



HUMAN TRAFFICKING FROM A LATIN AMERICAN PERSPECTIVE

A Regional Assessment Report on
Human Trafficking, Exploitation
Networks, and Policy Directives in Latin
America



CLÍNICA DE TRABALHO ESCRAVO E TRÁFICO DE
PESSOAS DA FACULDADE DE DIREITO DA UFMG

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ABOUT THE PROJECT

The Slave Labor and Human Trafficking Clinic (CTETP) is a research, teaching, and outreach project affiliated with the Faculty of Law of the Federal University of Minas Gerais (UFMG), coordinated by Prof. Carlos Henrique Borlido Haddad and Prof. Lívia Mendes Moreira Miraglia.

The project seeks to contribute to the fight against slave labor and human trafficking by providing free legal assistance to victims of these crimes, in addition to producing research, media content, and events to raise social awareness about these issues. Aiming to fulfill the tripartite foundation of Brazilian higher education, the Clinic is based on three inseparable pillars: teaching, research, and outreach.

Combining its practical experience with its previous research and deep expertise regarding Latin American specificities, **the Clinic drew upon two of its studies published to produce this material: "Human Trafficking: A Latin American Perspective" and "International Human Trafficking: Crime in Motion, Justice on Hold – A needs assessment report on international human trafficking and related crimes."** (both written in Portuguese).

The choice of Latin America as the focus of this study is justified by its history, which is marked by profound social, economic, and racial inequalities resulting from a colonial past that still echoes in contemporary political and social structures. Furthermore, the region is characterized by intense migratory flows and a legislative plurality that, although frequently inspired by the same international instruments, presents significant divergences in its practical application.

Bearing this in mind, the general objective of this material is to provide a critical and in-depth analysis of the fight against human trafficking in Latin America. Based on a comparative study of national legislations, as well as international norms and guidelines, this work aims to identify best practices, common challenges, and institutional gaps that hinder the effective combat of this crime.

Ultimately, this study aims to contribute to the improvement of strategies to combat human trafficking, offering subsidies for the formulation of effective policies and strengthening the protection of victims. By systematizing information about this phenomenon and its manifestations, the intention is to establish a reference framework for researchers, legal practitioners, and public policymakers, thereby promoting a more integrated and effective approach to confronting this crime.

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SUMMARY

Introduction	6
1 Human Trafficking in Brazil	8
1.1 Legislative History	9
1.2 Definition	11
1.3 Purposes and Geographical Distribution	12
1.4 Policies, Plans and Workflows	16
2 Human Trafficking in Latin America	19
2.1 Distinction Between Human Trafficking and Trata	20
2.2 Key Legislation and Specificities	21
2.3 Purposes (Generalities and Specificities)	23
3 Policies, Plans and Key Initiatives	26
Prevention	26
Reporting and Enforcement	26
Assistance	28
Final Remarks	29



INTRODUCTION

Human trafficking is recognized as one of the most serious human rights violations, with deep historical roots that, in the South American and Brazilian context, can be traced back to the legacy of the transatlantic slave trade. In contemporary society, this phenomenon has been intensified by globalization, which acts as a driving force behind the growth of exploitation networks and complex migration flows, turning trafficking into a “crime in movement” that challenges national borders. Internationally, the Palermo Protocol (2000) established the global legal standard for preventing, suppressing, and punishing this practice, defining it as the recruitment or transportation of individuals through threat, force, or fraud for purposes of exploitation, including sexual exploitation, forced labor, organ removal, or illegal adoption.

In Latin America, efforts to combat this crime take place within a context of profound structural inequalities, social, economic, and racial, that are often reproduced by contemporary institutions. The region has experienced a dramatic 83.2% increase in internal migration flows over the last decade, reinforcing what scholars describe as the “vulnerability paradox”: migrants, who are often educated and not necessarily poor, become targets because of their position within systems of control and their dependence on intermediaries along irregular migration routes.

Although there is considerable legislative diversity among Latin American countries, institutional responses remain uneven, frequently limited by gaps in the practical enforcement of laws and by low public trust in authorities. In Brazil, the legal framework for human trafficking was strengthened through Law No. 13.344/2016, which adapted the Penal Code (Art. 149-A) to international guidelines. This legislation expanded the concept of trafficking beyond sexual exploitation, explicitly including labor under conditions analogous to slavery, servitude, and organ removal.

However, both in Brazil and across the rest of the continent, effective action against trafficking is hindered by a state of “justice in waiting,” characterized by weak coordination among justice system institutions, the absence of unified records, and a low number of convictions compared to the scale of the problem. Therefore, the study of these contexts highlights the urgent need for policies that go beyond criminal repression, focusing instead on the full protection of victims’ dignity and on overcoming the structural vulnerabilities that allow human exploitation to persist.

LINKS TO THE PUBLICATIONS THAT WERE USED TO PRODUCE THE REPORT

TRÁFICO DE PESSOAS: UMA PERSPECTIVA LATINO-AMERICANA

Human Trafficking: A Latin American Perspective

Authors: Livia Mendes Moreira Miraglia, Carlos Henrique Borlido Haddad, Giovana Paula Ramos Silveira Leite, Lorena Góes Pimenta de Pádua Andrade, Shevah Ahavat Esberard, Vitor Pimenta Velloso Botelho, Stephanie Caroline de Oliveira Lins Silva and Nathalia Godoi Crepaldi.

TRÁFICO INTERNACIONAL DE PESSOAS: CRIME EM MOVIMENTO, JUSTIÇA EM ESPERA: RELATÓRIO DE AVALIAÇÃO DE NECESSIDADES SOBRE O TRÁFICO INTERNACIONAL DE PESSOAS E CRIMES CORRELATOS

International Human Trafficking: Crime in Motion, Justice on Hold – A needs assessment report on international human trafficking and related crimes

Authors: Livia Miraglia, Carlos Haddad, Ana Luíza Nogueira Pinto, André Rezende Soares Lino and Samuel Almeida Fernandes

1. HUMAN TRAFFICKING IN BRAZIL



In Brazil, human trafficking is a phenomenon with deep historical roots that can be traced back to the transatlantic slave trade, whose effects are still reflected in contemporary structures of inequality. Today, the country bases its efforts to combat this crime on **Law No. 13.344/2016, which aligned domestic legislation with the Palermo Protocol by introducing Article 149-A into the Penal Code.** This legislative reform was essential in expanding the legal definition of trafficking, which had previously focused almost exclusively on sexual exploitation; trafficking now also includes labor under conditions analogous to slavery, organ removal, servitude, and illegal adoption. In cases involving slave labor, exploitation is often characterized by the “triangle of degradation”: precarious housing, lack of sanitation, and absence of clean drinking water, combined with exhausting working hours and debt bondage.

The profile of victims within Brazilian territory has undergone significant changes in official records. Although women and girls continue to be particularly vulnerable, especially for purposes of sexual exploitation, data from the **Federal Police between 2018 and 2020 showed that 63.5% of identified victims were male, a trend largely driven by the predominance of labor exploitation.** Geographically, **the dynamics of the crime are strongly shaped by border vulnerability;** the Northern region concentrates the largest number of trafficking routes, especially in the state of Roraima, where the intense movement of recruiters is facilitated by borders with Venezuela and Guyana. However, effective action against trafficking faces serious structural obstacles: weak coordination among institutions within the justice system, the absence of unified records, and difficulties in properly identifying victims all contribute to low conviction rates, leaving the country in a state of “justice in waiting.”

1.1. LEGISLATIVE HISTORY

Brazil's historical trajectory is deeply intertwined with the institution of slavery, having been the primary slave-holding territory in the Western Hemisphere for approximately three and a half centuries. **During this period, an estimated 4.9 million Africans were forcibly transported to the Americas, making the transatlantic slave trade one of the most lucrative economic activities of the era and a crucial component of the Brazilian economy.** The 19th century saw a series of treaties and laws enacted primarily due to international pressure, particularly from Great Britain.

1810

Treaty of Commerce and Navigation (1810): Established the first commitment to the gradual extinction of the slave trade to Portuguese colonies.



1815

Treaty of 1815 (Charter Law of June 8, 1815): This agreement prohibited the slave trade on the African coast north of the Equator.



1817

Convention of 1817: This update granted Great Britain the authority to board Portuguese vessels suspected of illegal slave transport.



1826

Recognition Treaty (1826): This treaty prohibited the transatlantic slave trade and set a four-year deadline for the practice to be classified as piracy.



1831

Lei Feijó (1831): Regulated by the Decreto de 12 de abril de 1832, this law declared all slaves entering the territory free and gave judicial authorities power to repress the trade. However, it was largely ignored by authorities as the trade actually increased.



1845

Authorized the interception of slave ships and the trial of their crews by British authorities, exerting significant pressure on the Brazilian government.



1888

Lei Áurea (1888): While not exclusively a trafficking law, it finally abolished slavery in Brazil, ending the legal framework that permitted the most massive form of human trafficking in the country's history.



1850

"Lei Eusébio de Queiróz" (1850): Equated the slave trade to piracy and authorized the imperial authorities to seize ships carrying enslaved persons.



1940

Penal Code (1940) was a pioneering national legal framework that addressed human trafficking, specifically under Title VI, which dealt with "Crimes against customs." However, its definition of the crime was limited, primarily focusing on the "white slave trade" and the sexual exploitation of women.

1949

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949): marked a significant shift in perspective, moving towards a focus on human dignity. This convention criminalized the recruitment, transportation, and exploitation of individuals for prostitution, regardless of their sex or age. It also disregarded the victim's consent in prostitution cases, reflecting an abolitionist approach.

2003

Brazil's ratification of the Palermo Protocol (2003): was a pivotal moment in the fight against human trafficking. This protocol broadened the definition of human trafficking and it came to encompass other exploratory purposes.

2016

Law 13.344/2016: which significantly altered the Penal Code by revoking Articles 231 and 231-A. This law introduced Article 149-A, which expanded the scope of human trafficking to include organ removal, slave-like labor, illegal adoption, and sexual exploitation.

In this context, for much of the 20th century, trafficking was viewed through a narrow lens of sexual morality rather than broader human rights. Following World War II, international standards began to shift the focus toward human dignity. In the early 21st century, Brazil began a gradual process of aligning its domestic laws with the Palermo Protocol. This evolution reflects a transition from a colonial system of human mercantilism to a modern judicial approach that views trafficking as a severe violation of fundamental human rights.



1.2. DEFINITION

In article 149-A of the Brazilian Penal Code, adopted by Law 13.344/2016, trafficking in persons is defined as:

Art. 149-A. **Agency, entice, recruit, transport, transfer, buy, accommodate or receive a person**, through serious **threat, violence, coercion, fraud or abuse**, for the purpose of:

I – removal of organs, tissues or parts of the body;

II – force them to work in conditions analogous to slavery;

III – force them to any type of servitude;

IV – illegal adoption; or

V – sexual exploitation.

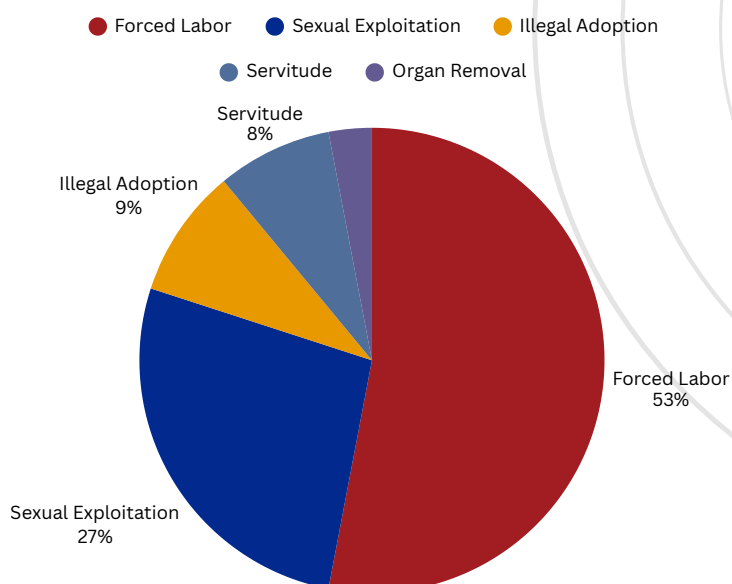
The modern definition of human trafficking, as established by the Palermo Protocol and internalized in Brazilian law through Article 149-A of the Penal Code, characterizes the crime as a complex process involving specific actions, means, and exploitative purposes. Formally, it is defined as the **recruitment, transportation, transfer, harboring, or receipt of persons**. These actions are executed through coercive or deceptive means, such as the **threat or use of force, abduction, fraud, abuse of power, or the exploitation of a situation of vulnerability**. Crucially, the conduct must be driven by the intent of exploitation, which encompasses a broad range of violations including sexual exploitation, forced labor, conditions analogous to slavery, servitude, illegal adoption, or the removal of organs and tissues.

Contemporary legal standards emphasize that human trafficking is a profound violation of human dignity, and modern jurisprudence across Latin America increasingly establishes that any consent provided by the victim is legally irrelevant when coercive, fraudulent, or abusive means are employed to facilitate the exploitation.

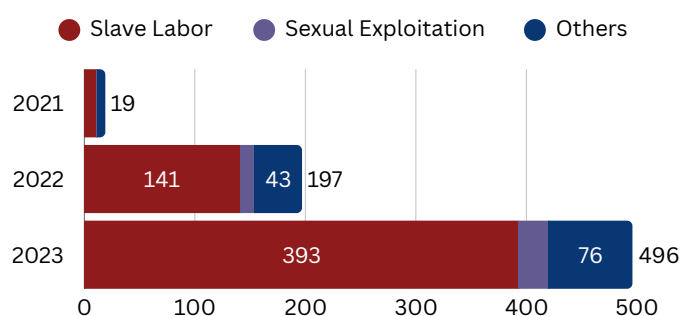
1.3. PURPOSES AND GEOGRAPHICAL DISTRIBUTION

According to Article 149-A of the Brazilian Penal Code, the crime of human trafficking can be committed for various purposes: removal of organs, tissues or body parts, subjection to work analogous to slavery or any type of servitude, illegal adoption, or sexual exploitation. In Brazil, the most common are the exploitation of labor in conditions analogous to slavery, followed by sexual exploitation. This data is represented in the graphs that indicate the number of investigations initiated for each purpose by the Federal Police, and the number of proceedings initiated by the Public Prosecutor's Office.

HUMAN TRAFFICKING INVESTIGATIONS BY PURPOSE, RECORDED BY THE FEDERAL POLICE BETWEEN 2021 AND 2023



HUMAN TRAFFICKING PROCEEDINGS INITIATED BY THE LABOR PROSECUTOR'S OFFICE (MPT)

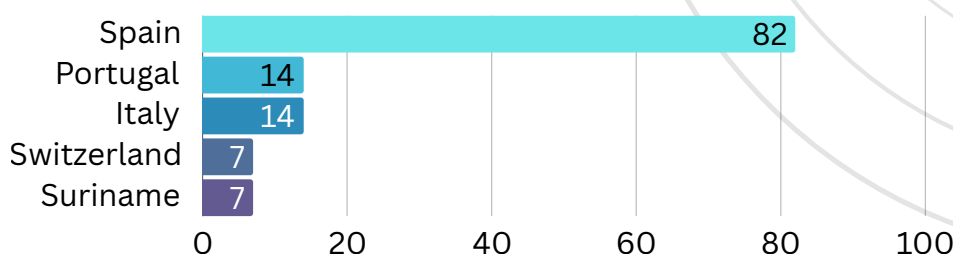


Identifying the geographic distribution of human trafficking cases – which involves the places of origin, residence, and rescue of victims – allows to associate 1) income and human development inequalities, 2) the lack of employment opportunities in the place of origin, and 3) vulnerability to recruitment, thus enabling the development of better public policies focused on raising living standards and opportunities in the places of birth and residence.

In Brazil, the main destinations for internal trafficking are those marked by **“recent, yet intense, productive and economic dynamism, where there is an intermittent supply of jobs in occupations that pay the lowest wages and require little or no professional qualification and formal education”**. However, some locations are not even included in official data, given the constant changes in the forms and flows of trafficking and the underreporting of cases.

INTERNATIONAL ROUTES

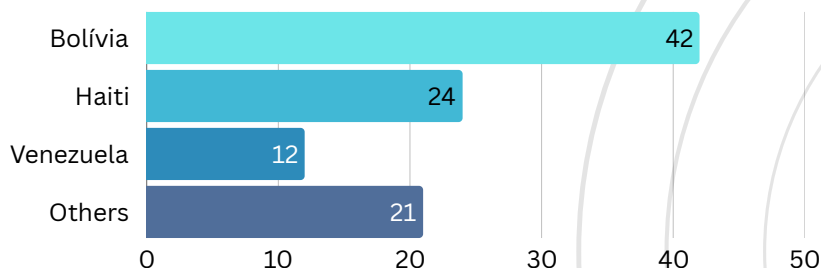
PRIMARY DESTINATIONS FOR INTERNATIONAL HUMAN TRAFFICKING FOR SEXUAL EXPLOITATION



In an **analysis of 133 criminal proceedings**, the most prominent nationalities identified were Brazilian, Paraguayan, Argentine, Bolivian, Haitian, and German. Brazilian victims accounted for **92.36% of the cases and were predominantly transported abroad for the purpose of sexual exploitation, with Europe serving as the primary destination**. In numerous instances, the trafficking operation was intercepted prior to boarding, resulting in arrests in flagrante delicto. Other criminal proceedings were initiated following reports filed by family members or by the victims themselves upon successfully returning to Brazil.

Of the rescues carried out in Brazil, 72.1% of identified victims were migrants from South America, 24% from Central America and the Caribbean, and 3.64% from Asia. In the period 2003–2022, Bolivia stands out as the country of origin for 42.5% of the victims, followed by Haiti with 24% and Venezuela with 12.1%. The **border regions concentrate** the six main rescue locations, namely Corumbá-MS, Eptaciolândia-AC, Pacaraima-RR, Foz do Iguaçu-PR, Ponta Porã-MS and Rio Branco-AC, serving as land routes. Among the air routes, La Paz and Cochabamba (Bolivia) and Ganthier (Haiti) stand out.

**PRIMARY ORIGINS
OF VICTIMS OF
HUMAN
TRAFFICKING
RESCUED IN BRAZIL
– FORCED LABOR**



 Most current rescue locations.

**ORIGINS OF
THE VICTIMS
RESCUED IN
BRAZIL**

North region, women circulate between capitals, municipalities at the confluence of roads and head towards places with large enterprises, cultural and tourist events or expanding administrative centers.

DOMESTIC ROUTES



Central-West region, trafficking is related to the demand of entrepreneurs in the construction sector, tourists and citizens with greater purchasing power.

In the **Northeast region,** there is a strong link between sex trafficking and tourism, so that tourist capitals are notably the main places of origin and destination of trafficking.

Purpose of forced labor: states of Goiás, Rio Grande do Sul, São Paulo, and Minas Gerais, in descending order of number of rescues, notably in the agricultural, coffee, and sugarcane sectors. The rescue location often differs from the victims' place of birth or residence.

Purpose of sexual exploitation: analysis of the routes, mostly land-based, shows that people are taken from the interior of the states towards large urban centers or border areas. Municipalities at the confluence of roads, cultural events, tourist capitals – highlighting sex tourism – stand out, as well as places with large enterprises, so that trafficking victims are subject to businessmen and citizens with greater purchasing power.

1.4. POLICIES, PLANS, AND WORKFLOWS

The National Policy for Combating Trafficking in Persons was formally instituted by Decree No. 5.948 on October 26th of 2006. This policy is structured around three main axes: crime prevention, qualified repression of trafficking networks and full assistance to victims. This framework is heavily institutionalized, ensuring that victims are identified, rescued, and reintegrated through a structured network of state and federal entities.

To operationalize this policy, Brazil has implemented four distinct National Plans, each building upon the previous one to strengthen the country's response:

1.
2008–
2010

i) **I National Plan (2008–2010):** Organized **actions into prevention, repression, and victim care**. It established initial inter-institutional strategies and the very first outlines of victim assistance flows.

2.
2013–
2016

ii) **II National Plan (2013–2016):** Emphasized the **technical and humanized training of public agents, incorporating an intersectional perspective that considered gender, race, nationality, and sexual orientation**. It also heavily incentivized the production and analysis of data to formulate evidence-based strategies.

3.
2018–
2022

iii) **III National Plan (2018–2022):** Expanded efforts into international cooperation, particularly with other Latin American countries. A major milestone of this plan was the formalization of national care protocols, which standardized the workflows for identifying, receiving, and referring victims to avoid re-victimization.

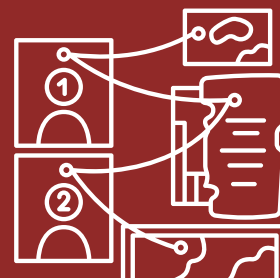
4.
2024–
2028

iv) **IV National Plan (2024–2028):** Introduces innovative tools, such as the **Protocol for Psychosocial Care and the Protocol for Qualified Listening for Vulnerable Groups**. Furthermore, it recognizes the **virtual environment as a relevant medium for the crime, establishing strategies to combat trafficking facilitated by social networks**.

THE EFFICIENCY OF BRAZIL'S ANTI-TRAFFICKING POLICY RELIES HEAVILY ON A COOPERATIVE NETWORK INVOLVING MULTIPLE INSTITUTIONS. THE WORKFLOW, FROM THE MOMENT A CRIME IS IDENTIFIED TO THE LONG-TERM REINTEGRATION OF THE VICTIM, IS HANDLED BY SPECIALIZED BODIES:

a) Investigation and Rescue (Federal Police – PF):

The Federal Police investigates trafficking networks and conducts rescue operations for victims of various nationalities. Following a rescue, the PF acts as the first point in the assistance flow by referring victims to social, medical, psychological, and legal support services.



b) Prosecution and Coordination (Federal Public Ministry – MPF):

The MPF is responsible for prosecuting international trafficking and related federal crimes. Beyond criminal prosecution, the MPF coordinates with other entities in the network and actively refers victims to specialized medical care and social reintegration programs.



c) Legal Protection (Federal Public Defender's Office – DPU):

The DPU provides essential legal assistance to ensure victims have access to justice. For migrants, whether Brazilians trafficked abroad or foreigners trafficked into Brazil, the DPU works to regularize their immigration status, which includes requesting humanitarian visas.

d) Social Reintegration (State and Municipal Human Rights Secretariats):

These local secretariats facilitate the victim's access to social benefits, professional requalification, and reentry into the formal labor market. They also manage multidisciplinary teams of psychologists and social workers to provide psychosocial support.



e) Health and Medical Care (Unified Health System – SUS): The SUS guarantees universal and free access to comprehensive physical and mental healthcare for victims. For cases involving sexual exploitation, the SUS provides specialized services, including prophylaxis for sexually transmitted infections and the collection of evidence for judicial purposes.



f) Oversight and Policy Advocacy (Human Rights and Minorities Commission – CDHM): Located within the Chamber of Deputies, the CDHM monitors the implementation of public policies regarding human trafficking. It promotes public debates and tracks legislative projects to continuously improve the protection of victims.



As seen above, Brazil's Policy for Combating Trafficking in Persons depends heavily on the assistance and shared work between different and necessary institutions.



2. HUMAN TRAFFICKING IN LATIN AMERICA



The analysis of human trafficking in Latin America reveals a complex scenario shaped by a colonial past that still resonates through deep social, economic, and racial inequalities. **The region is characterized by intense migration flows, which increased dramatically by 83.2% over the last decade (from 5.3 million in 2010 to 11.3 million in 2020), creating routes where mobility often depends on intermediaries and irregular pathways, increasing the risk of exploitation.** This migratory context reinforces what has been described as the “vulnerability paradox”: Latin American victims, often women with relatively high levels of education, challenge traditional stereotypes associated with extreme poverty, yet remain vulnerable because of their dependent position within systems of control and their limited access to protection mechanisms.

From a legal perspective, the region presents considerable legislative diversity among the **23 countries** studied. **Although most states have ratified the Palermo Protocol, institutional responses remain uneven, and national laws vary significantly in their practical application.** Countries such as Argentina and Venezuela, for example, have adopted legal frameworks that explicitly reject victim consent as a defense for the crime, while other states use broader definitions that include practices such as forced begging and the recruitment of children for armed conflicts. **However, regional efforts to combat trafficking continue to face major institutional and structural obstacles, including low public trust in authorities, corruption, and high levels of violence linked to organized crime, all of which discourage victims from seeking help and contribute to impunity.** Therefore, combating trafficking in the region requires stronger international cooperation and a victim-centered approach that takes into account the operational disparities among different justice systems.

2.1. DISTINCTION BETWEEN HUMAN TRAFFICKING AND TRATA

	Human Trafficking	Smuggling of migrants (Trata)
Purpose	Exploitation (forced labor, sexual exploitation, servitude, etc.)	Financial or material gain from the illegal crossing. Does not necessarily involve ongoing exploitation.
Meaning	Official translations of the Palermo Protocol and in the American Convention on Human Rights (Pact of San José of Costa Rica) • Refers to the recruitment, transportation, or harboring of persons. Involves violence, coercion, fraud, or abuse of vulnerability	Term used in Spanish in legal frameworks to refer to migrant smuggling • Refers to the facilitation of irregular entry into another country
Border	Does not require international crossing	Requires international crossing
Consent	Consent is irrelevant where illicit means are used	Generally occurs with the migrant's consent
Relationship	Permanent/ long term	Relationship typically ends upon arrival
Legal Status	Direct human rights violation	Crime against the State



2.2. KEY LEGISLATION AND SPECIFICITIES



ARGENTINA

Law 26.364 of 2008

Defines trafficking as **recruitment, transport or harboring for exploitation**
Strong emphasis on sexual exploitation and labour exploitation.

Consent: Not needed.



BRAZIL

Article 149-A of the Penal Code

Includes multiple purposes: **forced labour, servitude, sexual exploitation, organ removal, illegal adoption.**

Consent: The victim's consent is legally irrelevant if obtained through violence, fraud, coercion, or abuse.



MEXICO

Human Trafficking Law(2012)

One of the most extensive definitions in the region

Includes a **wide range of exploitative purposes (forced begging, child soldiering, etc.)**

Consent: Consent given by the victim does not constitute a ground for excluding criminal responsibility.



BOLIVIA

Law No. 263 of 2012

Bolivian legislation on human trafficking includes preventive, protective, and victim reintegration mechanisms.

Consent: Not relevant.



CHILE

Law No. 20.507 of 2011

Recruitment, transportation, reception, or harboring of a person through violence or deception, with the aim of subjecting them to sexual exploitation — including forced prostitution and pornography —, forced labor or services, servitude, slavery or analogous practices, or organ extraction.

Consent: Not relevant.



COLOMBIA

Penal Code of 2000

Law No. 985 of 2005 and Decree No. 1069 of 2014 regulate victim assistance and the punishment of the crime, which ranges from 13 to 23 years of imprisonment.

Consent: Not relevant.





COSTA RICA
Law No. 9.095

Resorting to threat, force, coercion, abduction, fraud, deception, abuse of power, exploitation of a situation of vulnerability, or the granting or receipt of payments or benefits

Consent: Not relevant.



CUBA
Article 363 of the Cuban Penal Code

Recruitment, transportation, transfer, lodging, or harboring of persons by means of coercion, fraud, abuse of vulnerability.

Consent: Not relevant.



EL SALVADOR

Delivering, recruiting, transporting, transferring, receiving, or sheltering persons, within or outside national territory, or facilitating, promoting, or favoring the carrying out, or allowing others to carry out, any activity of human exploitation.

Consent: Not relevant.



ECUADOR
Penal Code

Solicitation, transportation, transfer, recruitment, retention, reception, or receiving of persons for exploitative purposes, nationally or internationally, regardless of the means applied or the aims pursued.

Consent: Not relevant.



GUATEMALA
Decree No. 9-2009

Recruitment, transportation, transfer, retention, lodging, or harboring of one or more persons for the purpose of exploitation.

Consent: Not relevant.



NICARAGUA
Law against Human Trafficking (2014)

The abduction, transfer, or lodging of human beings through threats, violence, or other mechanisms of coercion with the objective of renting, buying, or selling human beings.

Consent: Not relevant



PANAMA
Law No. 79 of 2011

Recruitment, transportation, transfer, harboring, or receipt of persons, through the threat or use of force or other forms of coercion.

Consent: Not relevant.



PARAGUAI
Law No. 4.788/2012

The recruitment, transportation, transfer, harboring, or receipt of a victim with the purpose of subjecting them to sexual exploitation, servitude, forced marriage, forced labor or services, slavery, or any practice analogous to slavery, and the illicit extraction of organs or tissues.



PERU
Article 129-A of the Peruvian Penal Code

- The Action: Recruiting, transporting, or harboring a person (domestically or internationally).
- The Means: Using violence, coercion, deception, or abuse of power and vulnerability.
- The Purpose: Exploitation.

Consent: Not relevant.



DOMINICAN REPUBLIC

Law 137/2003

Includes many purposes: any form of sexual exploitation, pornography, debt bondage, forced labor or services, servile marriage, irregular adoption, slavery and/or analogous practices, or organ extraction.

Consent: Not relevant.



URUGUAI

Law No.
18.250/2008

Some specific purposes include forced pregnancy, forced begging, the sale of persons, especially children and adolescents.

Consent: Not relevant.



VENEZUELA

Organic Law
against
Organized Crime

The convicted must pay compensation to the victim for the costs of their recovery and social reintegration.

Consent: Not relevant.

2.3. PURPOSES (GENERALITIES AND SPECIFICITIES)

Over the past decade, migration dynamics across Latin America and the Caribbean have undergone a profound transformation, with the total number of migrants increasing from approximately 35 million in 2010 to over 42 million in 2020. This period has been defined by shifting routes: intra-regional migration has more than doubled, movement toward North America has decelerated, and migration to Europe is once again on the rise. Notably, the European route is highly feminized, with women comprising over half of the migrants, and is characterized by individuals with relatively high levels of education and strong labor market participation. However, the same shifts that create new opportunities also generate severe risks. The growing reliance on intermediaries for irregular migration has been directly linked to the expansion of human trafficking, disproportionately affecting women and young migrants by exposing them to exploitation and control.

While these regional trends outline the broader landscape, it is important to emphasize that each country within Latin America and the Caribbean has its own specificities regarding structural drivers, legal frameworks, and migration patterns.

CENTRAL AMERICA AND MEXICO

Panama: the country is a transit point for various human trafficking routes, especially given its strategic geographic location. The main purposes of human trafficking in Panama are sexual exploitation and forced labor. The victims are mostly foreign women (from Colombia, Venezuela, and Nicaragua) and indigenous women from rural and impoverished border areas of Panama itself.

El Salvador: international organizations such as Save the Children highlight El Salvador as a problem of children and adolescents victimized by human trafficking for the purpose of begging. Another challenge in the region is the recruitment and use of children and adolescents in criminal organizations, a practice identified by the ILO as a growing form of child labor in El Salvador since the 1990s. Even so, 97% of human trafficking cases fall under the purpose of sexual exploitation.

Cuba: Despite the low incidence of crime in Cuba, which is attributed to an absence of organized criminal networks, the US government classifies Cuba as a Tier 3 country in the 2022 Trafficking in Persons Report (TIP Report), the worst possible classification in the report and which may reflect substantial government failures in addressing the problem, and classifies Cuba's international medical missions as an example of forced labor.

Honduras: a big problem in the country is forced marriages, a practice in which young women are forced to marry older men from other communities, or foreigners who travel to the country with the intention of "finding" a wife.

Guatemala: the government defines being a woman or girl, indigenous, and poor as the condition that most exposes a person to sexual exploitation and human trafficking. Furthermore, social networks and cell phones have become tools used by recruiters and traffickers to deceive and exploit people through practices such as sexting, cyberbullying, and grooming.

Ecuador: the most frequent purpose of human trafficking in Ecuador is sexual exploitation (80%), followed by forced labor (11%). Most cases of human trafficking occur within the country itself, with exploitation being most frequent in the capital, Quito.

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Colombia: between 2013 and 2020, 686 cases were registered in Colombia, 82% involving women, with the most common purposes being: sexual exploitation, forced labor, and forced marriage.

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Venezuela: the main purposes of human trafficking in Venezuela and of Venezuelan citizens abroad are sexual exploitation and forced labor. The worsening in the humanitarian and economic crisis in the country has generated a massive migratory flow, drastically increasing the vulnerability of the population to transnational criminal networks.

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Chile: the country is considered both an origin and transit point, and especially a destination for victims of this crime, mainly in the forms of sexual exploitation and forced labor.

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Uruguay: the main purposes of human trafficking in Uruguay are sexual exploitation and forced labor. The country acts simultaneously as a point of origin, transit, and destination for these transnational and internal criminal networks. Uruguayan girls, boys, and adolescents suffer sexual exploitation within the country itself, mainly in tourist areas (such as Punta del Este and the department of Maldonado) and suburban areas. Regarding the exploitation of labor for purposes analogous to slavery, the fishing sector, construction, and domestic work also stand out in Uruguay.

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Peru: the most common types of exploitation are sexual (63.2%) and labor (30.7%). This crime mainly affects vulnerable populations, such as women, children, and adolescents, and is associated with factors such as poverty, inequality, lack of documentation, gender discrimination, and limited access to education. In Madre de Dios, for example, illegal mining attracts migratory flows and creates favorable conditions for the exploitation of women and adolescents in clandestine brothels. In Loreto and Ucayali, trafficking is linked to geographic isolation and the presence of vulnerable indigenous communities, often exploited in forced labor and begging.

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Critical points such as the **Triple Frontier between Argentina, Brazil, and Paraguay**, and the Passo Encarnación-Posadas, stand out as vulnerable zones due to low control at border crossings, facilitating human trafficking.

SOUTH AMERICA

3. POLICIES, PLANS, AND KEY INITIATIVES

PREVENTION

NICARAGUA

Inclusion of **Human Trafficking in School Curricula**: The Ministry of Education included the topic in the "Growing in Values" discipline taught at preschool, primary, and secondary levels, impacting an average of 1,802,349 students annually.

PARAGUAI

Project "Ñande Ko'ẽ": This project stands out for its joint action between governmental institutions and international organizations to strengthen cooperation in combating sexual exploitation and forced labor, focusing on victim protection and specialized training for authorities.

REPORTING AND ENFORCEMENT



URUGUAI

Specialized Justice: Uruguay has specialized justice for combating trafficking, with trained prosecutors and judges. This structure is crucial for preventing re-victimization and protecting victim privacy.

GUATEMALA

Creation of the Specialized Secretariat (SVET): SVET, as a secretariat linked to the Vice Presidency of the Republic, is responsible for: taking actions to combat human trafficking; recommending the approval of regulations; monitoring the efficiency of national measures; and implementing awareness plans. SVET constitutes the main epicenter of state action in Guatemala, from which main public policies and prevention campaigns originate.



Chamber of the Specialized Court of Appeals: In 2024, the Supreme Court of Justice of Guatemala inaugurated the Criminal Chamber of the Court of Appeals with Specialized Jurisdiction in Human Trafficking and Migration Crimes. This new body seeks to integrate specialized judges to handle trafficking cases, aiming for more effective access to justice for victims.

EL SALVADOR

Multinational Integration into the Joint Border Interaction Group (GCIF):

This measure consists of the creation of an intergovernmental center for information exchange and intelligence coordination between border countries (El Salvador, Honduras, and Guatemala). Its purpose is to combat human trafficking and the illegal smuggling of migrants in the region.



REPORTING MECHANISMS

COLOMBIA



LibertApp Application

The application is a **reporting channel developed with technical support from the International Organization for Migration (IOM), funded by the U.S. Department of State, and implemented by Migración Colombia in partnership with the Ministry of the Interior.** In its first six months, LibertApp demonstrated its potential as an important reporting source. An example is the rescue of a 16-year-old Venezuelan girl, a victim of sexual exploitation in Maní, Casanare, whose report via the app resulted in the arrest of two Colombians who were exploiting a total of 15 women.



“Línea Gratuita Nacional Anti-Trata”

The National Free Anti-Trafficking Line is a reporting channel **available 24 hours a day that offers free guidance and prevention services for human trafficking, including an email for sending reports and evidence.** Its activity focuses on three areas: receiving reports, guiding the public about the crime, and responding to inquiries. After this initial care, cases related to human trafficking are forwarded to the Anti-Trafficking Operations Center, the body responsible for promoting necessary actions with competent authorities.

MEXICO

Operation of the National Line and Chat: Commanded by the Citizens' Council, these initiatives were created to combat a growing scenario of virtual grooming of females in the country, with actions focused on prevention, repression, and punishment of trafficking crime

ARGENTINA

Hotline 145 and the creation of PROTEX: In the scope of prosecution, the creation of the 145 reporting hotline and the establishment of PROTEX (Prosecutor's Office for Human Trafficking and Exploitation) stand out, aimed at the legal processing of human trafficking crimes.

ASSISTANCE

CHILE

Shelter: Josefina Bahati Welcome House: A specialized shelter created by Chile for women victims of sexual exploitation. It stands out mainly for providing temporary residence for foreign victims while investigations by Chilean authorities take place.

ECUADOR

Guarantee of Mandatory Free Legal and Health Procedures for Victims: Provided for in Art. 4, point "f" of the General Regulation of the Organic Law Against Human Trafficking and Illicit Smuggling of Migrants, mandatory free services for all protection, assistance, and prosecution procedures stand out as an important tool.

DOMINICAN REPUBLIC

Victim Support Center: The Center was created with government and international aid to provide shelter, medical care, and legal assistance. Its goal is the recovery and social reintegration of victims, ensuring access to professional training and emotional support.

FINAL REMARKS

Human trafficking in Brazil and across Latin America remains one of the most complex and persistent violations of human rights in contemporary society. As demonstrated throughout this study, the phenomenon cannot be understood solely through the lens of criminal law, since its roots are deeply connected to historical processes of colonization, slavery, structural inequality, forced migration, and social exclusion. Although important legal and institutional advances have been achieved in recent decades, especially after the adoption of the Palermo Protocol and the reform of domestic legislation in several Latin American countries, the persistence of low conviction rates, institutional fragmentation, and underreporting reveals the limitations of current responses.

In Brazil, the evolution from a narrow understanding of trafficking linked exclusively to sexual exploitation toward a broader human rights-based approach represented a significant legal achievement. Law No. 13.344/2016 strengthened prevention, repression, and victim assistance mechanisms while incorporating international standards into the national legal system. Nevertheless, practical challenges remain substantial, particularly regarding the coordination between institutions, the identification of victims, and the creation of reliable and unified databases capable of supporting public policies.

At the regional level, Latin America presents considerable legal diversity, with countries adopting different definitions, protection mechanisms, and institutional strategies to combat trafficking. While some states have developed specialized courts, shelters, national action plans, and victim-centered protocols, others still struggle with corruption, weak institutional trust, political instability, and limited state capacity. These asymmetries directly affect victim protection and hinder transnational cooperation, even though trafficking networks themselves operate across borders with increasing sophistication.

Furthermore, the study highlights that vulnerability in Latin America cannot be reduced exclusively to extreme poverty. The so-called “vulnerability paradox” demonstrates that migrants, women, Indigenous peoples, Black populations, children, and even individuals with relatively high levels of education may become targets of exploitation due to dependence on irregular migration systems, labor insecurity, and limited access to institutional protection. In this sense, combating trafficking requires addressing the broader social and economic conditions that sustain exploitation.

Therefore, effective responses to human trafficking demand more than punitive measures. They require integrated public policies centered on human dignity, international cooperation, institutional strengthening, social protection, access to education and labor rights, and comprehensive victim assistance. Only through coordinated regional action and long-term structural reforms will it be possible to reduce the vulnerabilities that allow human trafficking to persist throughout Latin America.

LINKS TO THE PUBLICATIONS THAT WERE USED TO PRODUCE THE REPORT

TRÁFICO DE PESSOAS: UMA PERSPECTIVA LATINO-AMERICANA

Human Trafficking: A Latin American Perspective

Authors: Livia Mendes Moreira Miraglia, Carlos Henrique Borlido Haddad, Giovana Paula Ramos Silveira Leite, Lorena Góes Pimenta de Pádua Andrade, Shevah Ahavat Esberard, Vitor Pimenta Velloso Botelho, Stephanie Caroline de Oliveira Lins Silva and Nathalia Godoi Crepaldi.

TRÁFICO INTERNACIONAL DE PESSOAS: CRIME EM MOVIMENTO, JUSTIÇA EM ESPERA: RELATÓRIO DE AVALIAÇÃO DE NECESSIDADES SOBRE O TRÁFICO INTERNACIONAL DE PESSOAS E CRIMES CORRELATOS

International Human Trafficking: Crime in Motion, Justice on Hold – A needs assessment report on international human trafficking and related crimes

Authors: Livia Miraglia, Carlos Haddad, Ana Luíza Nogueira Pinto, André Rezende Soares Lino and Samuel Almeida Fernandes



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