

Joint statement between the Ibero-American Network of Prosecutors against Corruption and the AIAMP Network on Trafficking in Persons and Migrant Smuggling, with the support of the EU EUROSOCIAL+ Programme through the Governance Area, to promote the fight against corruption facilitating trafficking in women and girls on the occasion of World Day against Trafficking in Persons¹

30 July 2020

Background

Based on the commitments made at the [5th Meeting by the Network on Trafficking in Persons and Migrant Smuggling](#) (19-21 February 2020, Santa Cruz de la Sierra, Bolivia) and the plenary virtual meeting of the Ibero-American Network of Prosecutors against Corruption (16 June 2020) and with the common objective of jointly raising awareness and promoting common strategies to improve responses to cases of corruption related to human trafficking, this joint statement is signed on the occasion of World Day Against Trafficking in Persons on 30 July 2020.

On the link between corruption and human trafficking

Corruption, as an abuse of power for private gain,² is a fundamental factor for the operation of human trafficking networks, since it facilitates crime and allows the criminal structures to act with impunity. Furthermore, it contributes to these behaviours being hidden and perceived as normal. Corrupt practices therefore foster greater victimisation - through the trafficking itself and through the corruption of institutions that should fight against it and protect its victims - with women and girls being predominantly affected.

Corruption associated with trafficking can manifest itself along the entire criminal production chain, but also in the justice delivery or victim protection systems. Public corruption can range from periodic collections of money or sexual favours, by officials who omit their surveillance duties or give notice of investigative or inspection actions, to situations where it is the officials themselves who control the illegal business or are members of the network. Corruption occurs through behaviours including: a) passivity, covering-up, obstruction or collusion by officials (police, judges, prosecutors, municipal officials, etc.); b) threats to victims and witnesses; c) notice to the trafficking networks of intervention operations and other judicial actions; d) judicial inactivity and impunity; e) granting of municipal licences for the operation of illegal premises; f) document falsification (for example, in residence permits for victims and identity documents for minors); g) safe passage for traffickers and their victims on migratory routes; h) entry of prostitution networks onto prison premises; i) false records and witnesses in legal proceedings.

¹ Proposal prepared within the framework of the initiative "The Differentiated Impacts of Corruption on Women and Girls" from the EUROSOCIAL+ Governance Area, in conjunction with the Ibero-American Network of Prosecutors against Corruption, the AIAMP Network on Trafficking in Persons and Migrant Smuggling (RedTram) and with the technical support of Ana Linda Solano López, Consultant in the FIIAPP EUROSOCIAL+ Programme Democratic Governance Area. Also with the collaboration of the United Nations Office on Drugs and Crime (UNODC) within the framework of its support for RedTram.

² This document refers to acts of corruption by public officials, it being understood that private corruption can also facilitate human trafficking.

The actions mentioned represent, on occasions, manifestations of individual corruption, but in other cases they are part of organised facilitation networks or, even, of systemic corruption. Therefore, the dismantling of the criminal structures linked to trafficking is not enough if, at the same time, the facilitation component is not tracked down, that is, the public authorities that allow the criminal business to operate.

Therefore, it is essential to strengthen the anti-corruption component in preventive and prosecution strategies on human trafficking. The challenge arises when contrasting this causal relationship with the scarce information and the few cases with identified individuals or corruption networks. Thus, the need to: a. gain greater knowledge on facilitative corruption (higher risk sectors, roles, geographical areas, etc.); b. overcome investigative challenges associated with the detection and proof of the corruption component, including criminalisation of manifestations of sexual corruption³; c. generate greater intra- and inter-institutional coordination between operators in the justice system; d. measure the contributions that corruption prevention and prosecution strategies can generate in the fight against human trafficking; and, lastly, promote the positioning of the subject in international cooperation agendas for sustainable development.

In this context, the following recommendations are issued.

Recommendations

1.1. Strengthen knowledge. Promote the diagnoses that make it possible to understand the phenomenon: a) carry out studies, generate disaggregated figures and build conceptual frameworks on the type of corruption that facilitates trafficking in order to prioritise and focus strategies; b) disclose convictions handed out to officials; c) examine cases in detail in order to generate learning. And, generate spaces for the exchange of experiences, knowledge, good practices, training and dissemination.

1.2. Promote the reporting of corruption associated with trafficking: a) create or strengthen lines of attention and reporting with a differential focus on anti-corruption matters; b) have bodies trained to identify the elements of corruption associated with trafficking (reporting or attention lines, officials from rescue or victim assistance offices, police officers, other judicial or administrative authorities that are part of the systems to combat trafficking and anti-corruption; c) strengthen the protection mechanisms for whistleblowers on corruption; d) encourage reporting; e) carry out publicity campaigns to bring the problem into the spotlight and encourage complaints; f) articulate mechanisms to support whistleblowers between civil society and the prosecutors; g) encourage anonymous reporting where regulatory frameworks allow it.

1.3. Improve prevention and investigation strategies: a) develop preventive strategies in the entities and places with greatest risk by mapping the corruption risks associated with trafficking for decision-making, public policy formulation and the development of prevention and research strategies; b) detect and develop the line of investigation in the anti-corruption component early, apply proactive investigation techniques and, where case management allows, generate prioritisation strategies in this regard; c) strengthen prevention and investigation strategies specific to the fight against corruption, such as monitoring money and

³ Understood as the abuse of power in order to obtain sexual benefit.

applying measures on assets - including termination of ownership where possible -; d) encourage greater and better use of criminal analysis and analytical tools in investigations to detect corruption and its links with trafficking, in order not to stop at the bottom of the criminal chain; d) develop investigation protocols for corruption associated with trafficking and clear investigation routes (referrals of cases, joint or simultaneous investigations, powers, investigative support, etc.).

1.4. Promote spaces for inter-institutional articulation and joint training: a) create protocols for joint actions and the exchange of experience between prosecutors; b) include anti-corruption prosecutors in inter-institutional trafficking round tables; c) include the problem in national anti-corruption plans; d) include the subject on the curriculum in training schools and in joint courses between trafficking and anti-corruption prosecutors; e) coordinate prosecutors with other operators in the justice system; f) promote joint national and international investigation teams (*task forces*).

1.5. Make the problem of sexual extortion in the human trafficking chain visible. Women and girls must pay with sexual favours to public officials who facilitate human trafficking (free clients) to guarantee their complicity and omission of duty. Making the following necessary: a) sensitise and train justice operators in anti-corruption matters as to the fact that the problem is a manifestation of corruption associated with human trafficking, b) generate care and case investigation routes that consider the variables associated with corruption and violence against women , d) strengthen identification and investigation in cases of human trafficking, e) strategies for education and awareness-raising in the community that highlight this form of corruption, especially for the population at risk e) strategies on prevention, detection and reporting in the entities that present greater risks.

1.6. Promote the positioning of the problem on the international cooperation agenda: a) promote the connection between SDG 16 and SDG 5 with analyses that relate trafficking, corruption and gender; b) enhance the issue in connection with the Lima Commitment emanating from the last Summit of Heads of State and Government of the Americas; c) systematise national progress and good practices; d) strengthen the coordination between international organisations, networks of public institutions and civil society with national footprints, promote the creation of observatories on corruption and trafficking; d) continue to articulate the work within the AIAMP and between the Ibero-American Network of Prosecutors against Corruption, the AIAMP Network on Trafficking in Persons and Migrant Smuggling with the collaboration of the EUROSOCIAL+ Governance Area.

For more information

"Women and Corruption: The Differentiated Impacts of Corruption on Women". Ana Linda Solano, EUROsociAL+ programme working document (2019), available on: <https://eurosocial.eu/wp-content/uploads/2019/04/OK-5-Mujer-y-corrupcion-EUROSOCIAL.pdf>

"Corrupt officials, an essential link in human trafficking." Borja Díaz and Ana Linda Solano. El País newspaper, available on: https://elpais.com/elpais/2020/07/15/planeta_futuro/1594821972_794679.html

"Vulnerability, corruption and human trafficking, links in the same criminal chain". Ana Linda Solano and Borja Díaz. Post published on EUROsociAL+ Blog (2020), available on: <https://eurosocial.eu/bitacora/vulnerabilidad-corrupcion-y-trata-eslabones-de-una-misma-cadena-criminal/>

"Being a woman or girl in Latin America increases the risk of experiencing corrupt practices by public officials". Ana Linda Solano and Borja Díaz. Post published on EUROsociAL+ Blog (2020), available on: <https://eurosocial.eu/bitacora/ser-mujer-o-nina-en-america-latina-agrava-el-riesgo-de-sufrir-las-practicas-corruptas-de-funcionales-publicos/>

"EUROsociAL cooperates with the Network on Migrant Trafficking and Smuggling to combat the corruption associated with human trafficking". News story available on: <https://eurosocial.eu/actualidad/eurosocial-coopera-con-la-red-contra-la-trata-y-el-trafico-de-migrantes-para-combatir-la-corrupcion-asociada-a-la-trafficking-in-persons/>

"First international workshop on trafficking and corruption": <https://www.fiscales.gob.ar/trata/la-procuracion-fue-sede-del-primer-taller-internacional-sobre-corrupcion-y-trata-de-personas/>

Conclusions 5th Meeting of the Network on Trafficking in Persons and Smuggling of Migrants (19-21 February 2020, Santa Cruz de la Sierra, Bolivia): <http://www.aiamp.info/index.php/redes-permanentes-aiamp/red-de-trata-de-personas/documentos/conclusiones-v-encuentro-de-la-red-de-trata-de-people-and-illegal-traffic-of-migrants>