

ASSESSMENT OF THE CIVIL SOCIETY ABOUT THE
SITUATION OF TRAFFICKING IN PERSONS 2017-2018

VI ALTERNATIVE REPORT



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ASSESSMENT OF THE CIVIL SOCIETY ON THE SITUATION OF TRAFFICKING IN PERSONS IN PERU 2017-
2018. EXECUTIVE SUMMARY.

Prepared by:

Capital Humano y Social Alternativo

Calle Alfredo Salazar 225, Miraflores

Phone: (511) 421-3396

In cooperation with:

Konrad-Adenauer-Stiftung e.V (KAS)

Av. Larco 109, 2° piso, Lima 18 -Perú

E-mail: kasperu@kas.de

URL: www.kas.de/peru/es

Phone: (511) 416 6100

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Jr. Huaraz 449 - Breña

sincoindustriagrafica@gmail.com

Teléfonos: 996471016 / 999364126

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ACRONYMS	2
INTRODUCTION	3
1. GOVERNANCE	5
The importance of PNAT	5
Strengthening inter-institutional articulation	5
Knowledge management for public policies	6
Budget by sectors	6
Main findings	7
2. PREVENTION AND RAISING AWARENESS	9
Prevention by sectors	9
Prevention in regional and local governments	10
Main findings	11
3. ATTENTION, PROTECTION AND REINTEGRATION OF VICTIMS	12
Attention, protection and reintegration by sectors	12
Attention, protection and reintegration in regional and local governments	14
Main findings	15
4. PROSECUTION AND PERSECUTION OF CRIME	16
Institutional capacity: specialized prosecutors and prosecutors' offices	16
Procedural burden	16
Complaints registered by the PNP	17
Complaints registered by the Public Prosecutor's Office	19
Training for specialized personnel	21
Main findings	21
CHALLENGES	22

ACRONYMS

PNAT: National Plan of Action against Trafficking in People

CMNP TP-TIM: Multisectoral Commission of Permanent Nature against Trafficking in People and Illicit Trafficking of Migrants

CAR: Residential Shelter

CEM: Emergency Center for Women

DEMUNA: Municipal Defender of Children and Adolescents

DEPINTRAP: Human Trafficking Investigation Department

DIRCTPTIM: Directorate Against Trafficking in People and Illegal Trafficking of Migrants of the PNP

INEI: National Institute of Statistics and Informatics

LGTBI: Lesbians, Gays, Transsexuals, Bisexuals and Intersex

MIDIS: Ministry of Development and Social Inclusion

MINCETUR: Ministry of Foreign Trade and Tourism

MININTER: Ministry of the Interior

MINJUS: Ministry of Justice and Human Rights

MIMP: Ministry of Women and Vulnerable Populations

MINTRA: Ministry of Labor

MP-FN: Public Ministry - Office of the National Prosecutor

MRREE: Ministry of Foreign Affairs

MTC: Ministry of Transport and Communications

OIM: International Organization for Migration

PRODUCE: Ministry of Production

PJ: Judiciary

SUTRÁN: Superintendency of Land Transportation of People

Sistema RETA: Registry and Statistical System of Trafficking in People and Allied Persons

UPE: Special Protection Units

INTRODUCTION

We present the VI Alternative Report in the middle of a year characterized by ceaseless political upheaval. When the V Alternative Report was presented, in December of 2017, a political scenario tinged with tension between the public authorities could already be glimpsed, but we believe that no one could foresee at that time what would happen days later.

The enactment of the new National Plan against Trafficking in persons (PNAT) 2017-2021 should be highlighted as an achievement, but, one year and six months after its approval, it is time to show concern. Not only about the political decisions of the State in the matter, but because the institutionality and the presence of the State through intentional, coherent and effective political actions are indispensable for the execution of public policy, and the PNAT among it.

Regrettably, the implementation of the strategic actions defined in the PNAT is influenced by a precarious political context, which could be defined in three aspects: first, the change of the President of the Republic and the various ministerial portfolios, with a country shaken by accusations of corruption at the highest level; secondly, the rediscovery of the magnitude and scope of the corruption of justice in Peru that have put in question all the main organs of the justice system, including the National Council of Magistrates, with the latter in a process of integral restructuring because of the acts of corruption denounced; third, a Public Prosecutor's Office also immersed in a critical scenario, with questions, confrontations and accusations among prosecutors related to important corruption investigations (the "Lava Jato" and "Los Cuellos Blancos del Puerto" Cases).

In this context of corruption, how to oppose the impunity of a crime that feeds on it? Even more so when it has been demonstrated how judicial decisions, objections to custody of evidence, among other serious problems are subject to negotiation. Perhaps that is why in trafficking cases we maintain one of the highest rates of impunity in Latin America, as only 6 of every 100 accused receive a conviction.

Meanwhile, exploiters continue to capture, transfer and exploit victims without discrimination. Thus, from 2009 to date, we have already surpassed 8,000 victims of human trafficking, and young women are the most vulnerable to this crime. We cannot forget that the social landscape of trafficking in persons has a gender dimension, where the recurrence of cases of femicide, sexual aggression and sexual harassment are frequent and constitute the prelude to human exploitation in Peru.

On the other hand, the budget to face this crime is still a severe problem. The V Alternative Report reported that only 0.0077% of the general budget of the Republic was allocated, equivalent to 0.33 cents per person per year. The VI Alternative Report reveals, unfortunately, even more devastating data. Today, in the best scenario, 0.0052% of the national budget is reserved to finance the actions of the current PNAT; that is barely 0.25 cents per person per year to protect citizens from human exploitation.

In order to give this VI Alternative Report a perspective of continuity with the previous Alternative Reports, we recall the main deficiencies that marked the previous plan 2011-2016. Thus, for example, there was no specific budget allocation in the previous national plan to fulfill the responsibilities of each of the sectors. We have expressed throughout the alternative reports our concern about this lack and how insignificant it was in light of the magnitude of the problem and the objectives of the plan.

In contrast, the PNAT 2011-2016, with good judgment, pointed out the importance of the decentralization of the effort through the regional and local governments; however, this orientation did not achieve important results of compliance on the part of regional and local actors. Not all sectors of the State fulfilled their obligations to carry out the PNAT 2011-2016 with the same responsibility or commitment. There were many delays in compliance reports with some sectors not responding at all. In addition, few executed the specific budget allocation for the development of anti-trafficking activities. In addition, various activities did not have management plans that would allow the evaluation of their results and guarantee their continuity.

In this period, with the PNAT 2017-2021, although some goals are being achieved, several pending issues remain to be carried out. Among the improvements that must occur, the main one is the creation of a national budget program that obliges all sectors to assume their responsibilities assigned in the regulation of the anti-human traffic law and in the 2017-2021 national plan, to honor their obligations and allocate the necessary budget to combat trafficking in persons and all forms of human exploitation.

Finally, we would like to thank the Konrad Adenauer Foundation for its guidance and economic support, which was essential for the realization of this VI Alternative Report. Likewise, we thank USAID for incorporating it as one of the priority activities in our joint work. We also thank the Ombudsman for the unconditional support when demanding access to information that by law the State institutions had to deliver. And as always, throughout all these years, we express our special thanks to the Civil Society with presence in various parts of Peru, for providing us with its assessment and proposals, which this Executive Summary also includes. Finally, thanks to the CHS Alternativo team for their collaboration and commitment to this VI Alternative Report.

1. GOVERNANCE

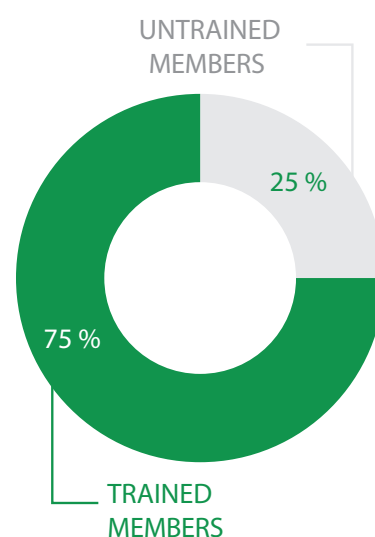
The National Action Plan against Trafficking in persons (PNAT) incorporates institutional governance as its first strategic objective. This is an axis that seeks to guarantee strategies for a better organization of the State, the adoption of public policies and efficient and effective mobilization of resources. Next, we have grouped the immediate objectives into three segments: strengthening inter-institutional articulation, promotion of knowledge management for the formulation and implementation of public policies, and budget by sectors.

IMPORTANCE OF PNAT

- » The current PNAT is a recent public policy, dating from 2017. The alignment of local and regional plans to the PNAT is fundamental through tools such as ordinances, which identify targeted audiences and establishes activities that allow the achievement of their objectives.

STRENGTHENING INTER-INSTITUCIONAL ARTICULATION

- » Unlike in 2017, in 2018 at least 7 institutions of the multi-sectoral Commission of a permanent nature against trafficking in persons and migrant smuggling (CMNP TP-TIM) included actions programmed in the PNAT to its operational documents, such as the MININTER, MINJUS, MIMP, MINTRA, PRODUCE, MINCETUR and Public Ministry.
- » Of the 13 regional governments that sent information on this axis, 6 have working groups (or boards), commissions or regional networks that have internal regulations: These include Amazonas, Ancash, Moquegua, Tumbes, Ucayali and Cusco. In addition, 6 have plans aligned with the PNAT (Amazonas, La Libertad, Moquegua, Tumbes, Cusco and Huancavelica). This is 3 more than in 2017.
- » In relation to the approved plans of the regional roundtables that are aligned to the PNAT, the MININTER reports that the percentage of approved plans represents 29.16%, which corresponds to the following working groups: Lambayeque, La Libertad, Huánuco, Puno, Madre de Dios, Arequipa and Moquegua
- » 75% of regional working groups have trained members to formulate and implement public policies.
- » Of the 44 provincial governments that answered to this axis, 17 have working groups or commissions (Bagua, Luya, Caravelí, Huamanga, Cajamarca, Cajabamba, Chota, Jaén, Cusco, Canchis, Chumbivilcas, Huancayo, Chucuito, Moho, Moyobamba, San Román y Lima).



- » With regards to the district municipalities of Lima, of the 16 which responded, 9 reported having working groups, commissions or district networks (Barranco, Breña, Carabayllo, La Victoria, Magdalena, Miraflores, Puente Piedra, San Juan de Miraflores and Villa El Salvador).
- » Another objective, in terms of strengthening inter-institutional coordination, is the development and implementation of PNAT monitoring systems. The MININTER, as the governing entity of the CMNP TP-TIM, reported that as of yet it has no monitoring committee.
- » With regards to monitoring systems in certain regions, 6 regional governments (Amazonas, Cajamarca, Moquegua, Tumbes, Ucayali and Cusco) reported having a functioning monitoring committee, but only 4 claimed to have a monitoring plan (La Libertad, Moquegua, Ucayali and Huancavelica).
- » Of the district municipalities of Lima, 5 have monitoring systems (La Victoria, Magdalena del Mar, Miraflores, Puente Piedra and San Juan de Miraflores).

KNOWLEDGE MANAGEMENT FOR PUBLIC POLICIES

- » Regarding the production of knowledge, the MININTER presented a published research with another three under way. For its part, INEI reported the publication of five documents during 2017 and 2018. Likewise, MINJUS reported having carried out a study and a bulletin in 2017.
- » With regard to regional governments, only La Libertad and Tumbes developed activities to systematize lessons learned. Only La Libertad carried out a research in coordination with the Universidad Privada del Norte.
- » Only six public institutions in the sectors of MININTER, the Public Prosecutor's Office, MIMP, MINJUS, MINTRA and the Judicial Power have an information systems that incorporate data on trafficking in persons and their forms of exploitation.

BUDGET BY SECTORS

- » The budget allocation for the implementation of the PNAT was S/ 8,231,751.70 for the year 2018, which represents 0.0052% of the General Budget of the Republic. This is equivalent to 0.25 cents of Sol per person per year to protect citizens from human exploitation and to promote the articulation of all sectors of the State with specific responsibilities in the current PNAT.
- » The institutions that assigned a specific budget for actions related to the PNAT were: MININTER, MIMP, MINJUS, MRREE, MP-FN, MTC y PJ.
- » The MININTER reported that for 2017 its budget was S/ 6,604,093. For the year 2018, it was assigned a budget of S/ 7,016,615, of which S/ 2,362,371 have been executed to date. (33.67% execution).
- » The MIMP reported the sum of S/ 986,597 as the budget allocated for the year 2018 and reported a 35% progress in its execution.

- » The MRREE reported the sum of S/ 568,820 soles and showed the amount of S/ 61,165.01 in progress of its execution (10.75% progress).
- » MINJUS reported the sum of S/ 1,030,908 as the budget allocated for the year 2018.

State Budget for the Implementation of the PNAT for 2014 - 2018

Year	Budget	General Budget of the Republic	% General Budget of the Republic
2014	S/ 2,963,328	S/ 118,934,253,913	0.0025 %
2015	S/ 14,163,523	S/ 130,621,290,973	0.0108 %
2016	S/ 6,485,049.50	S/ 138,490,511,244	0.0046 %
2017	S/ 11,000,035	S/ 142,471,518,545	0.0077 %
*2018	S/ 8,231,751.70	S/ 157,158,747,651	0.0052 %

*Estimated Budget for 2018

Source: Answers to requests for information made to State institutions.

Prepared by: CHS Alternativo, 2018

MAIN FINDINGS

- » As the governing body, the MININTER has the largest budget and the greatest execution capability; however, its functions and competences do not contemplate addressing the entire cycle of trafficking in persons.
- » As of yet only three institutions have reported to have functional and updated digital platforms, which leaves the implementation and positioning of information tools in the remaining institutions as pending tasks.
- » Advances in execution cannot be measured due to the lack of monitoring systems, a fact that is aggravated by the lack of a baseline, which makes it difficult, in turn, to measure the impact on the actions considered in the plans.
- » The institutional, and sectoral plans, as well as those of regional and local governments are not related to the PNAT, which prevents joint work actions against human trafficking.
- » The creation of a national budget program to combat human trafficking at all levels of government is urgent.

BUDGET ALLOCATED TO THE NATIONAL ACTION PLAN AGAINST TRAFFICKING IN PEOPLE (PNAT)



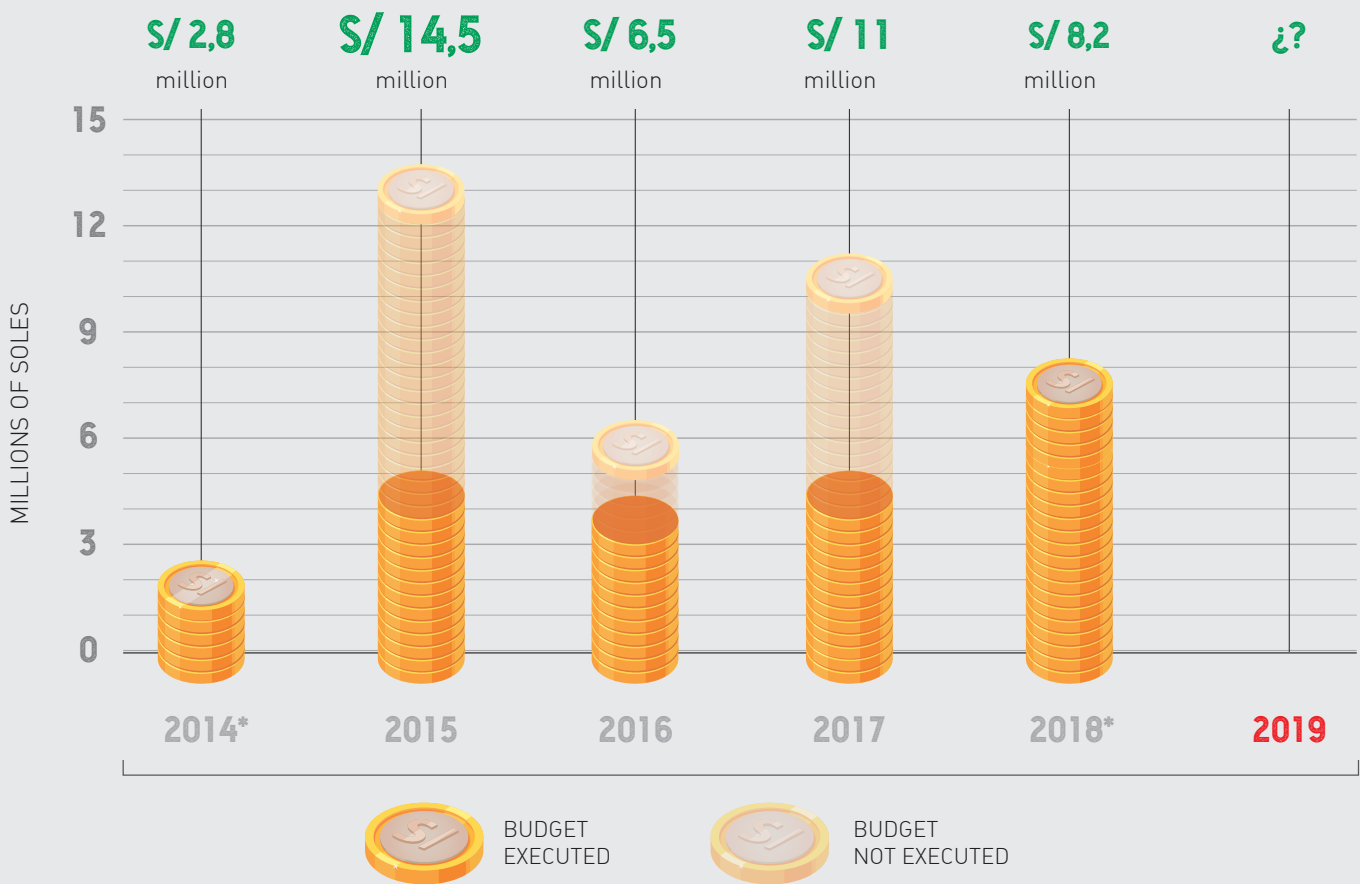
S/ 0,25

Is the amount per citizen used to combat trafficking in people in 2018.

0,0052%

Is what the PNAT budget represents with respect to the General Budget of the Republic in 2018.

BUDGET ASSIGNED TO THE PNAT THROUGHOUT THE YEARS



*Years that have not presented information on the amount executed and not executed.

Institutions that assigned a specific budget to carry out actions related to the PNAT:



Source: Responses to requests for information made to State institutions.

Prepared by: CHS Alternativo, 2018.

2. PREVENTION AND AWARENESS-RAISING

The PNAT 2017-2021 points out in its second strategic objective the urgent need for reducing the risk factors of trafficking in people, guaranteeing safe environments and decreasing the social tolerance of crime, especially in areas of greater prevalence.

PREVENTION BY SECTORS

- » The **Ministry of Interior** has carried out joint campaigns with other sectors of the State. Among them, one can highlight the campaign “Blue Heart” (“Corazon Azul”, carried out throughout the country) and the campaign “Be careful, they are looking for you” (carried out in Lima, Cusco, Trujillo and Loreto). The first action brought together 27,720 people and the second, 2,720.
- » With regard to the complaint channels specializing in human trafficking in the country, the telephone line 1818 option 1 was replaced by the Single Reporting Center (line 1818). As a result, it has gone from having only one operator per shift responsible for dealing with human trafficking to having three. This is in addition to the support of one supervisor per shift for each subject.
- » Also, the **Foreign Trade and Tourism Ministry** reported that, along with the International Organization for Migration (IOM), it raised awareness and educated 2,490 teachers and high school students from the regions of Puno, La Libertad, Piura, Junín, Arequipa, Cusco, Loreto, Ica, Callao and Lima. Likewise, they staged the play Ángel sin alas (Wingless Angel) and a similarly named comic book was distributed in Spanish and Quechua.
- » The **Women and Vulnerable Populations** sector trained 283 attendants in 2017 and 148 attendants in 2018.
- » Likewise, the **Transport and Communications** sector trained 80 employees of the Superintendence of Land Transport of Persons (SUTRAN).
- » The **Justice and Human Rights** sector reported the execution of the campaign to publicize the national policy against human trafficking and its forms of exploitation, “Stop trafficking”, which benefited 18,400 adolescents from Lima La Libertad, Ucayali, Cusco, Madre de Dios, Arequipa, Puno, Áncash, Loreto, San Martín and Tumbes.
- » **Foreign Affairs** sector indicated that two of its decentralized offices (Tumbes and Puno) carried out trainings on fighting human trafficking.



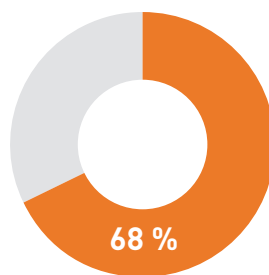
- » The **Education** sector did not present specific trainings for teachers; it only referred to the implementation of training programs in 2017 for 200 authorities, student leaders and the educational community of Puno and Madre de Dios
- » The **Labor and Employment Promotion** sector pointed out that the pilot regional training program, as established by the PNAT, has not been created .The sector has not yet implemented general labor training programs in regions with a high incidence of human trafficking.
- » Regarding the **Health** sector, the information presented does not correspond to the requested period. It is therefore, not possible to know what actions were carried out for the 2017-2018 period of the PNAT.



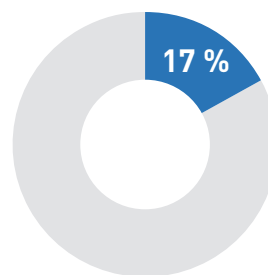
PREVENTION IN REGIONAL AND LOCAL GOVERNMENTS

- » There has been an increase in prevention actions carried out by **regional governments** in relation to previous years. This is expressed by the fact that 68% carried out some activity in this sense, in contrast to 17% of the provincial municipalities and 35% of the municipalities of Metropolitan Lima. This growth at the regional level can be associated with the creation of regional anti-trafficking bureaus, a task that **MININTER**, through the Technical Secretariat of the **multisectoral commission**, promoted with priority since 2017.

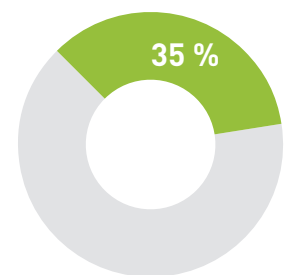
Carrying out actions to prevent trafficking in **PERSONS** in regional and local governments



Regional governments



Provincial municipalities



Metropolitan Lima

- » In contrast, a group of **provincial and district municipalities** of Metropolitan Lima reported that due to the lack of cases of human trafficking in their localities, no prevention actions have been taken. This would show, on one hand, the inability of the competent authorities to identify human trafficking situations and on the other hand, the incomprehension that the authorities have regarding the concept of prevention and its purpose is to eliminate or reduce the risk and avoid human trafficking.

MAIN FINDINGS

- » The degree of compliance with the goals defined in the PNAT regarding prevention for the period 2017-2018 reaches 26%, indicating a low level of execution
- » The State still needs to carry out a national assessment of the situation, taking into account the territorial, cultural and social aspects in its analysis, as well as crime acceleration factors, the results of which will allow the improvement of public policies and the development of prevention strategies
- » In brief, less than a quarter of the State institutions from which information was requested reported to have carried out preventive actions, a fact that reveals the failure of the vast majority of state institutions to comply with the PNAT directives and regulations, and of norms that demand state institutions to carry out preventive actions against the phenomenon of trafficking in persons.
- » The prevention actions included privilege activities such as talks, campaigns and workshops, but the institutions involved do not indicate the contents and methodologies used.
- » The State, in general, does not have mechanisms to evaluate and monitor the impacts of prevention actions, which is a serious obstacle to reorienting or improving the quality of its actions in this field and achieving sustainable and replicable changes.
- » Programs aimed at the structural causes of human trafficking continue to be absent at all levels of the State, especially those that promote appropriate working conditions for the population at risk, as indicated by the PNAT. The absence of such working conditions is an aspect that increases the vulnerability factors.
- » The training of officials and public servants who perform prevention tasks is still very limited, since only 29% of public institutions that provided information on the axis of prevention trained their staff during 2017 and the first quarter of 2018.
- » Civil society played an important role in the implementation of prevention actions and in support of the actions implemented by the State, mainly in the regions of Loreto, Cusco, Puno, Arequipa, Madre de Dios, Moquegua, Ayacucho, Piura and Lima.
- » The agreed inter-institutional commitments do not materialize because, mostly, they are assumed by public officials without decision-making power. For this reason, rural areas (peasant and native communities) continue to be excluded from prevention actions.
- » The participation of the Education sector in the training of teachers of the national education system as agents for the prevention of human trafficking in all schools in the country is still a pending issue.

3. ATTENTION, PROTECTION AND REINTEGRATION

- » This axis has the objective of guaranteeing the services and spaces for quality attention, integral protection, integration and reintegration, considering the needs and expectations of the victims and their familiar and community environment¹.

ATTENTION, PROTECTION AND REINTEGRATION BY MINISTRIES

- » The **Justice and Human Rights** sector reported that in 2017 there were 244 public defenders for victims, 136 of them were trained in human trafficking matters.
- » In addition, according to the information provided by the General Directorate of Public Defense and Access to Justice of the MINJUS, in 2017 a total of 625 victims of trafficking received aid, of which 538 were women and 87 were men.
- » The **Public Ministry** indicated that in the regions of Cusco, Lima and Loreto immediate protection measures were implemented in favor of victims, witnesses, collaborators and experts, beginning with the rescue and continuing throughout the investigation process. They also stated that these were supervised by professionals of the Witness Protection and Assistance Program.
- » Specifically, the regional governments of Tumbes and Cusco reported that at least 30% of the multidisciplinary teams of the victims and witness protection units of the **MP-FN** had been trained.
- » In the Interior sector, in terms of the regulatory environment, the protection of victims of violence was prioritized. In January 2017, Legislative Decree No. 1350 on Migration was approved, which establishes a new migratory status, such as the special temporary migratory status that allows foreigners to enter and stay in situations not contemplated in the other migratory regulations. In addition, the Migration Law² regulates the normative definition of foreign persons in a situation of vulnerability and considers victims of human trafficking and smuggling as vulnerable populations. In this sense, victims of human trafficking who wish to stay in the country can apply for special migratory status.

1 National Plan against trafficking in persons 2017-2012.

2 Supreme Decree N° 007-2017-IN, article 226 and 227.

- » Likewise, the **MININTER** informed that in all the operations carried out by DIRINTRAP (now DIRCTPTIM), in the periods between July and December 2017 and the first quarter of 2018, the prevention institutions participated, through the activation of the **Working group for victims** of the CMNP TP-TIM. It was also reported that a warning mechanism will be implemented during the year 2018 in the DEPINTRAP and Regional Networks.
- » With regard to **Foreign Affairs**, Migrations will grant the immigration card free of charge to foreigners who are recognized by the MRREE as asylum seekers or refugees who are thus eligible for migratory humanitarian assistance. However, up to this point there has been no progress or cases in which the humanitarian migratory assistance has been granted to victims of trafficking in persons. To date, no directive has been approved for the implementation of humanitarian migratory assistance in Peru ³.
- » At this time, there is no protocol for the repatriation of victims of trafficking in persons and other forms of exploitation.
- » The **Women and Vulnerable Populations** sector reported that in 2017 the UPEs attended 174 girls, boys and adolescents; and CARs specialized in trafficking in persons, 116 girls and adolescents.
- » In 2017, 50 CEM were implemented in the country's police stations. Today there is a total of 295 CEM throughout the nation.
- » During the first semester of 2018, two Emergency CARs were opened in Callao: Santa Rosa N° 1 and Santa Rosa N° 2. These will temporarily assist children and adolescents in situation of vulnerability, for a maximum of 10 days.
- » For its part, the **Labor and Employment Promotion** sector reported that technical training programs or projects to work with victims of trafficking in persons and other forms of exploitation have not been implemented.
- » It was reported that the "Impulsa Perú" ("Promote Peru") program does not have financial resources or established goals to develop specialized courses for victims of trafficking in persons.
- » Other important ministries for the protection and, above all, the reintegration of victims, such as **Education, Health and Development and Social Inclusion**, have not executed any actions.

3 According to what is established by Supreme Decree N° 007-2017-IN.



Prepared by: CHS Alternativo, 2018

ATTENTION, PROTECTION AND REINTEGRATION IN REGIONAL AND LOCAL GOVERNMENTS

- » The regional governments that reported having carried out protective measures were Ancash, Arequipa, Cajamarca, Junín, La Libertad, Tumbes, Ucayali, Amazonas and Huancavelica..
- » The provincial governments that did not present advances in any of the goals of the PNAT were Cajabamba, Canchis, Caravelí, Castilla, Chumbivilcas, Huancayo, Huarmey, Jaén, Luya, Luzuriaga, Moyobamba, San Román, Pallasca, Calca, Angara, Prado, Yauli, Sullana, Moho, Yunguyo and Trujillo. On the other hand, the local governments of Acomayo, Bagua, Chota, Cusco, Churcampa, Chucuito and Lamas did show some actions in this regard.
- » The municipalities of Lima that did not report any progress were Jesús María, Villa El Salvador, Santa Anita, San Miguel, San Juan de Miraflores and Puente Piedra. In contrast, the Municipality of La Victoria did report activities on this axis.

MAIN FINDINGS

- » The IV and V Alternative Report reported that the approval of the “Guide for the elaboration of individual reintegration plans for victims of trafficking in persons” by the MIMP was still a pending issue. To date this remains unchanged.
- » There are no programs to promote employment or technical training for victims of trafficking in persons. MINTRA has only carried out preventive or informative activities.
- » The PJ stated that it does not have a registry of protection measures related to trafficking in persons. Being the legal institutional body in charge of issuing them, the fact that it lacks a registry of this type for monitoring purposes is a matter of concern.
- » The need for the regulation of the Humanitarian Migratory Status remains an open issue, as well as the publication of the protocol for the repatriation of victims of trafficking in persons and other forms of exploitation.
- » Although there has been progress in the regulation of the tutelary aspect, the improvement of the risk assessment working group is still pending. Likewise, the implementation of specialized Residential Reception Centers (CAR) and Temporary Refugee Homes (HRT) is still a pending issue.
- » There is a present need to strengthen some services, programs and institutions, such as the Judicial Police, the DEMUNA and the district Public Defense departments.
- » It is necessary to develop specialized training with participatory methodologies or simulations, which allow to unify and clarify intervention criteria and concepts.
- » There is a lack of specialized CARs for victims of trafficking in persons in most regions of the country, which leads to repeat victimization and failing protection due to the lack of qualified personnel.
- » There are no specialized shelters for the LGTBI population.
- » The new laws against trafficking in persons establishes that local governments are responsible for creating and equipping shelters to protect victims of trafficking, however due to the lack of budget and technical assistance to formulate social projects within government institutions this is at present impossible.

4. PROSECUTION AND PERSECUTION OF CRIME

» This axis seeks to strengthen the monitoring and prosecution mechanisms for the detection, timely intervention, punishment of trafficking in persons and other related crimes, guaranteeing the rights and integral reparation of the victims, as well as transparency and due process⁴.

INSTITUTIONAL CAPACITY: SPECIALIZED PROSECUTORS AND DISTRICT ATTORNEYS

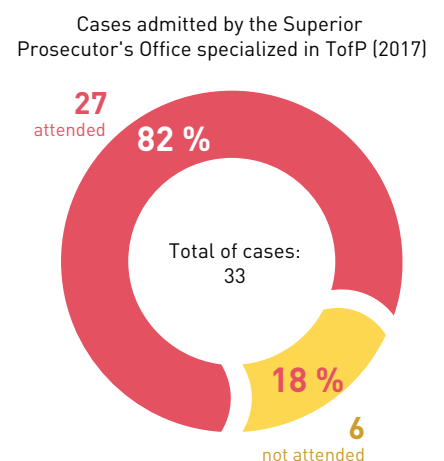
» In the 2017-2018 period, the Public Prosecutor's Office increased from 1378 to 1394 the number of prosecutor's offices (an addition of 16 new prosecutor's offices). However, none of them specializes in trafficking in persons. Therefore, the number of specialized prosecutor's offices continues to be 8 provincial prosecutors and one specialized superior, which represent 0.65% of the total number of prosecutor's offices in 2017 and 0.64% of prosecutor's offices in 2018.



PROCEDURAL BURDEN

» The Office of the Special Prosecutor specialized in trafficking in persons had a procedural burden of 22 cases as of July 2018, of which 82 % were attended. In 2017, 33 complaints were filed with the higher public prosecutor's office, of which 27 (82 %) were attended.

» In the case of specialized provincial prosecutors, during the first semester of 2018, 453 cases were admitted, of which 432 (95%) were attended. Thus, the 33 incumbent or deputy prosecutors had an average load of 14 cases, higher than the burden of other specialized prosecutors, such as organized crime (almost 3 cases), similar to the prosecutors of illicit drug trafficking (16 cases), or less than corruption prosecutors (22 cases).



⁴ National Action Plan against Trafficking in Persons 2017-2021.

* The numbers have been rounded for easier reading. The exact numbers can be reviewed in the VI Alternative Report: Balance of the civil society of the situation of trafficking in persons in Peru 2017-2018.

- » In 2017, the total number of cases admitted to provincial specialized prosecutors was 909. This include complaints, files and preventive investigations, of which 875 (96%) cases were attended, with an average of 30 cases a year for the lead and deputy prosecutors. This was more than the number of cases in the area of organized crime (just over 5 cases per year) but less than the burden of cases in the area of prosecutors specializing in illicit drug trafficking or in environmental matters.

COMPLAINTS REGISTERED BY THE NATIONAL POLICE

- » The National Police has processed 725 complaints nationwide, of which 55% (400) were for sexual exploitation and 36% (262) for labor exploitation
- » Lima is the region with the highest number of complaints (413). However, during this period, more complaints have been processed in regions which traditionally didn't have a high incidence of trafficking in persons. Such is the case of the Ayacucho region, where 45 complaints were received, and Tacna, where the Police received 34 complaints.
- » With regard to the age of the victims of the crime, of the total number of complaints, 285 (40%) were related to crimes against minors.
- » During 2017, the criminal pattern continued to show the high vulnerability of women, with 595 complaints (82%). In contrast, the case of Ancash draws attention where, unlike other regions, the majority of complaints were related to men (14 of 22 complaints), all of them referring to situations of exploitation of children under 17 years of age.
- » 96% of cases correspond to internal trafficking. Only 30 cases correspond to cases of transnational trafficking, 15 of them detected in Lima.
- » The most frequent form of recruitment, at least in the recorded complaints, continues to be the fake job offer (78% complaints). Other forms of deception such as romantic seduction or the promise of higher education are, by comparison, uncommon
- » Regarding the means used to carry out trafficking in persons, police intelligence suggests that the most common means is by "deception", which represents 71% of the total number of complaints (512 complaints), and, to a lesser extent, the granting of payments (41 complaints), threats (24 complaints) and fraud (18 complaints).
- » Concerning the relationship between of the victim and the trafficker, the majority of complaints made have a third party as the alleged trafficker (640 complaints). Only 84 complaints (12%) involved a relative or acquaintance in the criminal situation.

CAN YOU BE A VICTIM OF HUMAN TRAFFIC?

According to the PNP, in 2017, the victims were...

82 %
women

60 %
adults

95 %
part of
internal
trafficking

78 %
recruited with
a false job offer

2017

725
REPORTS

34 %+
than in 2016



725
TRAFFICKING VICTIMS

Mostly women, girls
and adolescents



TYPES

55 % Sexual exploitation

36 % Labor exploitation

2 % Domestic work

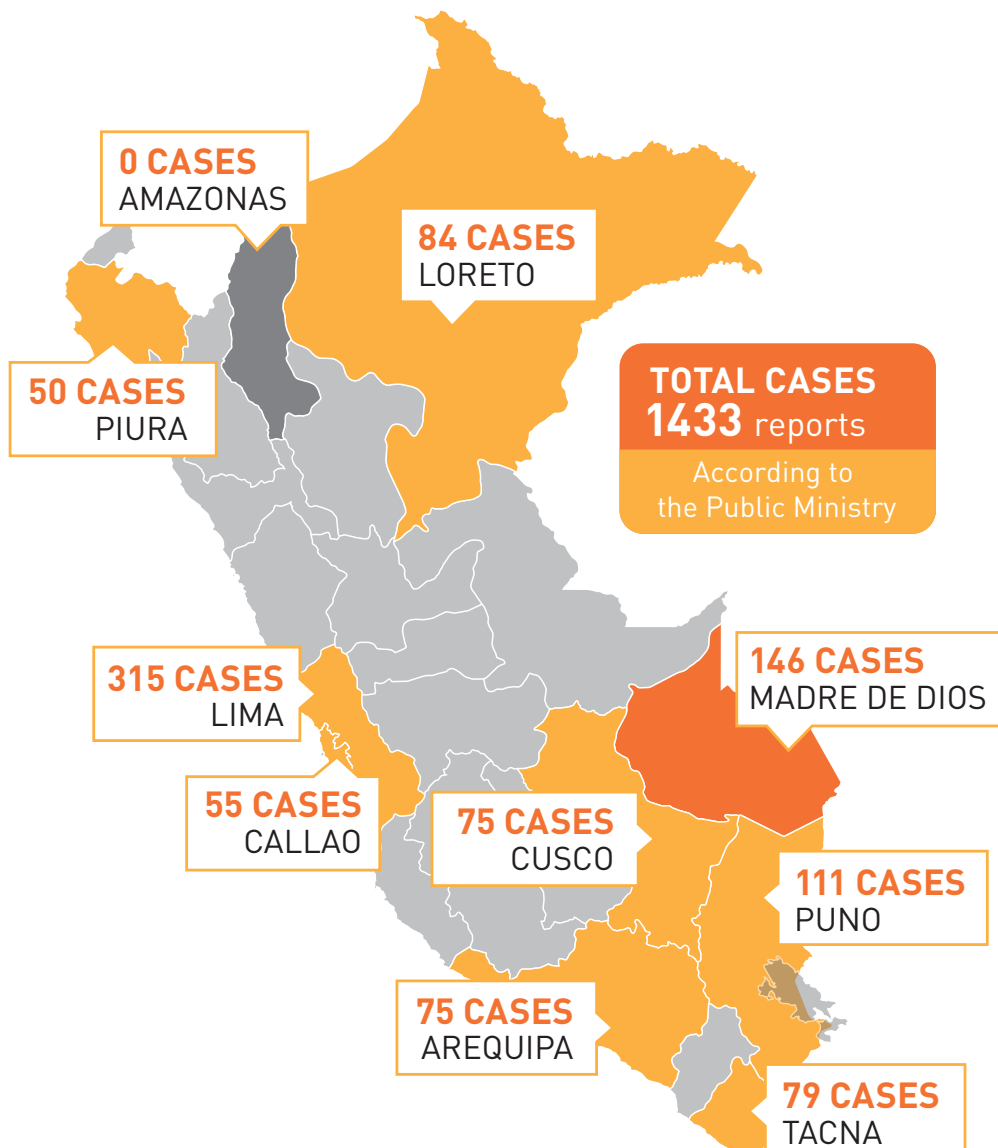
7 % Others

55 %
sexual
exploited

36 %
victim of
labor
exploitation

COMPLAINTS REGISTERED BY THE PUBLIC MINISTRY

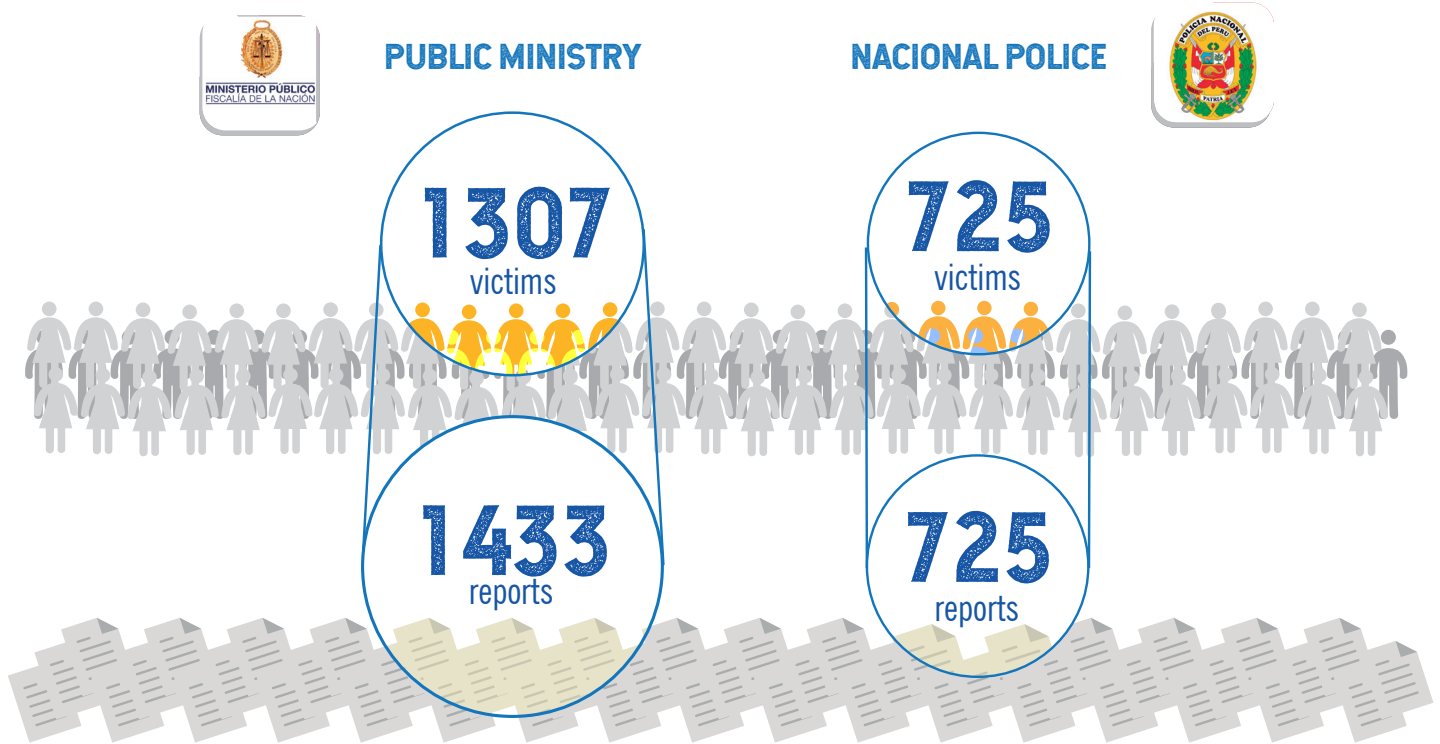
- » In 2017, the MP-FN processed 1433 complaints, which implies that in that year there were 24% more cases than in 2016. The frequency of cases in Lima remains unchanged.
- » Madre de Dios registered an increase of 77 cases, while in Puno, Loreto and Tacna, 30 additional cases were detected during 2017.
- » It is worrying that in areas where vulnerability to crime can be equal or greater, there are practically no complaints. For example, in the case of Amazonas, no complaint has been filed for the crime of trafficking in persons.
- » Regarding the victims of trafficking in persons, the information of the Public Prosecutor's Office states that, of the registered complaints, 1307 alleged victims have been detected. Women, girls and adolescents continue to be the most vulnerable.
- » Regarding modalities, in 2017, 59% of cases were related to sexual exploitation; 20%, labor exploitation; 7%, exploitation in domestic work and 3%, other purposes.
- »



PERSECUTION OF TRAFFICKING IN PEOPLE 2017

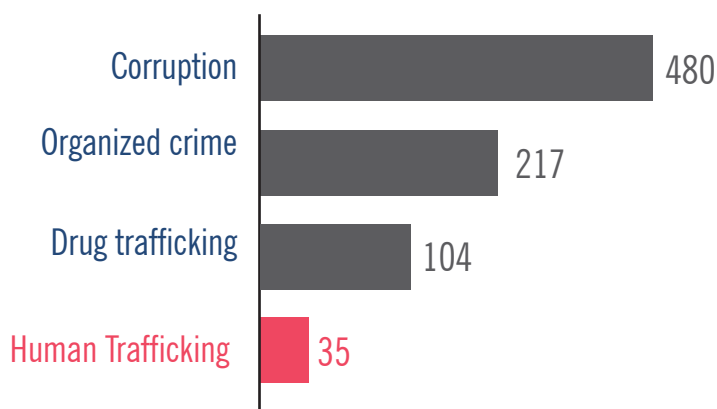


Unlike in previous years, for 2017, the Public Ministry reports a greater number of complaints than of victims, while the National Police reports the same number of victims and complaints.

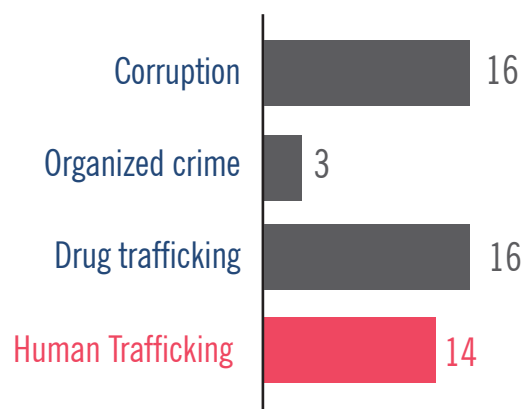


STAKEHOLDERS RESPONSIBLE FOR PROSECUTION

NUMBER OF SPECIALIZED PROSECUTORS IN CHARGE OF



NUMBER OF CASES PER PROSECUTOR



Source: Responses to requests for information made to State institutions.
Prepared by: CHS Alternativo, 2018

TRAINING FOR SPECIALIZED PERSONNEL

- » MININTER reported that in 2017 and the first semester of 2018, 52% of the police personnel were trained in the use of the RETA system.
- » The MP-FN also stated that it has made progress in the training of its specialized personnel, as established by the PNAT.
- » However, a common database between the MP-FN and the PNP has not been finalized.

MAIN FINDINGS

- » Little progress has been made in establishing communication and warning mechanisms between the control and prosecution institutions.
- » The implementation of courts specialized in trafficking in persons is still pending.
- » The implementation of specialized bodies with certified personnel in the use of native languages at MININTER and MP-FN is pending.
- » Of 25 regional governments, more than half replied that they have carried out coordinated operations against crime. However, we have not received information with consolidated data on the number of operations carried out either by the National Police or the Public Ministry. This aspect requires improvement during the next year.
- » The victim-centered approach is not considered by the institutions responsible for crime prosecution. This results in repeat victimization situations and the recognition of minimum amounts for monetary reparations to the victims. Therefore, there is an urgent need to guarantee transparent processes in the control, investigation, prosecution and punishment of crime, which also involves the training and ongoing updating of all justice operators.
- » New actors in crime control have been added, such as SUNAFIL (National Superintendency of Labor Inspection), but the interventions are still often at a sector level, without inter-institutional articulation. It is necessary to have greater communication and articulation among all the actors in charge of the prosecution and crime control. Likewise, it is essential to strengthen local governments for the preparation and application of sanctioning regulations in their jurisdictions.

CHALLENGES

- » The implementation of **1** Budget Program for the fight against human exploitation, including trafficking in persons, is urgent.
- » The State allocation of **0.25** cents of Sol per person per year to protect them from human exploitation
- » That only **4** of the **17** Ministries have assigned a specific budget for implementing actions against trafficking in people: MININTER, MIMP, MRREE and MTPE.
- » That only **4** of the **25** regional governments have declared to have assigned a Budget for the fight against the trafficking in people in 2018: Cajamarca, Huancavelica, Madre de Dios and Moquegua. The low budget granted to Madre de Dios which barely exceeds **S/ 16,000**, as well as the lack of any budget granted to the Lima region, in spite of its being the region with the highest number of cases, are a real concern.
- » Of the budget granted by the regional governments, only **24.02 %** has been executed, according to the information provided by the same institutions.
- » The budget for the implementation of the National Action Plan against Trafficking in People (**S/ 8,231,751**) represents **0.0052 %** of the General Budget of the Republic. Of this amount, **61.57 %**, has been executed, until 3 months before the end of the year.
- » It is expected, according to public information, that the budget for 2019 will not exceed **S/ 8,116,777**. An amount lower than the one allocated in 2017.
- » **71%** of the plans approved by the regional working groups are not aligned with the PNAT.
- » Less than **25%** of the institutions of the State from which information was requested, reported the execution of preventive actions. This fact reveals the breach by the great majority of state institutions of the PNAT directives and the regulations that oblige them to carry out preventive actions against trafficking in people.

- » In 2017, **50 CEM** were implemented in police stations, however there are still **248** police stations –type A and B- able to house a CEM.
- » The National Police reports **725** complaints of trafficking in people, **45 %** less than what the Public Prosecutor’s Office reports (**1307** complaints) for the same period (2017).
- » This is the **fourth year** in a row that the unification of the RETA and SISTRA system has not been carried out. This unification meant to create a single registry of victims and cases of trafficking in people at the national level.
- » El **82 % (595)** of the complaints of trafficking in people received by the National Police in 2017 have women as victims.
- » El **85 % (209)** of the victims reported by the Public Ministry in Lima in 2017 are women.
- » **96 %** of the **725** cases of trafficking in people in 2017, according to the National Police, correspond to internal trafficking with only **30** cases corresponding to transnational trafficking.
- » **78 %** of the complaints of trafficking in people registered by the National Police in 2017 had false work offered as a way of attracting the victims.
- » **59 %** of complaints processed by the Public Ministry in 2017 were related sexual exploitation; **20 %**, labor exploitation and **7 %**, exploitation in domestic work.
- » There are **0** specialized shelters for victims of the LGTBI population
- » **0.04 %** of the **548,620** teachers in the education sector received training in 2017. The goal was **164,586** teachers, but only **200** teachers (100 in Puno and 100 in Madre de Dios) received training.
- » Between 2017 and 2018, **187** people went to prison for the crime of trafficking in people. None of them have been sentenced yet.

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Sinco Industria Gráfica EIRL

Jr. Huaraz 449 - Breña, Lima - Perú

sincoindustriagrafica@gmail.com

Phones: 996-471-016 / 999-364-126



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