



# CASA ALIANZA

## Covenant House – Latin America

### **TRAFFICKING IN CHILDREN IN LATIN AMERICA AND THE CARIBBEAN**

Prepared by Covenant House<sup>1</sup>

*This report describes the serious situation of trafficking of children, affecting boys, girls and youth in the Latin American and Caribbean countries, an illicit activity in which European and North American countries are also involved.*

*It is necessary to recognize the efforts carried out by governments, officials and civil society organizations that strive to create awareness on the trafficking phenomenon and thus eradicate this crime.*

*Nevertheless, the situation presently described obliges governments and the international community to intensify efforts in this important endeavor.*

#### **How many?**

UNICEF estimates that between 1,000-1,500 children are trafficking under the guise of illegal adoptions in Guatemala annually. NGO Association “Amigos de los Niños” estimates that over 500 children disappeared in Honduras in 2000, all of who are assumed to have been trafficked. This is the work of only one NGO in the capital, and thus the actual numbers can be assumed higher. Likewise, in El Salvador, 206 individuals were found to be involved in the business of trafficking in children between 1998-2000; 43 of them were women. Over 50,000 women from the Dominican Republic participate in the sex industry abroad, according to ECPAT’s 2002 report. This number has not been disaggregated by age, but even if 10 of them are children, the number is intolerable.

---

<sup>1</sup> ILANUD thanks Covenant House for its valuable co-operation in the elaboration of this report. The opinions expressed in this document do not necessarily reflect the official position of ILANUD.



## CASA ALIANZA Covenant House – Latin America

We offer some preliminary statistics as to the number of children victims of sexual exploitation and children in Guatemala who are illegally adopted, both end points for trafficked children in the region. It is important to point out that this figures represent children trafficked internationally; yet especially in Costa Rica, the Dominican Republic, Guatemala and Honduras, children are trafficked within their own countries. No aggregate numbers exist for the trafficking of children in Latin America and the Caribbean due largely to the lack of a unified definition of the problem; as well as the absence of indicators and registers; and the lack of resources to track cases, make accusations, and bring cases before a judge. Finally, difficulty in identifying victims of trafficking further complicates quantification of victims.<sup>2</sup> While a majority of trafficking in the region occurs for the purposes of commercial sexual exploitation, no aggregate statistics are available to quantify this phenomenon either.

### **How does it happen?**

Deception, international adoptions, and illegal documents all facilitate trafficking in children in Latin America and the Caribbean. Trafficking for the purpose of sexual exploitation requires the collaboration of many individuals:

- A brothel or other organization asks for specific types of children for the purposes of prostitution;

---

<sup>2</sup> International Institute for Human Rights. University of De Paul Law School. “Esclavitud Moderna: Tráfico Sexual en las Américas : América Central y el Caribe”, presented at “Conferencia Hemisférica sobre Migración Internacional Derechos Humanos y Trata de Personas en las Américas”. Oct 2002.



## CASA ALIANZA Covenant House – Latin America

- An intermediate contacts the child and offers opportunity for travel or employment;
- Corrupt officials create falsified documents to grant children identification showing them to be adults;
- Corrupt lawyers create documents to permit exit from the country;
- Migration officials facilitate the passage across the border;
- In other cases, the falsifying of documents is bypassed and children are slipped across the borders without officials' knowledge.

Clearly, many corrupt individuals are important for the success of this business, including truck drivers, migration officials, police, bar and brothel owners and retention homes. Still, investigations have led to the accusations and convictions of few perpetrators.

One of the most common systems used by Dutch traffickers is to officially invite a Dominican woman to visit the country, or falsely recognize a Dominican daughter, whereby children under 17 can obtain Dutch nationality and travel to the Netherlands. Traffickers falsify or forge birth certificates, according to ECPAT.

Once children have been trafficked to an unknown location, they lack options to escape: they find themselves in an unfamiliar area with no resources. Not only do they not have money, but also they are told that they are indebted to the people who provided their transportation. They consider their only "solution" to



## CASA ALIANZA Covenant House – Latin America

participate in bonded labor, usually where their traffickers place them as prostitutes.

### **Final destinations**

Costa Rica is a principle receiving country for sexual tourism in both the region and the world; a quick browse on the Internet provides sufficient evidence of this phenomenon. (See annex 1.) Nicaragua is a principle “supplier” of trafficked children to destinations throughout Central America as documents are falsified with relative ease. Honduras, Guatemala, and Mexico are all meeting points where deceived children are sent to later be transported elsewhere – usually north to the US and Canada. (See annex 2.)

Trafficking in women for sex work from Jamaica mainly to Europe and USA has been documented, but ECPAT indicates that recently, sex workers have started traveling to Cuba because of the increase in the sex industry there.

### **Actions taken**

Unfortunately, very few centers for attention to victims exist in the region. Casa Alianza, a regional organization that protects and rehabilitates street children, has begun to repatriate and rehabilitate victims of trafficking through its homes in Guatemala, Honduras, Nicaragua and Mexico. The lack of centers increases the likelihood that trafficked children will end up in a jail or other detention center and further violates their rights.

In fact, this happened in July 2002: nine children trafficked from El Salvador to Guatemala were detained in prisons, rather than offered



## CASA ALIANZA Covenant House – Latin America

rehabilitation or other protection. The UN Special Rapporteur on Arbitrary Detention and the UN Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography sent urgent faxes to the Guatemalan Minister of Foreign Affairs and to Guatemala's Permanent Mission to the United Nations in Geneva, expressing their concerns for these children. Similarly, some of the states prosecute trafficking crimes under the code of pimping or trafficking of contraband, which fails recognize the victims' suffering. All countries except El Salvador have typified trafficking as a crime. Clearly, a priority action is to increase attention to and rehabilitation of victims.

Political progress has been made - our meeting here today testifies to that. In Latin America and the Caribbean, the OAS General Assembly resolution (AG/RES.1776/01) "Support for the United Nations Convention against Transnational Organized Crime", urged all OAS member states to sign and ratify the United Nations Convention against Transnational Organized Crime and the Protocol thereto. Up to November 4, 2002 Antigua and Barbuda, Argentina, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru and Suriname had signed or ratified the protocol.

Political will has begun to provoke action: the Central American Parliament adopted a resolution at its plenary session in November 2002 requesting the CIM and the Inter-American Children Institute (OAS) to provide legal technical assistance in drafting harmonized anti-trafficking legislation for the sub region,



## CASA ALIANZA Covenant House – Latin America

including Mexico and Dominican Republic. The request asks for the coordination of a consultation process with governmental and non-governmental organizations, and representatives of national congresses in the Central American countries. Finally, the vulnerable populations are taking action in their own defense as well. At its XXXI Assembly of Delegates held in the Dominican Republic, the Inter-American Commission of Women adopted the resolution “Fighting the Crime of Trafficking in Persons, especially Women, Adolescents and Children” (October 30, 2002). During the Assembly, the representatives expressed that trafficking in persons is a “flagrant violation of human rights of the women, adolescents, and children who are victims of trafficking, who live in dangerous and inhumane conditions during their transfer, reclusion, and exploitation in the countries of origin, transit and ultimate destination, and the impunity of the criminal networks (recruiters, carriers, and owners of establishments) that thrive on this criminal activity.”

### **Illegal adoptions**

A very specific form of trafficking occurs in Guatemala, which now places more children in adoption per capita than any other country in the world, and is the fourth largest “exporter” of children worldwide. A recent report by UNICEF stated that between 1,000 and 1,500 babies and children are trafficked under this guise every year. The EU cited over 2,000 adoptions in 1997, at a cost of between US \$15-20,000 each. At US \$20,000 for 2,000 adoptions, the industry grossed US \$40 million in one year. The UN Convention on the Rights of the



## CASA ALIANZA Covenant House – Latin America

Child clearly states that internal placement for an abandoned child (as opposed to international adoption) is in the best interest of the child.

### How?

Guatemala's weak adoption law combined with huge demand from foreign couples has created a market that has reduced babies to merchandise. Lawyers enjoy relative freedom in private adoption procedures and can avoid delays that state-run procedures often encounter; in fact, the actual paperwork they process is completely legal. It is their means of finding babies to sell for adoption that violates children's rights. Those procuring illegal adoptions employ vast networks to obtain babies, including centers that care for stolen or abandoned babies while adoption proceedings are completed. Midwives persuade poor mothers to give up babies.

Other times these entrepreneurs intentionally deceive mothers: hospital workers invent illnesses hoping the mother will be persuaded, or falsify documents; registry officials obtain thumbprints from illiterate mothers on blank legal paper which they then convert into statements abdicating the child; or mothers are drugged and then their babies stolen.

Actions: There is no adoption law in Guatemala and the trafficking of babies is not typified as a crime. Because the actually legal proceedings used for the international adoptions are legitimate, or no evidence exists to prove that they have been falsified, little judiciary recourse is available to prosecute the perpetrators of this crime. U.S., U.K., and Canadian governments have begun to



## CASA ALIANZA Covenant House – Latin America

require DNA testing for motherhood of children adopted. Yet a demand still exists for these children.

If the lack of resources and judiciary precedence in these cases weren't enough to impede holding traffickers accountable, the intimidation that many individuals feel about testifying affords the perpetrators another layer of impunity. Lack of law enforcement and victim protection makes victims feel especially vulnerable to further victimization by perpetrators if they make accusations. Finally, individuals' experience and established routes for drug smuggling facilitate the smuggling of children who indeed, have been reduced to a commodity.





# CASA ALIANZA

## Covenant House – Latin America

### Annex

Annex 1. Costa Rica receives trafficking victims from around the world, especially from Europe, the Philippines and the Dominican Republic.





## CASA ALIANZA Covenant House – Latin America

Annex 2. Nicaragua is a principle “supplier” of trafficked children to destinations throughout Central America as documents are falsified with relative ease. Honduras, Guatemala, and Mexico are all meeting points where deceived children are sent to later be transported elsewhere – usually north to the US and Canada.

