structural factors is one of the most effective and sustainable tasks to prevent the continued exploitation of people. Therefore, it is urgent that all sub-national governments implement the pertinent measures that in many cases have prioritized in their corresponding strategic plans.

» During the period, 60% of girls and female adolescents in shelters had an individual work plan as part of their care and socioeconomic reintegration. The challenge is to design such plans for 100% victims.

» 38% of regions still do not have a special protection unit (UPE). Metropolitan Lima is the only region with 3. It is urgently required to increase the number of UPEs to attend to the people rescued from the networks of human exploitation.

» The inconsistency gap between the case reports by the PNP and the MP-FN is 45.8% (621 reports). It is still pending to standardize the data on reports of trafficking in persons in order to access reliable information and close this difference.

» For the fifth consecutive year, the unification of the RETA and SISTRA systems has not been achieved, which makes it difficult to implement a single registry of victims and cases of trafficking in persons at the national level.

» 68% of regional governments and 94% of local governments need to have services and information channels related to trafficking in persons, as this constitutes part of their responsibility.

» There are only 10 specialized prosecutors for crimes of trafficking in persons (FISTRAP) at the national level, despite the fact that the incidence of crime is considerably registered in at least 14 regions of the country. It is necessary for the Executive to respond positively to the repeated requests of the Prosecutor’s Office. Otherwise, it will not be possible to investigate all cases of trafficking in persons and other forms of exploitation, especially in high incidence areas.
» 336 public defenders of victims of the Ministry of Justice provide assistance to victims of trafficking in persons nationwide. However, only 9 of them are specialized.

» Despite their limitations, the prosecution service, the police and the public defense have specialized bodies. This is not the case of the Judiciary, despite the fact that 4.8% of the people investigated received an effective sentence.

» 93.3% of local governments did not report on actions or progress in the inspection and prosecution of the crime. It is an obligation of all local governments to carry out the necessary actions in accordance with the context in which they find themselves, so that they comply with the guidelines of the PNAT.
Informe Alternativo VII

RESUMEN EJECUTIVO

Balance de la sociedad civil sobre la situación de la trata de personas en el Perú 2018-2019

Con la participación de: