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GENDER-BASED VIOLENCE IMPUNITY REGIONAL STUDY: PERU CASE STUDY

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GENDER-BASED VIOLENCE IMPUNITY AMONG TRAFFICKED WOMEN IN PERU

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ACRONYMS

ACNUR	UN High Commission for Refugees
CEM	Center for Women in Emergencies
COVID-19	Coronavirus Disease 2019
CSO	Civil Society Organizations
ENDES	National Survey of Health and Development (Spanish acronym)
INEI	National Institute of Statistics and Informatics (Spanish acronym)
DRG	Democracy, Human Rights, and Governance (USAID)
ECLAC	Economic Commission for Latin America and the Caribbean
GBV	Gender-based Violence
IACHR	Inter-American Commission on Human Rights
IDI	In-depth Interview
LAC	Latin America and the Caribbean
LACLEARN	Latin American and the Caribbean Learning and Rapid Response Project
MIMP	Ministry of Women's Affairs and Vulnerable Populations (Spanish acronym)
MINJUS	Ministry of Justice and Human Rights (Spanish acronym)
MINSA	Health Ministry (Spanish acronym)
MP	Public Ministry (Spanish acronym)
PEA	Political Economy Analysis
PLANIG I	National Gender Equality and Equity Plan (Spanish acronym)
UNW	United Nations Women's Agency
USAID	United States Agency for International Development

EXECUTIVE SUMMARY

Gender-based violence (GBV) impunity violates human rights, harms public health, and destabilizes homes and communities. GBV impunity often threatens survivors' basic security, including their health, safe shelter, food, livelihood, and freedom from further violence.¹ Impunity perpetuates GBV and denies survivors their rights to justice, protection and recovery support services, and programs to prevent revictimization. It entrenches widespread lack of government transparency and accountability to uphold survivors' legal and human rights. It further undermines broader development objectives of social inclusion, governance, and democracy.

The Peru GBV impunity case study is one of eight case studies included in the GBV Impunity Regional Study under the USAID Latin America and the Caribbean Learning and Rapid Response (LACLEARN) Task Order. Each case study investigates country-specific responses to the research question:

What would constitute meaningful GBV accountability according to diverse survivors in the LAC region?

The case studies diagnose GBV impunity through a mixed-methods design analyzing the political economy contexts and structural gender inequalities that perpetuate impunity in LAC. Each case study explores survivors' and service providers' recommendations to improve GBV accountability for specific types of GBV that disproportionately affect historically marginalized and structurally excluded groups. The regional study prioritizes survivors' and service providers' recommendations for USAID to contribute to improving accountability through three main pathways of strategic action: 1) GBV protection and recovery services, 2) judicial services, and 3) prevention initiatives.

The Peru case study explores pathways to accountability for GBV impunity among formerly trafficked women. Grounded in extensive literature and secondary data reviews, the case study draws on 20 individual in-depth interviews (IDIs) with civil society and government service provider staff that work directly with survivors of sex trafficking. Though the team implemented trust building and extensive ethics and safety practices over several months in the process of inviting survivors to participate in interviews, no trafficking survivors consented. Survivors indicated that they would face high risks to their safety and security during and after an interview by phone or Internet, given challenges in securing digital and physical privacy in remote mobile phone or Internet based interviews and fear of traffickers digitally and physically monitoring their communications and associations. They self-assessed high risks of retaliatory attacks from perpetrators, often traffickers, and social stigmatization if one were to hear them speak to a researcher candidly. The study team honored survivors' decisions not to participate in a phone or Internet based interview for the study. The local ethics committee in Peru and the NORC at the University of Chicago ethics committees had approved remote interviews, but not in-person interviews citing safety and security risks to trafficking survivors. Consequently, the team focused exclusively on interviews with civil society and government service providers, a few of whom spontaneously disclosed also being a GBV, or specifically trafficking, survivor during their interview.

Interview findings represent predominantly; therefore, the perspectives of the civil society organization and government service provider staff interviewed whose day-to-day work involves service provision to GBV and sex and labor trafficking survivors. As a result, the narratives of impunity and pathways to

¹ This report uses the term 'victim' to refer people who are currently in a situation of trafficking, and 'survivor' to refer to people who have escaped or become free from trafficking.

accountability highlighted in this report often focus most on the challenges service providers confront in providing the quality and coverage of services necessary to fulfill their programming objectives.

DIAGNOSIS OF GBV IMPUNITY IN PERU

According to the latest Demographic and Family Health Survey in 2022 in Peru, 55.7 percent of women aged 15 to 49 had experienced intimate partner violence (IPV) in their lifetime. Among women of Indigenous origins, lifetime prevalence of IPV was 59.5 percent.² The number of reported cases of trafficking increased dramatically from 689 in 2012 to 1,528 in 2022.³ In 2023, the reported cases of trafficking doubled to 3,119.⁴ Available estimates under-report the scope and scale of trafficking, however, given that most trafficking survivors do not make formal police reports and many do not know where they can report safely. Young women face disproportionate risks of being trafficked, with 87.3 percent of trafficking victims younger than 30 and 36.6 percent younger than 18.⁵ Though trafficking persists throughout Peru, it takes place most often in the Andean highlands and Amazonian regions of the country. Indigenous women and Venezuelan migrant women are among the populations most at risk of trafficking. Illicit economic activities within extractive industries, such as illegal gold mining, and organized crime are key structural drivers for trafficking and sexual exploitation of these groups.

When asked to describe GBV and trafficking impunity in their own words, case study participants coalesced around two categories. First, the violations of survivors' human rights in cases of GBV and trafficking. Second, the absence of justice for and accountability to the survivor for GBV and trafficking perpetration. Speaking specifically about human trafficking, service providers raised how the sophistication, resources, and power of organized crime groups complicate efforts to pursue justice and guarantee victims' and survivors' rights.

Structural gender inequalities underlie and perpetuate impunity for GBV and trafficking. Case study participants described how women, with systemically fewer and lower quality economic opportunities than men, can be pushed into contexts where they are at risk of trafficking to care for themselves and their families. Trafficking organizations use predatory tactics to exploit vulnerabilities, particularly among marginalized groups like young women and adolescent girls in the rural Andean and Amazonian areas of the country. For some women who initially survive trafficking, the lack of economic opportunities is so stark that they return to situations of exploitation, or even take on tasks of traffickers themselves.

The objectification of women as commodities for unpaid childcare, eldercare, household work, and sex, facilitates sexual exploitation and trafficking. This social norm limits opportunities for women to seek livelihoods with safe, paid work that would reduce their risks of being trafficked. Simultaneously, inequitable gender norms in the Peruvian context normalizes multiple forms of exploitation of women,

² Peru: *Demographic and Family Health Survey – ENDES 2022*. (2023). Instituto Nacional de Estadística e Informática. <https://www.gob.pe/en/institucion/inei/informes-publicaciones/4233597-peru-encuesta-demografica-y-de-salud-familiar-endes-2022>. Note, per the specifications of the survey, this group includes individuals self-identifying as Quechua, Aymara, or belonging to any other (including Amazonian) indigenous group.

³ Peru: *Estadísticas de Trata de Personas, 2012-2019*. (2019). and 2018-2022. Instituto Nacional de Estadística e Informática. https://www.inei.gob.pe/media/MenuRecursivo/boletines/boletin_trata_de_personas_4.pdf
<https://www.gob.pe/institucion/inei/informes-publicaciones/4554736-peru-estadisticas-de-trata-de-personas-2018-2022>

⁴ “No. 295: Trata de personas y criminalidad: se necesitan acciones urgentes.” CHS Alternativo. January, 2024.

<https://chsalternativo.org/reportealternativo/2024/01/31/n295-trata-de-personas-y-criminalidad-se-necesitan-acciones-urgentes/>

⁵ Peru: *Demographic and Family Health Survey – ENDES 2022*. (2023). Instituto Nacional de Estadística e Informática. <https://www.gob.pe/en/institucion/inei/informes-publicaciones/4233597-peru-encuesta-demografica-y-de-salud-familiar-endes-2022>

particularly those from Indigenous, migrant, or other structurally excluded backgrounds, as socially expected and acceptable. This normalization extends to young trafficking victims themselves, who may not always recognize initially that they are in a situation of exploitation.

Case study participants expressed that, while Peru has robust laws and is party to international treaties addressing GBV and trafficking, these laws and treaties are not comprehensively or evenly applied. Frequently, asymmetry in the power and resources of perpetrators and survivors of trafficking prevents their comprehensive application. In other cases, even when survivor-centered judicial procedures are permitted by law, time and resource constraints force their applications in ways that are damaging to survivors' wellbeing.

Many case study participants consider that Indigenous people are treated as, "second-class," citizens in their interactions with service providers, leading to their exclusion from access to many economic, educational, health, legal, and other services. Indigenous people who do not speak Spanish may be inadvertently drawn in by traffickers' coercive tactics that uproot them from their Indigenous communities for exploitation. Traffickers have at times co-opted cultural practices and traditions of Indigenous communities to gain trust, manipulate, and recruit women. Lack of knowledge of their legal rights and exploitation of their cultural identity can be used against them. Linguistic and cultural differences can become significant barriers to seeking help or reporting trafficking where protection and recovery support services are not adapted to the needs and culture of Indigenous survivors or provided in Indigenous languages.

Venezuelan migrant women fleeing political and economic insecurity often face discrimination based on their irregular immigration status and/or lack of identity documents, placing them in an administrative limbo increasing their risks of being trafficked with impunity. Documentation-based discrimination combines with economic discrimination and lack of formal job opportunities in Peru. This limits women's capacities to earn income and build economic security, which can protective against economic dependence on a violent intimate partner or trafficker. This combination of dynamics heightens their risks of GBV and trafficking, especially when an undocumented migration status limits their ability to seek protection, recovery support, or judicial services.

There is an insufficient, yet in some areas improving, set of protection and recovery support services available to survivors of trafficking who are minors. However, there are serious shortcomings in the coverage and quality of protection and recovery support services available to adults, who comprise nearly two-thirds of trafficking victims. CSO service providers interviewed in the case study shared promising examples of protection and recovery support services that could serve as a model to build on and improve government services.

With respect to judicial services, many victims and survivors choose not to report trafficking cases, whether because they lack legal accompaniment, anticipate reprisals from perpetrators, normalize their experiences, or lack time and resources for often costly pursuit of justice. Cases that survivors do report rarely result in the prosecution and sentencing of perpetrators, or in reparations for survivors. These dynamics drive and exacerbate impunity, as the lack of accountability serves to discourage survivors and embolden perpetrators.

Government institutions, civil society, and international non-governmental organizations are implementing a range of prevention interventions in Peru. However, case study participants felt that insufficient funding and coordination blunt these initiatives' outreach and effectiveness. As with

protection and recovery and judicial services, there is a gap between the legal and regulatory framework for preventing GBV and trafficking and the scale and quality of services provided, especially concerning structurally marginalized survivors.

SOLUTIONS TO ADDRESS GBV AND TRAFFICKING IMPUNITY IN PERU

Participants in the Peru case study, entirely of CSO and government service providers, largely viewed closing gaps in the quality and coverage of services to victims and survivors of trafficking and GBV as paramount pathways to accountability. For many service providers, the most pressing pathway to accountability is improving judicial outcomes such that more victims and survivors report and receive protection and recovery support, more perpetrators, including traffickers, are convicted, and more survivors receive reparations that they deem as an acceptable form of accountability. Throughout this process, service providers emphasize the need to improve the degree to which judicial services are survivor-centered, and prioritize the rights, security, and wellbeing of survivors and their family and dependents during and following court proceedings.

A second consistent theme across interviews with government and CSO service providers was the need to increase budget allocations and transparent oversight to trafficking and GBV prevention and response programs and services. This means resourcing government programs with the personnel, vehicles, specialized training, and supervision required to implement their legal and policy mandates. It also means allocating resources to monitor and evaluate the extent to which the implementation of prevention, protection and recovery support, and judicial services, fulfill legal and policy mandates for survivor-centered services provision, and take corrective action where gaps persist. Alongside increasing budget allocations to GBV and trafficking prevention and response programs, service providers also feel it is essential to enhance coordination between institutions that provide these services to improve their quality at the point of care. Building on recently established management protocols, efforts should focus on strengthening coordination within and between sectors.

Service providers articulated both a long-term, aspirational vision and practical interim actions for improving GBV and trafficking accountability in Peru. Their vision and practical actions outlined in their interviews center and empower survivors with decision-making agency, voice, and improved access to services that guarantee their rights, facilitate their wellbeing, respect their choices, and treat them with dignity. They expressed that services should provide an evident, "united front," for accountability to trafficking and GBV survivors through provision of inclusive, comprehensive protection and recovery support, including guaranteed rights to report; freedom from police, judicial staff, or other revictimization; protective accompaniment throughout court proceedings; economic recovery resources; and social support networks. Simplifying and adapting procedures to diverse survivor groups' cultural rights and languages and providing timely assistance can on a practical level help increase survivors' access to justice. Service providers consider that Peru must solve the foundational issue that traffickers can coerce people with offers of an improved livelihood relative to the minimum and insecure livelihood available to most in Peru. As such, service providers' vision includes economic empowerment of trafficking survivors and of women and girls more broadly to reduce risks of being trafficked lured by promises of an income. In their vision, a system more accountable to GBV survivors would be one where people live with sufficient socioeconomic security to mitigate the structural and criminal push and pull factors that draw them into situations of exploitation.

Many service providers focused their visions for accountability over the mid- and long-term on an improved, comprehensive set of government services for GBV and trafficking victims and survivors.

However, they also advocated for improved coordination between CSOs and State institutions that work with GBV and trafficking survivors, and increased government transparency and accountability initiatives, to prevent and respond to human trafficking for purposes of labor and sexual exploitation in the near-term. While gaps persist in the quality and coverage of government services, CSOs should be strengthened in continuing to offer services which promote greater accountability to victims and survivors for their protection and recovery support.

RECOMMENDATIONS FOR STRENGTHENING GBV AND TRAFFICKING ACCOUNTABILITY

This case study advances five core, overarching recommendations for USAID and other stakeholders to improve GBV accountability based on the perspectives of service providers, some of whom were also GBV and trafficking survivors themselves, interviewed in Peru. The first three recommendations represent strategic pathways to GBV accountability, while the last two represent overarching principles to apply in each pathway.

Core strategic pathways for strengthening GBV and trafficking accountability:

1. Strengthen survivor-centered, inclusive protection and recovery support services.
2. Strengthen survivor-centered, inclusive judicial services.
3. Strengthen survivor-centered, inclusive prevention initiatives.

Across each of the three strategic pathways above:

4. Support efforts to monitor and evaluate the quality and coverage of GBV and trafficking interventions.
5. Help CSOs build government capacity to address GBV and trafficking, especially for Indigenous and migrant survivors.

Within each of the three strategic pathways for strengthening GBV accountability, we offer a range of specific recommended actions. Additional details on these actions are available in the body of the report. These align with USAID's goals in the Peru Mission's Country Development Cooperation Strategy (CDCS) and the [2022 United States Strategy to Prevent and Respond to GBV Globally](#). As such, these recommendations are strategically designed to contribute to increased gender equality, reduced structural inequalities, and increased community safety and sustainable national development in Peru. By applying the two cross-cutting recommendations within each pathway, USAID can respond to service providers' visions for GBV and trafficking accountability to survivors, which further emphasize better aligning government services for GBV survivors and trafficking victims with existing legal and policy mandates.

Prioritization of these recommendations is paramount to their effective implementation. USAID can strategically prioritize based on the urgency and severity of the issues identified in this report, taking into consideration their alignment with activities of USAID/Peru's CDCS and USG's Global GBV Strategy. Implementing these recommendations requires collaboration with key stakeholders, including the Peruvian government, CSOs, Indigenous leaders, and migrant community members supporting GBV and trafficking survivors, and those at risk of being trafficked in these communities. Ultimately, increasing efficacy of the core recommendations above and strategic actions outlined below will rely on development and implementation of a broader national strategy to increase citizen security in Peru.

Strategic pathway one: Strengthen protection and recovery support services

1. Improve and expand survivor-centered protection and recovery support services to provide a safety net and pathway out of trafficking, while also providing security for staff delivering these services.
2. Integrate mental health programs and psychological care services for trafficking survivors into existing services, targeting areas with the highest incidence of trafficking.
3. Engage with origin and transit communities along the Peruvian border, including formal and informal border crossing areas, to raise awareness about protection and recovery support services available in Peru for trafficking victims.
4. Strengthen delivery of GBV and trafficking protection and recovery support services delivery for survivors from within community-specific spaces, collaborating with community-based, local organizations, community centers, and health clinics.
5. Establish culturally inclusive transitional homes for women trafficking survivors of all ages in rural and urban high-incidence areas, providing wrap-around recovery support referral services.
6. Promote access to public services to promote opportunities for employment, education, and health care among populations at risk of trafficking.
7. Provide public services to aid survivors of all ages in immediate and long-term physical, emotional, and psychological recovery, not exclusively minors.
8. Conduct further political economy analyses at a nationwide scale to further investigate policy framework gaps, implementation limitations, and institutional capacities of service providers to deliver trafficking survivor-centered protection and recovery support and coordinated judicial services.

Strategic pathway two: Strengthen judicial services

9. Enhance the support structures and protective accompaniment for trafficking survivors who seek to report cases and pursue a judicial process.
10. Advocate for robust legislation prioritizing trafficking prevention, survivor protection, perpetrator prosecution, and reparations for survivors.
11. Reduce bureaucratic barriers and increase judiciary resources to streamline judicial processes, reduce case processing times, and bolster survivors' capacities and willingness to report cases.
12. Strengthen mechanisms in CSO provided services, health services, and law enforcement, for trafficking victim detection, identification, and referral, ensuring survivor-centered coordination between public institutions and CSOs at all levels.
13. Resource and strengthen initiatives to increase judicial sector transparency and accountability and reduce corruption among law enforcement and judicial staff directly involved in or indirectly enabling trafficking networks.

Strategic pathway three: Strengthen prevention initiatives

14. Support prevention initiatives using social norm change and behavior communication change strategies, targeted to areas of high trafficking risk, including source, transit, and destination communities of Indigenous and migrant women, transportation systems, schools, and health clinics. Prevention initiatives should highlight these as critical sites where programs can raise awareness about what trafficking is, strategies to stop it, and services for those at risk of or escaped from trafficking.

15. Separately engage Indigenous and Venezuelan women and men community leaders, teachers, and local authorities in collaborative efforts to co-develop culturally and locally specific trafficking prevention initiatives.
16. Incentivize private enterprises and local/regional media to play a more active role in preventing trafficking, including reporting suspected cases, and raising awareness in business networks, including those of hotels, restaurants, bars, clubs, and roadside services for travelers and trucking staff.
17. Engage men and women leaders and community members in both in Indigenous and migrants' communities of origin as allies in trafficking prevention.
18. Support initiatives that seek to prevent GBV and trafficking revictimization and discourage demand that fuels trafficking for purposes of labor and sexual exploitation.
19. Support and strengthen women-led community-based organizations, networks, and movements working to address gender inequalities and respond to trafficking and GBV in their communities.
20. Facilitate cross-border learning and coordination among international NGOs and government officials to implement and scale up best practices in trafficking prevention in formal and informal border crossing areas.

I. BACKGROUND AND CASE STUDY METHODOLOGY

The United States Agency for International Development (USAID) is working to improve democracy, human rights, and governance (DRG) in the Latin America and Caribbean (LAC) region. The USAID LAC Bureau's Office for Regional Sustainable Development oversees the Latin America and Caribbean Learning and Rapid Response Task Order (LACLEARN). LACLEARN uses state-of-the-art, gender-informed analytical work, assessments, research, and special studies to build an evidence base for effective programming and contribute to sector learning in the region.

The LACLEARN Gender-Based Violence (GBV) Impunity Regional Study ("Regional Study") seeks to understand the structural drivers, inequalities, and discrimination that drive impunity for GBV in LAC from the perspective of GBV survivors. It further seeks to generate survivor-centered recommendations for USAID to promote accountability for GBV in the region. The Regional Study comprises eight country case studies and regional synthesis analyses, which investigate structural barriers, political economy contexts, and social norms that perpetuate or challenge GBV impunity. The eight case studies focus on diverse types of GBV and impunity that disproportionately affect historically underserved and structurally excluded communities in the LAC region. The study's inclusive approach offers grounded and actionable insights into the socioeconomic and political inequalities, injustices, and impunity, which diverse GBV survivors face to greater or lesser degrees based on often multiple, intersecting forms of discrimination against them. This report, focused on GBV impunity among women victims and survivors of human trafficking in Peru, is one of the eight country case study reports of the Regional Study.⁶

I.1 CASE STUDY OBJECTIVES

The overarching aim of the Peru case study was to examine GBV impunity that women victims and survivors of human trafficking experience in Peru. Employing a political economy analysis (PEA), the study centered on the perspectives of GBV and trafficking service providers (many of whom are also GBV and trafficking survivors), while identifying the social, economic, legal, and political barriers that hinder access to justice, restitution, and reparation. The case study analysis sheds light on the institutional changes needed to improve accountability mechanisms and reduce social acceptance and normalization of GBV in Peruvian society.

Specific objectives of the Peru case study included:

- 1 Diagnose the current state of GBV impunity and accountability for women GBV victims and survivors of trafficking in Peru;
- 2 Identify inclusive GBV survivor-centered and trauma-informed strategies for increasing accountability, promoting structural gender equality, and reducing impunity in Peru; and
- 3 Provide recommendations and related strategies for action to USAID to promote inclusive, survivor-centered GBV accountability into relevant laws, policies, public and CSO services, and prevention initiatives in Peru.

⁶ Note that this report uses the term "victim" to refer people who are currently in a situation of trafficking, and "survivor" to refer to people who have escaped or are otherwise free of trafficking. This acknowledges trafficking victims' legal status as crime victims while they are being trafficked.

I.2 KEY TERMS: “GBV” AND “IMPUNITY”

LACLEARN’s GBV Impunity Regional Study defines GBV according to the updated 2022 “United States Strategy to Prevent and Respond to GBV Globally”:

Figure 1: GBV definition, per the United States Strategy to Prevent and Respond to GBV Globally

Defining Gender-Based Violence

GBV is any harmful threat or act directed at an individual or group based on actual or perceived socially constructed norms around masculinity and femininity. Although individuals of all gender identities may experience GBV, women, girls, and gender non-conforming individuals face a disproportionate risk of GBV across every context due to their unequal status in society.

Drivers and Contexts

GBV is a human rights abuse, a form of discrimination, a manifestation of unequal power, and a public health crisis in the United States and globally. GBV is rooted in structural gender inequalities, patriarchy, and power imbalances. It has direct and indirect costs to individuals; families; communities; economies; global public health; development; and human, national, and regional security. GBV is a systemic global problem: it occurs in every country and level of society, it happens in public and private settings, including the home, work environments, transit, educational settings, and schools; criminal justice settings, including correctional facilities; the military and security sector; and digital and online spaces. Members of some populations face overlapping forms of discrimination that put them at an even higher risk of experiencing GBV, including indigenous peoples; historically marginalized racial and ethnic populations; religious minority populations; LGBTQI+ persons; persons with disabilities; older persons and widows; children and youth; low-wage and informal sector workers; migrants, refugees, and internally displaced peoples; and persons in fragile and conflict-affected states.

Types of Gender-based Violence

GBV is characterized by the use or threat of physical, psychological, sexual, economic, legal, political, social, and other forms of control, coercion, and/or violence. It can occur across the life course and is perpetrated by a diverse array of actors, including intimate partners; family members; persons in positions of power, authority, or trust; friends; acquaintances; or strangers. Types of GBV include: child, early, and forced marriage; child sexual abuse; female genital mutilation/cutting; gender-related killing of women and girls, including “femicide” and female infanticide; so-called “honor”-based violence, including acid attacks and killings; some forms of human trafficking; intimate partner violence, including domestic and dating violence; reproductive coercion, including forced sterilization; sexual exploitation and abuse; sexual harassment; stalking; all forms of sexual violence, including sexual coercion, conflict-related sexual violence, rape (including marital rape; so-called “corrective” rape related to actual or perceived sexual orientation, gender identity, or expression; and rape as a weapon of war), and forced or coerced physical examinations (including virginity testing); and all forms of technology-facilitated GBV, including gendered online harassment and abuse. Other types of violence that can be gender-based include: abandonment; bias-motivated violence or hate crimes; bullying; child abuse, including corporal punishment; elder abuse; and so-called “conversion” therapy practices.

Source: [United States Strategy to Prevent and Respond to Gender-based Violence Globally](#).

The Regional Study further provides diverse GBV survivors and service providers in the LAC region with an opportunity to express in their own words what GBV impunity and accountability mean to them. At its inception, the Regional Study methodology conceptualized impunity to concern widespread, structural social, economic, legal, and political lack of accountability for GBV. This lack of accountability includes, but is not limited to, formal judicial sector responses to GBV. The Regional Study conceptualizes impunity additionally to include the informal, everyday social acceptance and normalization of GBV against women victims and survivors of human trafficking in Peru. Government and societal accountability for GBV remains lacking in all sectors responsible for supporting survivors without discrimination and ensuring justice. These sectors include physical and mental health services, protection, legal aid, shelter, material and economic assistance, and other wraparound services that survivors often require before considering a costly and lengthy legal process.

I.3 RESEARCH METHODOLOGY

The Regional Study, including the Peru case study, uses a holistic approach that integrates intersectionality,⁷ gender, power, and political economy analytical lenses to investigate the issue of GBV impunity among women victims and survivors of human trafficking. This approach shares core elements with USAID's PEA framework, "Thinking and Working Politically through Applied Political Economy Analysis."⁸ Both USAID's PEA framework and the Regional Study country case studies analyze the foundational influences, current events, institutional frameworks, and dynamics between various actors to uncover the incentives and interests that contribute to a persistent outcome, such as GBV impunity.

By adopting an intersectional, gender, power, and political economy analytical approach, the Peru GBV impunity case study recognizes the complex interplay of various factors that contribute to GBV impunity among women victims and survivors of human trafficking in Peru. This approach helps to identify and address the root causes of the issue and promotes a more holistic and inclusive understanding of the problem. As such, the study's adaptation of PEA integrates an intersectional gender analysis. While the two approaches share similarities, there are also important and complementary distinctions between them:

*"PEA explores the political and economic processes in societies to provide an in-depth analysis of the power relations between groups. Gender analysis explores the power relations between men and women [girls, boys, gender diverse, and gender-non-conforming people], and often frames this as explicitly political [and economic]."*⁹

The study's methodological approach recognizes the agency and influence of diverse survivors themselves, in terms of human rights, improved democracy and governance, and participation in national development. The study also highlights the importance of institutional duty-bearers in addressing underlying socioeconomic, legal, and political barriers that contribute to impunity and promoting survivor-centered pathways to accountability.

⁷ See: Kapilashrami, Anuj. (2018). Intersectionality and why it matters to global health. *The Lancet* 391(10140): 2589-2591. [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(18\)31431-4/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(18)31431-4/fulltext).

⁸ Rocha Menocal, Alina., Cassidy, Marc., Swift, Sarah., Jacobstein, David., Rothblum, Corinne., and Tservil, Ilona. (2018). *Thinking and working politically through applied political economy analysis: A guide for practitioners*. United States Agency for International Development (USAID). <https://www.usaid.gov/sites/default/files/2022-05/PEA2018.pdf>.

⁹ Browne, Evie. (2014). *Gender in political economy analysis*. Governance and Social Development Resource Centre (GSDRC). <http://www.gsdrc.org/docs/open/hdq1071.pdf>. See also: Haider, Huma and Sumedh Rao (2010). *Political and social analysis for development policy and practice: An overview of five approaches*. Governance and Social Development Resource Centre (GSDRC). <https://gsdrc.org/wp-content/uploads/2015/07/EIRS10.pdf>.

The methodological approach further sheds light on, “how the political economy impacts men and women [and gender diverse people] differently, whether men and women are differentially able to access power—including patronage networks—influence institutions, and how gender dynamics contribute to or block change.”¹⁰ The analysis helps identify individuals, groups, organizations, and institutions that can drive change for improving accountability and promoting survivor-centered pathways to GBV protection, recovery support, judicial response, and prevention. The analysis also exposes the structural and social power hierarchies that contribute to maintaining gender inequalities and harmful norms that underpin and perpetuate GBV impunity.

Further, the case study methodology looks carefully at the access that GBV survivors have to protection and recovery support services and resources, and a judicial response. This includes examining the harmful or protective processes and outcomes of survivors’ engagements with health, social work, judiciary, law enforcement, education, and economic systems. The case study analysis further considers the impacts of national laws, policies, and informal gender norms on either facilitating impunity or promoting accountability. Applying this method, the case studies of the Regional Study identify grounded strategies for addressing GBV impunity in the LAC region and promoting accountability for survivors and greater gender equality in society.

For the Peru case study, secondary data sources include a review of publicly available public health and human rights statistics, police, judicial and health system data, peer-reviewed academic articles, as well as gray literature reports. The Peru case study is also based on qualitative, individual IDIs with 20 civil society and government service provider staff that work directly with women survivors of trafficking. Key themes from interviews are aggregated and reported, removing personally identifiable information in order to protect interview participants’ confidentiality and safety.

The emphasis throughout the Regional Study has been to interview survivors directly, with each case study aiming to achieve 10 interviews with survivors as part of its sample. However, for interview participants’ and researchers’ safety, the study’s ethics and safety protocol requires study teams to rely on contacting interview participants indirectly through intermediaries. This process allows survivors to engage the study of their own volition to participate in interviews, rather than being recruited directly. Ultimately, despite months of attempts to gain survivors’ participation in this way, no survivors from the focus population were willing to participate in the study. From conversations with intermediaries, we understand that survivors were often afraid that participation in the study might cause reprisals from their perpetrators and/or lead to their stigmatization. In some cases, it was simply too difficult and painful of an experience to talk about. In this context, a survivor-centered approach meant acknowledging and honoring survivors’ unwillingness to participate in the study.

Nonetheless, people who provide services to GBV survivors through CSOs or the government are highly familiar with their experiences, and it is possible that some may have survived GBV and/or trafficking themselves.

Please see Annex I of this report for further information about the study methodology and ethics and safety protocols.

¹⁰ Peterson, Spike V. (2005). How (the meaning of) gender matters in political economy. *New Political Economy* 10(4): 499-521. <https://www.tandfonline.com/doi/abs/10.1080/13563460500344468>.

I.4 REPORT STRUCTURE

The remainder of this report proceeds through four sections mapped to the case study objectives. The next two sections of the report present findings that diagnose the state of GBV impunity in Peru. The first describes the structural context of GBV impunity in Peru based on existing literature and statistics. The second characterizes survivors' understanding of impunity as described in interviews with service providers and illustrates structural inequalities that perpetuate GBV impunity, according to case study participants.

The penultimate section of the report outlines solutions that service providers who work closely with survivors identified for improving GBV accountability. Finally, the report concludes with recommended pathways to improving GBV accountability and strategic actions that USAID could implement to operationalize each of these pathways in Peru.

2. LITERATURE REVIEW AND STRUCTURAL CONTEXT

GBV impunity in the context of human trafficking is a pervasive and multi-faceted issue that intersects Peru's political, economic, legal, and social institutions. The true scope of human trafficking in Peru is constrained by the hidden and dynamic nature of the crime. Economic and political inequalities and historic exclusion and marginalization of Quechua and other Indigenous populations increase risks of sex and labor trafficking. This vulnerability is particularly acute for women and girls, in a society where gender and ethnic inequities in daily life normalize GBV. Collusion between actors associated with illegal extractive industries and police and other government actors contributes to a persistent state of impunity for human trafficking in Peru.¹¹ While anti-trafficking legal frameworks are in place, few cases are prosecuted, and centralized support services are inadequate to meet the needs of the largely hidden population of women in situations of human trafficking.

2.1 GBV AND HUMAN TRAFFICKING IN PERU

The high prevalence of GBV remains a cause of concern for public health and human rights in Peru. According to the latest Demographic and Family Health Survey in 2022, 55.7 percent of women aged 15 to 49 had experienced intimate partner violence (IPV) in their lifetime. Among women of Indigenous origins, the lifetime prevalence of IPV was 59.5 percent.¹² The number of femicides in Peru nearly doubled from 84 in 2015 to 141 in 2021.¹³ The Ministry of Women and Vulnerable Populations (MIMP) received 75 reports of femicide in just January to April of 2023.¹⁴

There is evidence of social norms and attitudes in Peru that undergird impunity for GBV and human trafficking. For example, in a 2019 survey, 32.2 percent of women in Peru considered a husband to be justified in hitting or beating his wife under certain circumstances (e.g., if a husband's wife burns food, argues with him, goes out without telling him, neglects the children, or refuses sex). These data also reveal gender inequitable attitudes about household responsibilities, where 36.3 percent of respondents agreed or strongly agreed that "when a mother works for pay, the children suffer." Women in Peru spend three times as much time as men on unpaid domestic work, care, and volunteer work in an average day.¹⁵

Official statistics from Peru's National Police and INEI reflect a steady increase in human trafficking over the last ten years. The number of reported cases of trafficking increased dramatically from 689 in 2012 to 1,528 in 2022.¹⁶ In 2023, the reported cases of trafficking doubled to 3,119.¹⁷ Available estimates

¹¹ The 2022 film, "La Pampa," which is based on the true story of a young woman from Iquitos, Loreto who was able to escape from her traffickers, is a clear illustration of this dynamic.

¹² Peru: *Demographic and Family Health Survey – ENDES 2022*. (2023). Instituto Nacional de Estadística e Informática. <https://www.gob.pe/en/institucion/inei/informes-publicaciones/4233597-peru-encuesta-demografica-y-de-salud-familiar-endes-2022>

¹³ Peru: *Feminicidio y Violencia Contra Mujeres Contra la Mujer 2015-2021*. (2022). Instituto Nacional de Estadística e Informática. <https://www.gob.pe/en/institucion/inei/noticias/683357-141-victimas-de-feminicidio-se-registraron-en-el-peru-durante-el-ano-2021>

¹⁴ Giardino, N. (2023, April 24). 'Vicious circle': Femicides in Peru reveal 'crisis' of violence. *Al Jazeera*. <https://www.aljazeera.com/news/2023/4/24/vicious-circle-femicides-in-peru-reveal-crisis-of-violence>

¹⁵ Gender, Institutions and Development Database (GID-DB) 2019. (n.d.). Retrieved November 27, 2023, from <https://stats.oecd.org/Index.aspx?DataSetCode=GIDDB2019>

¹⁶ Peru: *Estadísticas de Trata de Personas, 2012-2019*. (2019). and 2018-2022. Instituto Nacional de Estadística e Informática. https://www.inei.gob.pe/media/MenuRecursivo/boletines/boletin_trata_de_personas_4.pdf
<https://www.gob.pe/institucion/inei/informes-publicaciones/4554736-peru-estadisticas-de-trata-de-personas-2018-2022>

¹⁷ "No. 295: Trata de personas y criminalidad: se necesitan acciones urgentes." CHS Alternativo. January, 2024.

<https://chsalternativo.org/reportalternativo/2024/01/31/n295-trata-de-personas-y-criminalidad-se-necesitan-acciones-urgentes/>

under-report the scope and scale of trafficking, however, given that most trafficking survivors do not make formal police reports and many do not know where they can report safely.

Statistics from the National Police report that 85.3 percent of trafficking victims in 2022 were women. Among women victims of trafficking, 50.7 percent were between the ages of 18 and 29 and 36.6 percent were younger than 18. About two-thirds of women were trafficked under the guise of a job offer, and about half of trafficking cases resulted in sexual exploitation of the victim. Though trafficking occurs throughout Peru, it occurs most often in the Andean highlands and sparsely populated Amazonian regions of the country. These regions are often home to communities of Indigenous origin, ranging from 45 percent of the population in Huánuco to about 16 percent in Madre de Dios and Arequipa.¹⁸

2.2 INDIGENOUS WOMEN, VENEZUELAN MIGRANT WOMEN, AND HUMAN TRAFFICKING

Indigenous women and Venezuelan migrant women are among the populations most vulnerable to human trafficking in Peru. Illicit economic activities within extractive industries, such as illegal gold mining, and organized crime are key structural drivers for trafficking and sexual exploitation of Indigenous and Venezuelan migrant women.

2.2.1 Human trafficking of Indigenous women

Women from Indigenous groups are particularly vulnerable to human trafficking. Gender, economic, and social inequalities underlie this vulnerability. In 2019, 20 percent of Indigenous people lived in poverty, compared to 9.6 percent of the general population in Peru.^{19,20} This vulnerability persisted during the Coronavirus Disease 2019 (COVID-19) pandemic, where in 2020, the proportion of Indigenous people living in poverty rose to 32 percent, compared to 17 percent in the general population. Indigenous groups have lower literacy, on average, than the general population. For example, among Quechua, the largest Indigenous group in Peru, illiteracy is 11 percent compared to 5 percent in the general population. Indigenous groups also have less access to health insurance. For example, nearly 40 percent of people who identify as Aymara lack health insurance.²¹ Economic disparity drives much of the vulnerability for human trafficking among Indigenous communities. Limited options for education and employment, language barriers, and residence in remote areas with few services or opportunities together create conditions for exploitation of women and girls.

Human trafficking of Indigenous women and girls in Peru is increasingly associated with extractive industries. An anthropological study notes that the global increase in the price of gold has given rise to illegal mining in some areas of Peru, and consequently, fueled a market for sexual exploitation of women and girls.²² The sex market in Madre de Dios targets young people from rural Quechua-speaking areas. Other human trafficking corridors include the Amazonian jungle and oil and cocaine production areas of Peru. Hence, the entanglement of human trafficking with extractive industries, particularly illegal mining,

¹⁸ Peru: *Estadísticas de Trata de Personas, 2018-2022*. (2023). Instituto Nacional de Estadística e Informática. <https://cdn.www.gob.pe/uploads/document/file/5021482/>

¹⁹ Share of population living on less than 3.20 U.S. dollars per day in Peru from 2010 to 2020. *Statista*. Retrieved December 2, 2023, from <https://www.statista.com/statistics/788958/poverty-rate-peru/>

²⁰ Share of Indigenous population living in poverty in Peru from 2005 to 2021. *Statista*. Retrieved December 2, 2023, from <https://www.statista.com/statistics/1289352/share-Indigenous-population-living-poverty-peru/>

²¹ Peru: *Perfil Sociodemográfico Censos Nacionales 2017 XII de Población, VII de Vivienda, y III de Comunidades Indígenas*. (2018). https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib1539/libro.pdf

²² Barrantes, C., & Escalante, G. (2019). *Madre de Dios: La ruta del oro entre el cielo y el infierno*. Terre des Hommes Suisse Peru. <https://terredeshommesuisse.org.pe/publicaciones/protegidas-o-revictimizadas-2/>

amplifies the vulnerabilities faced by Indigenous women and girls in the Peruvian Amazon. As governmental services and law enforcement remain scarce in these regions, illicit activities and the associated economies swiftly establish a foothold. Unfortunately, this vacuum is exploited by traffickers who exploit the desperation and lack of opportunities, especially among Indigenous populations.

2.2.2 Human trafficking of Venezuelan migrant women

Venezuelan migrant women are also vulnerable to human trafficking in Peru. According to a UNHCR report, Venezuelan migrants represent approximately 10 percent of Lima's population.²³ The same report notes a substantial increase in the estimated numbers of Venezuelan migrant women who have experienced human trafficking in Peru, from 103 in 2021 to 153 in 2022. The most common type of trafficking among Venezuelan migrant women is sex trafficking (72 percent of cases), followed by labor trafficking (26 percent). This trafficking most often occurs when fraudulent job offers mislead women who are subsequently sexually exploited in night clubs, brothels, and domestic workplaces.²⁴

Law No. 30364, which addresses GBV within Peru's legal framework, was modified in 2022 to include violence against migrant women. However, an International Organization on Migration (IOM) report found that, in family police stations and Women's Emergency Centers (CEMs), law enforcement and service providers are not always aware that migrant women have the right to protection under the law and access to GBV survivor services. Officials responsible for primary care for GBV survivors are often unaware of the immigration status of Venezuelan migrant women. This leads to insufficient provision of information and services to women who are entitled to them by law.²⁵

2.2.3 The Tren de Aragua's role in sexual exploitation in Peru

The Tren de Aragua is a Venezuelan criminal organization originally formed by inmates in a Venezuelan prison. Since the election of President Nicolas Maduro in 2013 and in subsequent years as the Venezuelan economy collapsed, the Tren de Aragua expanded their activities outside of Venezuela for their own survival. Tren de Aragua is present in eight countries across LAC and is suspected to be present in the US.²⁶ In only a decade, it has become one of the most significant criminal entities in the region, engaged in more than 20 different types of criminal activities including extortion, drug trafficking, kidnapping, assassination, mercenary work, illegal mining, money laundering, and scams. More recently, they have increasingly engaged in human trafficking for sexual exploitation.²⁷ Taking advantage of the massive migration out of Venezuela, Tren de Aragua controls migrant and drug trafficking along the network of informal migration routes, or "trochas", with bordering countries. Exploiting migrants, the gang sells their services as 'travel agents' and 'guides' to migrants trying to reach the US. Once engaged, they forcibly traffic Venezuelan women into prostitution in Peru, Colombia, and Chile.

²³ *Tendencias Globales de Desplazamiento Forzado 2022*. (2023). United Nations High Commissioner for Refugees (ACNUR). <https://www.acnur.org/tendencias-globales-de-desplazamiento-forzado-en-2022>

²⁴ *Defensoría del Pueblo: Violencia basada en género contra mujeres migrantes en el Perú*. (2021). Defensoría del Pueblo. <https://www.defensoria.gob.pe/wp-content/uploads/2021/10/Informe-Violencia-contra-mujeres-migrantes.pdf>

²⁵ Miranda, María Eugenia. *Estudios migrantes sobre la situación de vulnerabilidad; vías y barreras para la protección, regularización y la intervención de víctimas de trata y sobrevivientes de violencia basada en género (VBG)*. (2023). International Organization for Migration (IOM). <https://respuestavenezolanos.iom.int/sites/g/files/tmzbd1526/files/documents/2023-03/Migrantes-vulnerables.pdf>

²⁶ Chávez Yacila, R., Cárdenas, A., Castilla, Ó., & Huamán, G. (2023, August 11). Tren de Aragua: Expansión y evolución de una megafraude del crimen en América Latina. *Ojo Público*. <https://ojo-publico.com/4749/tren-aragua-una-megafranquicia-del-crimen-america-latina>

²⁷ Rísquez, R., & Ocampo, P. L. M. (2023). *El Tren de Aragua: La banda que revolucionó el crimen organizado en América Latina*. Editorial Dahbar.

Peru is the first country where Tren de Aragua established operations outside of Venezuela. Police reports estimate that at least 2,000 women are exploited by 'Tren de Aragua' in Peru. Though the organization first expanded throughout ten different districts of Lima, they now also operate in at least nine other regions of the country. Women transported to Peru for sexual exploitation are given “loans” to cover the services of their transportation, which they must repay in daily installments. In addition to repaying their “loans,” women must pay fees to work in areas under the Tren de Aragua’s control, cover rent for the safe houses where they are detained, purchase food and other necessities, and incur fines for infractions. This situation creates an increasing and unpayable debt, perpetuating exploitation through intimidation, coercion, and physical and psychological violence.²⁸

2.3 LEGAL FRAMEWORK FOR HUMAN TRAFFICKING IN PERU

Peru’s penal code defines human trafficking as: “Whoever, through violence, threats or other forms of coercion, deprivation of liberty, fraud, deception, abuse of power or a situation of vulnerability, granting or receiving payments or any benefit, captures, transports, transfers, harbors, receives or retains another, in the territory of the republic or for their exit or entry from the country for purposes of exploitation.” The penal code establishes that those guilty of trafficking must be imprisoned for between eight and fifteen years.”²⁹ Peru’s legal and regulatory framework are aligned in their understanding that human trafficking in Peru encompasses four key steps: recruitment, transfer, reception, and exploitation.

Peru has several laws to prevent and punish human trafficking. The Law against Trafficking in Persons and the Illegal Smuggling of Migrants (Law No. 28950) is the main anti-trafficking legislation and has been amended at various times since its approval in 2007. Notable changes include Supreme Decree No. 001-2016-IN, which created the Multisectoral Commission of a permanent nature against Trafficking in Persons and the Smuggling of Migrants. In addition, Law No. 3114 redefined the crime of trafficking and exploitation of persons as a crime against human dignity.

The circumstances through which trafficking crimes occur are further clarified in the criminal code.³⁰ Specifically, the means through which trafficking of children occurs are irrelevant. There are no circumstances under which children can consent to exploitation.³¹ Adults cannot consent to exploitation if the perpetrator of the crime resorted to violence, threats or other forms of coercion as defined in the criminal code to recruit the adult for exploitation. The intent of trafficking is a crime, regardless of whether someone is successfully recruited for exploitation, and the means through which trafficking may occur do not impact its criminality.

In March 2019, Law No. 30925 was issued to strengthen implementation of temporary shelters for survivors of human trafficking and sexual exploitation. National plans for prevention of human trafficking

²⁸ Ardiles, A. (2023, July 26). Red criminal ‘Tren de Aragua’ se extiende de forma imparable en Perú: Ya están en 10 regiones. *El Comercio*. <https://elcomercio.pe/peru/red-criminal-tren-de-aragua-se-extiende-de-forma-imparable-en-peru-ya-estan-en-10-regiones-noticial/>

²⁹ See El Código Penal Peruano Título I-A Delitos Contra La Dignidad Humana (Capítulo I) here: <https://busquedas.elperuano.pe/dispositivo/NL/1939453-1>

³⁰ *Política Nacional frente a la Trata de Personas y sus formas de explotación al 2030*. (2021). Peru Ministerio del Interior. https://www.unodc.org/documents/human-trafficking/2021/Track4Tip/PNCTP_Version_amigable_56_paginas_FINAL_FEB.pdf.

³¹ See El Acuerdo Plenario 06-2019/ CJ-I 16 emitido por la Corte Suprema de Justicia de la República en el XI Pleno Jurisdiccional de las Salas Penales y Permanente, Transitoria y Especial here: <https://www.pj.gob.pe/wps/wcm/connect/81f9428049835a69a0faf49026c349a4/Acuerdo-Plenario-06-2019-CJ-I16+%28Problemas+concursoales+de+trata+y+explotaci%C3%B3n+sexual%29.pdf?MOD=AJPERES&CACHEID=81f9428049835a69a0faf49026c349a4>

include the 2016 Intersectoral Protocol for the Prevention and Prosecution of the Crime and the Protection, Care and Reintegration of Victims of Human Trafficking and the 2021 National Policy against Trafficking in Persons and its Forms of Exploitation. Although the government must report on the progress of the actions of the national and regional plans against trafficking, no such reporting has occurred to date.³²

While the legal and regulatory framework for preventing and punishing human trafficking in Peru is robust, previous studies have assessed that trafficking survivors have limited access to judicial and other services. A recent qualitative study of prosecutors working in Madre de Dios revealed that prosecutors must prioritize which of the full universe of trafficking cases to pursue, given insufficient resources for the scale of the issue and other constraints. This study found that prosecutors more often pursue cases involving minors or cases of explicit capture and exploitation. On the other hand, they less often pursue cases involving adults or cases where the capture and exploitation of the victim is less clear.³³

The study proposes multiple dynamics which may underlie these patterns. First, prosecutors have limited resources for operations to travel to remote areas where trafficking occurs, and so must constrain these resources to cases that are most likely to have a successful outcome. Second, prosecutors rely on local actors to reach victims, which can leak critical information about an eminent operation that puts prosecutors at risk and/or gives perpetrators the opportunity to evade capture along with victims. Third, given limited availability of services for survivors (e.g., access to shelter, medical care, and psychosocial support), prosecutors often prioritize minors based on an assumption that they are in most need of care. Finally, even when prosecutors themselves have the resources to pursue a case, they are dependent on other agencies that also lack sufficient resources to carry out functions that support prosecutions (e.g., psychosocial workers, medical examiners, local police).³⁴

All these dynamics incentivize the conscious or unconscious pursuit of a small number of cases with certain profiles of victims, leaving more complicated cases at risk of impunity. This reveals critical gaps which unacceptably disadvantage trafficking survivors' pursuit of accountability for GBV. These challenges can also lead to mistrust of the system when cases are reported but no perpetrator is identified or held sufficiently accountable for their crime.

³² Hidalgo, María Elena (2023, 23 September) Hace 6 años que el gobierno no informa de la lucha contra la trata. *La República*. <https://impreso.larepublica.pe/larepublica/impreso-archivo/larepublica-lima/23-09-2023>

³³ Tuesta, D. (2018). «Son prácticamente casos perdidos». *Trata de personas y respuesta judicial en Madre de Dios, Peru. Debates en Sociología*; Núm. 47 (2018): Estado en la Amazonía. <https://doi.org/10.18800/debatesensociologia.201802.003>

³⁴ Ibid.

3. DIAGNOSIS OF GBV IMPUNITY IN PERU

This section presents evidence from case study interviews with service providers to build upon findings from the literature review of the structural context of GBV, trafficking, and impunity in Peru. In these interviews, service providers shared their understandings of GBV, human rights, and impunity for human trafficking. They also shared their assessment of the structural inequalities that perpetuate impunity for GBV and human trafficking in Peru. Finally, they described the state of the currently available protection and recovery support services, judicial services, and prevention initiatives available in the country.

3.1 PARTICIPANTS' DEFINITIONS OF IMPUNITY FOR GBV AND HUMAN TRAFFICKING

Case study participants coalesced around two categories of impunity for survivors of GBV and human trafficking in Peru. First is the restriction of survivors' human rights following cases of GBV and trafficking. Second is the absence of justice when GBV and trafficking occurs. Speaking specifically about cases of human trafficking, CSO and government service providers raised how the sophistication, resources, and power of organized crime groups complicate efforts to pursue justice and guarantee victims' and survivors' rights.

3.1.1. Impunity as restrictions of victims' and survivors' rights and the absence of justice

When asked to define GBV and impunity in their own words, service providers frequently focused on the concept of violence constraining victims' and survivors' autonomy and human rights. In the quotes below, service providers summarize these rights as including the right to, "free development [as an] individual," "making decisions," and "having autonomy as an individual," among others. They view GBV as restricting these rights for women simply because of their gender.

"Gender-based violence is any infringement upon the right to the free development of individuals[...]. The significant circumstance is the lack of access to essential services that countries might provide. One of them is access to justice, better information about their rights, access to education, healthcare, and basic needs."

Quote 1: Government Service Provider

"Violence is any psychological or physical act perpetrated against women. It could be a shout or a psychological action that, for instance, does not allow us to do something that is our right, like, [...], making our own decisions, doing what we would typically be able to do, right?"

Quote 2: Government Service Provider

"Violence against women would be any act that disturbs a woman in her condition, as such [...] this could be economic, physical, psychological, or sexual violence, right? It is when, due to her condition as a woman, she is subjected to aggression."

Quote 3: Government Service Provider

“Gender-based violence, in my view precisely, is anything that inhibits someone from having that autonomy [...]. It is hindering the exercise of that fundamental right to live without violence and having autonomy over one's space, body, and future.”

Quote 4: Government Service Provider

When the trauma of GBV and trafficking robs women of these rights, one form of impunity is the lack of access to support that helps survivors overcome this trauma and have their rights restored. As a government service provider describes below, post-GBV care facilitates healing, recovery, and the restoration of autonomy that is lost when GBV occurs. From this perspective, promoting women's autonomy is an essential way to address GBV and impunity and promote gender equality and human rights. This perspective underscores the pivotal role of access to essential services in actively facilitating post-GBV care effectively. Addressing these structural deficiencies in the availability of post-GBV care services is essential in actively combatting GBV, including sex trafficking, comprehensively.

“That is why I was saying that sometimes, when discussing justice, we focus more on sanctioning the person, but we do not think about the victim, right? [...] In my opinion, the system in general does not provide adequate care for the victim in the [...] post-sanction stage.”

Quote 5: Government Service Provider

While some case study participants thus define impunity as the failure to restore human rights in this “post-sanction” stage, others focus more narrowly on the absence of justice as a form of impunity. As a CSO service provider explains below, women in Peru broadly do not believe that justice for GBV and trafficking is possible because they do not see perpetrators punished. There are abundant experiences where women report crimes and do not see an investigation move forward. Or, even if an investigation moves forward, perpetrators evade conviction or secure lenient sentences. Without faith in the judicial system, many women choose not to report in the first place, further perpetuating impunity.

“There are women who say, 'there is no justice for us, we do not believe in justice,' that is what we constantly hear. Whether in workshops, meetings, rallies, or fairs; this sense of lack of justice, of not having adequate responses to their demands, is [...] deeply felt by women.”

Quote 6: CSO Service Provider

The interviewees pointed out several manifestations of impunity, including obstacles encountered in case development, inadequate resources for investigations and monitoring, and sexist discrimination against trafficking survivors among judicial officials. These factors contribute to persistent stagnation of cases within the legal system, denying survivors the justice they seek.

“It is built during the investigation process, those that reach trial, or rather, there are two severe moments of impunity in the country: when they do not allow you to build the case, and when, [...] the judge dismisses some of your evidence due to being sexist.”

Quote 7: CSO Service Provider

3.1.2. Specific considerations for impunity in the context of trafficking

Interviews with service providers highlight a nuanced understanding of impunity within the context of human trafficking. The service providers emphasize the challenge of prosecuting criminal organizations involved in trafficking. These organizations, which have sophisticated strategies and immense resources to operate transnational trafficking schemes, primarily target and exploit vulnerable individuals at a severe disadvantage in terms of power and resources in efforts to seek justice.

“Impunity refers explicitly to the circumstance of not being able to access justice systems that prosecute those who act as a criminal organization committing this crime. [...] The difficulty lies in holding accountable [...] the individuals involved in international criminal organizations that are primarily subjecting and violating the integrity and rights of these female citizens.”

Quote 8: Government Service Provider

Traffickers constantly shift locations and adapt their operations, making it challenging for law enforcement to track and apprehend them. Survivors who decide to pursue justice frequently only know the aliases of their perpetrators. Even when survivors and law enforcement and judicial personnel are committed to prosecuting perpetrators, this seriously challenges the ability of the judicial and law enforcement systems prosecute cases that result in a conviction or court sentencing.

“[...] due to the dynamics of human trafficking, the actors are not present; they do not remain in one place. So, when they say, 'there's impunity,' it is not about the jurisdictional body experiencing impunity, but rather the traffickers move around. Today, they may be at Kilometer 118; tomorrow, they could be at Kilometer 120; they change their business names, introduce different actors, and how do you locate them? So, it is complex.”

Quote 9: Government Service Provider

“[...] you can point out that there is no sanction. When the crime is classified, when the parties are identified, which is what determines the jurisdiction, [then] there is a sanction. But when it is said: 'He trafficked a person', you do not know what he [looks] like, you only have an alias. You only have a characteristic and nothing else. Who do you sanction? You cannot sanction someone you do not know. Then the investigation continues by inquiries. But if the trafficker is not located, well, there is no way, right, to sanction someone who is not known. Then they have strategies to camouflage themselves. They have strategies to change names, strategies to hire [other traffickers]. I believe [...] that an important role must be played in the prevention stage [...] of human trafficking. Because if not, the crime will continue because it is a crime that is very dynamic in its commission.”

Quote 10: CSO Service Provider

One government service provider raised the important issue of the role of socioeconomic conditions in constraining survivors' access to justice and perpetuating impunity. In the quote below, the government service provider raises a situation where the judicial system “tolerates violence” because a survivor of trafficking is trafficked a second time after an initial rescue from a trafficking situation. However, from the service providers' perspective, this is simply a reflection of a socioeconomic context where an absence of viable livelihoods leaves someone vulnerable to exploitation.

“So, impunity comes with that denial of adequate access to justice. [...] Let us see what we would call this [...] tolerance, right? A tolerance towards violence, like ‘well, but last time they rescued her, and now she’s [being trafficked again by a separate group].’ Moreover, what has been offered to say, this time, to punish? What alternative has been offered to someone who had no resources and that was the only way they knew to be able to provide food for themselves and their children or family.”

Quote 11: Government Service Provider

Even in rare cases where all these barriers to justice could be surmounted (i.e., the perpetrator is known, there is sufficient evidence, resources, and patience for survivors to pursue a case, etc.), fear of reprisals from powerful trafficking organizations keeps many victims from reporting.

“Do you know in any case, from what they say, why they do not want to initiate legal proceedings? Even though they become aware [of their rights]. Because of the costs, economic costs, and reprisals. The social cost is relatively high if they start a legal process.”

Quote 12: CSO Service Provider

3.2 STRUCTURAL INEQUALITIES UNDERLYING IMPUNITY FOR GBV AND TRAFFICKING IN PERU

Structural inequalities underlie and perpetuate impunity for GBV and trafficking. Economic and social inequalities combine to create structural conditions of vulnerability that traffickers exploit to recruit young women. Unequal power dynamics and resources enable trafficking organizations to perpetuate impunity in the judicial system, despite the presence of a robust legal framework that criminalizes their activities. These inequalities apply throughout Peru but can be especially pronounced for Indigenous and migrant women. Different forms of discrimination and structural exclusion make these women particularly vulnerable to trafficking.

3.2.1 Economic inequalities

Metrics from the World Economic Forum’s Global Gender Gap Index and the UN Economic Commission for Latin America and the Caribbean’s statistical database (CEPAL) establish that there is notable gender-based economic inequality in Peru.^{35, 36} Women work less frequently, in lower productivity sectors, and for less money than men in Peru.

Table 1: Metrics of gender-based economic inequality in Peru

Indicator	Women	Men
Percent in formal labor force*	66%	82%
Percent professional and technical workers*	44%	56%
Estimated annual earned income per capita*	\$9,200	\$13,260
Percent of urban population employed in low productivity sectors†	69%	54%
Percent with no individual income†	39%	16%

*World Economic Forum, 2022; †CEPAL, 2023

³⁵ *The Global Gender Gap Report*. (2022). World Economic Forum. https://www3.weforum.org/docs/WEF_GGGR_2022.pdf

³⁶ National Socio-Demographic Profile: Peru—CEPALSTAT Statistic Database and Publications. (n.d.). Retrieved November 27, 2023, from <https://statistics.cepal.org/portal/cepalstat/national-profile.html?theme=I&country=col&lang=en>

Case study participants described how women, with systemically fewer and lower quality economic opportunities than men, can be pushed into contexts where they are vulnerable to trafficking in an effort to care for themselves and their families.

“It is mainly the economic factor that makes them decide to fall into these false job offers. Many of them come from large, disintegrated families. They say that since they have several brothers and sisters, they do not receive the support they would like from their parents. That is why they have to go out and look for work to earn money, so that they can support their mother or their brothers and sisters at home, buy things they need, and pay for their studies.”

Quote 13: Government Service Provider

Interview participants highlighted the profound impact of economic disparity on the choices women make regarding employment opportunities. Participants underscored the pivotal role of financial necessity, particularly within the context of fractured familial support structures. This further illuminates how economic vulnerability can drive individuals, especially women, to seek employment in contexts with elevated risks of exploitation.

“[...] we understand that human trafficking, according to global and national statistics, primarily affects women, girls, boys, and adolescents. We understand that trafficking is also an extreme form of GBV. We can relate it to this form precisely because traffickers use different mechanisms to exploit these situations of vulnerability, especially targeting women, girls, and adolescents, and integrate them into networks of sexual exploitation. [...] In fact, many times, many women who are being recruited for sexual exploitation are also exploited for labor; or transition from one form of exploitation to another.”

Quote 14: CSO Service Provider

“So, I consider that the core of the problem is definitely the families, the economic aspect, the lack, the violence, alcoholism, which is also very common among our victims, in their families, alcoholism and substance abuse.”

Quote 15: Government Service Provider

Insights from government and CSO service providers shed light on the intersectionality of GBV and human trafficking, emphasizing the predatory tactics that traffickers use to exploit vulnerabilities, particularly among marginalized groups. Participants emphasized a cyclical nature of exploitation, where women lured into sexual exploitation often find themselves entrapped in a continuum of abuse, that traffickers perpetuate as they capitalize on worsening vulnerabilities.

Service providers highlighted how socioeconomic disparities and limited educational opportunities exacerbate the vulnerabilities of youth in rural areas of the country, especially in Andean and Amazonian regions, to exploitation and trafficking.

“[...] especially the youth in 4th and 5th grades of high school. I have been able to provide training on trafficking in rural areas and areas outside of [location redacted]. They are very vulnerable to being recruited, and sometimes they do not return. [...] since they do not have many resources, they spend their vacations working in illegal mining. Or they go to Puerto [Maldonado] to do short-term jobs, they say, right? Some earn money needed by their families when they return to school. But they are unaware of where they are going and what they are doing.”

Quote 16: Government Service Provider

“So, in this sector, [trafficking] is much stronger because it often intertwines with the lack of economy or poverty, quickly making [youth] susceptible to being recruited by [traffickers]. The majority of them are individuals who still need to complete primary education. They have dropped out of school midway, generally because most come from this social stratum. So, the economic differentiation comes from there, and the ability to aspire to have, once they assume, for example, a certain amount of money, often changes their perspective on life.”

Quote 17: CSO Service Provider

In addressing Indigenous young people's vulnerabilities to trafficking, it's crucial to recognize intersecting dynamics of economic marginalization and limited education. The pull factors of short-term employment opportunities underline the need for comprehensive strategies to address root causes and provide education and economic alternatives.

3.2.2 Social inequalities

In Peru, the objectification of women as commodities for childcare, eldercare, household work, and sex facilitates sexual exploitation and trafficking. This social norm limits opportunities for women to pursue livelihoods with safe, paid work that could protect them against trafficking. Economic insecurity increases risks of labor and sexual exploitation, particularly among structurally excluded and underserved women, including those Indigenous or migrant in Peru. This normalization can extend to trafficking victims themselves, who may not immediately recognize the terms and conditions of their labor as exploitation.

The discrepancy between the proportion of men and women in the formal labor force in Peru cited in the previous section demonstrates how social and economic inequalities can interact to increase vulnerability to GBV and trafficking. Unpaid or poorly paid work related to childcare, eldercare, sick care, and other household work, has a significant relationship with trafficking in women in several respects. Most care work falls disproportionately on women, which can limit their participation in the formal labor market and contribute to their economic insecurity. This can increase women's efforts to seek economic opportunities outside their communities, where traffickers may exploit them. In this way, women working in the care economy may face precarious working conditions, low wages and lack of labor protection, being tricked or forced into situations of labor trafficking and sexual exploitation.

As a CSO service provider explains below, the undervaluation of women's work and economic contribution to the family unit is an essential issue tied to a longstanding social norm. This undervaluation reinforces the hierarchy between men and women, making invisible the contributions in the informal care economy that have culturally been assigned to women.

“There remains an extreme, deeply ingrained macho mentality, that is still a significant challenge difficult to overcome. I do not know if I should say that the relationship between a man and a woman should have more of a character of respect and equality. That kind of relationship is still very complicated to accept in the society. [...] There is still this taboo that [in the home,] a woman should do everything and the man should be [...] the head of the household and therefore should not involve himself much in household chores. [...] These ways of thinking in households remain an extreme challenge in this area, which does not even allow us to impart training; when we do, it is easier for them to understand it. Putting it into practice is even more complex because still, as I mentioned, I do not know; the sense of being macho has a lot to do with the very upbringing of a person in the home.”

Quote 18: CSO Service Provider

There were contrasting views from case study participants regarding the way that Peruvian society normalizes GBV and trafficking in rural areas of Peru. On one hand, government service providers interviewed (as exemplified in the quote below) believe that rural communities in Peru view sexual violence against young women as normal. On the other hand, CSO service providers believed that government service providers often unfairly stigmatized and discriminated against rural communities based on their beliefs. This stigmatization and discrimination led to exclusion of rural communities from key post-GBV protection and recovery services, in their view. In either interpretation, social inequalities compound the risks that young women in rural communities face of exposure to GBV and trafficking.

“For example, we also know many cases that come from rural areas. For them, it is standard, for instance, to match a thirteen-year-old girl with a twenty-one-year-old adult; why? Because for them, sexual violence does not exist; they do not say he abused her, but that he ‘had’ her, so he should take care of her upbringing and care even if she gets pregnant, whatever happens. So, it is the same cultural situation in which they live. Why? Because these small interventions involving information dissemination or awareness raising alone do not reach them. Everything should start from [within the formal] education [system].”

Quote 19: Government Service Provider

The societal normalization of GBV, including trafficking, can prevent victims from recognizing violence they have endured, hindering their likelihood of seeking out protection and recovery support, or judicial services. Moreover, normalized GBV can deter family and community members from taking preventive measures or supporting trafficked women and girls. As the service provider below elucidates, it is challenging to prevent or respond to GBV when victims do not recognize themselves as having experienced violence or exploitation.

“Well, I think the people who work in that area are sometimes unaware of human rights, so they are susceptible to having those rights affected. [...] many of them see themselves as part of it [trafficking]; they do not consider themselves victims.”

Quote 20: Government Service Provider

Trafficking victims and survivors sometimes face difficulties in recognizing exploitation due to blurred lines between employment and trafficking. Some trafficking victims can recognize certain forms of

exploitation, like longer work hours, without recognizing all the different forms of exploitation to which they are subjected. As the service provider below explains, it can be hard for people trafficked to areas with extractive industries—that are themselves subject to "slave-like" working conditions—to recognize their own working conditions as a form of exploitation. This underscores how socioeconomic factors exacerbate vulnerabilities to trafficking.

“[T]hese victims are not so clear on when there is a relationship of exploitation. In many cases, they can define it as employment, as a job where they are mistreated. In other words, they are aware of exploitation through longer work hours than should be. But it is not true that she has the knowledge to be able to make the contrasts [between labor and sex trafficking], because unfortunately the precarious markets of the regions where there is more trafficking, link with [extractive industries], which have almost slave-like working conditions.”

Quote 21: CSO Service Provider

Analysis of key themes in interviews with service providers further exposes intricate dynamics surrounding trafficking, inequitable social power relations, and GBV. Below, a CSO service provider highlights how victims, in attempting to escape exploitation, may paradoxically become complicit in perpetuating the system. The mention of both physical and psychological coercion underscores the multifaceted nature of victimization, where individuals are not only subjected to violence, but also manipulated into participating in their own exploitation.

“Yes, many times, besides the trajectory of victimization and revictimization, what also happens? Well, this is to further complicate the issue of trafficking, right, and how it fits into these situations of power and gender violence. [...] Many of the victims, afterwards, in order to escape this situation, are, let's say, they're already going through a process of coercion, physical and psychological intimidation, and so on. They have to somewhat buy into this system in which they live. Many times, they are later forced to recruit other women, whether they are contemporaries or younger, so that they become the victims and they can somewhat leave the exploitation system. But that's part of how the system continues to subsist in everyday life.”

Quote 22: CSO Service Provider

Participants' references to trafficked women recruiting other women as a means of exiting the exploitation system elucidates how trafficking networks sustain themselves through cycles of victimization and recruitment. This insight underscores the complex interplay of power dynamics and inequitable social norms, which not only render women and girls of lower status, vulnerable to exploitation, but also perpetuate the cycle of trafficking. This analysis highlights the need for comprehensive interventions that address not only the immediate protection and recovery support needs and rights of trafficking survivors, but also the underlying social inequalities and power structures that enable persistence of trafficking networks.

3.2.3 Legal and political inequalities

Case study participants expressed that, while Peru has robust laws and is party to international treaties addressing GBV and trafficking, these laws and treaties are not comprehensively or evenly applied. Frequently, asymmetry in the power and resources of perpetrators and survivors of trafficking prevents their comprehensive application. In other cases, even when survivor-centered judicial procedures are

permitted by law, time and resource constraints force their applications in ways that are damaging to survivors' wellbeing.

Though Peru's legal framework has clear procedures for trying and resolving cases of GBV and trafficking, the time and expense required to pursue these cases make them unrealistic for many victims and survivors to pursue. Especially for trafficking cases, organized crime groups and the government have asymmetrical resources to pursue their objectives in the judicial system. Perpetrators can afford a lengthy legal process with high quality lawyers and resources to build a robust defense. Meanwhile, while survivors have access to free legal representation from the Ministry of Justice and Human Rights (MINJUS), these public attorneys don't have access to the same resources as criminal organizations to build a case. Further, in case study participants' experience, public attorneys often deprioritize GBV and trafficking cases relative to other cases, whether due to excessive workloads or other reasons.³⁷ The time required for cases to move through the system often causes survivors to give up, or makes victims decide not to pursue a case in the first place.

“If I have to make an evaluation of the cases we have dealt with, whether or not they were able to achieve justice, very few are able to achieve the justice that corresponds to them. Because, the traffickers get their lawyers. They have their defense lawyers. [...] They can provide more evidence to defend themselves. Instead, what we see ourselves firsthand with government institutions is that they ensure laws are followed, indicating the provision of support at such a Health Center, but there is no thorough [judicial] follow-up.”

Quote 23: Government Service Provider

Below, a CSO service provider highlights how CSOs and NGOs must fill a gap in advocating for and representing survivors of trafficking in legal proceedings. With private lawyers unwilling to take these cases at affordable rates for survivors and insufficient public defense resources to adequately address cases, CSOs and NGOs are often the only resources available to survivors to pursue a judicial process.

“[...] outside of reporting, there is no management capability in cases. As in human rights, no group of lawyers in NGOs can participate in cases, win them, and continue for twenty years; that does not exist. I should say that the defense in these cases is public, and no private lawyers pursue these cases, meaning lawyers representing NGOs or civil society [are the only option available for survivors] to win these cases.”

Quote 24: CSO Service Provider

Below, a government service provider discusses an example of how the Peruvian legal framework allows for the use of survivor-centered Gesell Chambers for judicial proceedings yet compromises the facilities' ability to protect survivors in implementation. In doing so, judicial proceedings also compromise their ability to successfully prosecute perpetrators. Gesell Chambers provide survivors with a protective environment to give testimony in a comfortable, neutral space that removes some of the fear and intimidation of appearing in court. They do so by placing judicial personnel on the opposite side of a two-way mirror and facilitating their interaction with the survivor through a trained psychologist.³⁸

³⁷ See the description of the 2018 qualitative study of judicial responses to trafficking cases in Madre de Dios cited in section 2.3 for additional detail on this topic.

³⁸ ASJ *Advocates For Safe Places To Give Testimony*. (2016, October 26). Association for a More Just Society (ASJ). <https://www.asj-us.org/ajs-advocates-for-safe-places-to-give-testimony>

However, in the service provider’s experience, pressures to expedite the legal process lead to survivors testifying in a Gesell Chamber before they are emotionally ready to give full and accurate testimony. This lack of emotional safety for a survivor undergoing the Gesell Chamber process, and the resulting incomplete testimony, risks the judicial process’ ability to glean adequate evidence to secure a guilty verdict and court sentencing for the perpetrator.

“We know that investigations [...], have deadlines, and undoubtedly, as soon as the judge authorizes the Gesell Chamber, they undergo the Gesell Chamber process. They tell us, 'she is ready to undergo a Gesell Chamber session'. We only indicate [to the judge] that emotionally [the survivors] are more stable, but not necessarily at the level of readiness required for the investigation to provide their complete version, which they would need to achieve justice.”

Quote 25: Government Service Provider

The previous three quotes highlight an important tension in judicial proceedings for GBV and trafficking cases—on one hand, expediency is needed to avoid survivors’ giving up on the judicial process entirely. On the other hand, moving judicial proceedings along too quickly damages survivors’ emotional wellbeing and risks falling short of evidentiary standards to convict perpetrators. This underscores the need for a delicate balance between making judicial proceedings affordable and realistic for survivors to pursue, making them sufficiently thorough to convict perpetrators, and being sufficiently sensitive to survivors’ well-being throughout the investigative process. Achieving judicial outcomes in trafficking cases is a complex endeavor which requires adapting investigative procedures to ensure survivors’ voices are heard and their rights and safety are protected.

Aside from legal inequalities, there are also important political inequalities that create a structural context for GBV impunity in Peru. According to the 2022 World Gender Gap report, only 35% of legislators, senior officials, and managers in Peru are women.³⁹ As a government service provider describes below, changes in political leadership have important implications for protection services for victims of trafficking.

“When there is a change in a minister, specifically from the Ministry of Women, it also impacts the change of the executive directors of our institution and, consequently, the perspective of the work. Undoubtedly, there is an essence that continues: protecting our victims; however, concerning the execution of our budgets or the priority in some cases, it varies according to the perception of each authority.”

Quote 26: Government Service Provider

In a context of gender unequal social norms, gender unequal political participation and leadership can pose risks to GBV and trafficking survivors.

3.2.4. Structural inequalities particular to Indigenous and migrant women

The inequalities outlined in previous sections inform the experiences of impunity for GBV and trafficking for all people in Peru. In applying an intersectional lens, however, there are additional ways that structural inequalities that Indigenous and migrant women face compound their experiences of impunity.

³⁹ *The Global Gender Gap Report*. (2022). World Economic Forum. https://www3.weforum.org/docs/WEF_GGGR_2022.pdf

Indigenous women

CSO service providers provided insight into structural inequities that underlie the trafficking of Andean and Amazonian Indigenous women. These women face multiple intersecting forms of discrimination and marginalization stemming from economic, socio-cultural, political, and legal exclusion.

CSO service providers in Cusco underscored the pervasive economic inequality that perpetuates discrimination against women based on social status. Economic disparities not only shape unequal social relationships, but also contribute to the undervaluation of women in society.

“Unfortunately, in Cusco, this is closely related, right? According to social strata, there's a significant differentiation between a woman from a neighborhood and a woman from the city [...]. Unfortunately, in economic terms, it prevails. It continues to be, as they say, the determining factor for relationships and also for how a certain person should be treated. [...]. Economic inequality leads to a lot of discrimination and also to the undervaluation of women.”

Quote 27: CSO Service Provider

Structural racism and exclusion intersect with inequitable gender norms and social hierarchies to contribute to economic precarity and limited access to education, healthcare, and other basic services for Indigenous women and their communities. All these factors combine such that, as a CSO service provider states below, service providers view all Indigenous people as second-class citizens.

“[...] part of it is the issue that they are Indigenous or Quechua or Aymara or Matsigenkas, they are Asháninkas, right? The issue of seeing them as second-class individuals [leads to discrimination by CSO and government service providers]: 'Well, they are accustomed to those stigmas held against them', right?”

Quote 28: CSO Service Provider

Many Indigenous people who lack Spanish language skills are especially vulnerable to coercive tactics from traffickers that uproot them from their native communities for exploitation. Traffickers may further take advantage of the cultural practices and traditions of Indigenous communities to manipulate and recruit women. Lack of knowledge of their rights and exploitation of their cultural identity can be used against them. Linguistic and cultural differences can be significant barriers to seeking help or reporting trafficking situations.

In the example below, a government service provider highlights the vulnerability of Indigenous young women who are uprooted from their familiar surroundings and coerced into exploitative situations, including unpaid labor and violence. Indigenous women may internalize discrimination, including even an expectation to be abused and exploited, where societal practices normalize violence against them.

“In Puerto Maldonado [...] young women are deceived and brought from [...] peasant communities in the highlands. Sometimes, they do not speak much [...] Spanish; they speak Quechua. Moreover, they have roots in that area, in that place, and they are taken out of there with deceit, with lies. They are told they will work, for example, in a restaurant or as waitresses, so they come with that hope. However, no, it is not true; they deceive them and they do not pay them; even when they want to be paid their money, they are beaten.”

Quote 29: Government Service Provider

Migrant women

Venezuelan migrant women fleeing political and economic insecurity often struggle to find dignified and sufficiently compensated jobs in Peru. They often face discrimination based on their irregular immigration status and/or lack of identity documents. This discrimination combines with standard gender discrimination and lack of opportunities in formal labor markets in Peru to limit their economic prospects. This situation leaves them particularly vulnerable to GBV and trafficking, especially when their migration status limits their ability to seek protection, recovery support, and judicial services in Peru.

“Specifically, in terms of vulnerability and economic situation, that's what drives Venezuelan women specifically to migrate to Peruvian territory. They are 'taken up', that's the term used by criminal organizations, using deception, right? They are internationally transported, crossing all of Colombia, all of Ecuador, and irregularly entering Peruvian territory without a migration status that would enable them to have identity documentation. That's why we say they are 'ghosts.' They're not registered; they don't exist.”

Quote 30: Government Service provider

Migrant women often have suffered violence and exploitation during the migration journey, including instances of sexual violence and human trafficking. Additionally, they encounter greater barriers to access judicial services and protection based on their irregular migratory status and lack of identity documentation. They also often lack family support and social networks in Peru to help protect them from exploitation. Below, a CSO service provider underscores the multifaceted challenges that migrant women face, particularly concerning their vulnerabilities to violence, exploitation, and barriers to judicial processes. The service provider emphasizes the interconnectedness of these issues within the broader context of migration and informal economies.

“Due to their migrant status, it is already difficult [for migrant women] to integrate into the country's economy. We know that we live in a country where seventy percent of the job market is informal. So, the pre-existing conditions are already quite precarious and complex. Migrant women mostly come to join these informal economies, this informal economic system, and additionally, in much more precarious conditions because as migrants, they are offered even lower payments, subjected to scams, and may fall into human trafficking networks, right? [...] Also, [...] many times during the migration journey, they have already suffered or gone through situations of violence, fraud, or robberies [...]. They might have even been recruited along the way by trafficking networks to cross borders or received deceptive job offers, right? So, all of this is connected. It's all part of the issues that directly affect them as migrants.”

Quote 31: CSO Service Provider

3.3 CURRENT STATE OF PROTECTION AND RECOVERY SUPPORT SERVICES, JUDICIAL SERVICES, AND PREVENTION INITIATIVES

The prevalence and gendered aspects of labor and sex trafficking as forms of GBV and trafficking impunity are related in part to the availability and quality of services which prevent and respond to these crimes. In this section, we outline the current state of these services in Peru, especially as relevant to human trafficking. Across protection and recovery support services, judicial services, and prevention initiatives, case study participants report gaps between the existing legal and regulatory framework for comprehensive support to at-risk and actual survivors of GBV, including trafficking, and survivors' experiences of services received.

3.3.1 Protection and recovery support services

According to the service providers who participated in this case study, there is an insufficient, yet improving, set of protection and recovery support services available to survivors of trafficking who are minors. However, there are serious shortcomings in the coverage and quality of protection and recovery support services available to adults, who comprise nearly two-thirds of trafficking victims. CSO service providers have described promising examples of protection and recovery support services that could serve as a model to improve government services.

The MIMP, through its National Program for Family Wellbeing (also known as the Aurora National Program), provides shelter for minors in regions with high human trafficking rates. However, there are no government programs to support women trafficking survivors who may leave these regions in need of psychological and economic assistance. Despite a legal mandate in Peru provided through Law 30364, the creation of shelters for survivors of violence remains insufficient.⁴⁰ Further, as two government service providers describe below, there are no government services available to adults for referral to shelters or safe houses, psychological support, or locating close relatives after escaping trafficking. This lack of post-trafficking care services, in the view of some service providers, is a contributing factor to the cycle of revictimization wherein some trafficking survivors become traffickers, themselves.

⁴⁰ Valdez Carrasco, B. (2019). *Supervisión a los hogares de refugio temporal para mujeres víctimas de violencia*. Defensoría del Pueblo. <https://www.defensoria.gob.pe/deunavezportodas/wp-content/uploads/2019/08/Supervisi%C3%B3n-Hogares-de-Refugio-Temporal-2019-Defensor%C3%ADa-del-Pueblo.pdf>

“No institutions support all of this [shelter, psychosocial support, or locating close relatives], so it is about doing what we can and what is within our reach. Sometimes, we also seek support from other institutions or other people. Sometimes, it is about finding a way for the person to seek a quicker or more immediate solution to a problem I have, right?”

Quote 32: Government Service Provider

"No, [about any services for survivors] specifically no, I am unaware, as an institution, no, I am unaware of institutions [that provide these services]. It is the most severe problem, the problem where the daily frustration of public institutions lies. We always say, 'what next? What do we do?' and there is no answer, there is no answer there. Moreover, what I perceive, that is also seen on the coast, in the mountains, throughout Peru, there is no response... I mean a successful experience; I have yet to hear of a single successful experience."

Quote 33: Government Service Provider

A recent report from the government comptroller's office highlighted negligence in Women's Emergency Centers, with 30 cases of violence against women leading to femicides in five regions from 2021-2022.⁴¹ The report criticized the Aurora National Program's services, which also include dedicated rural assistance services, urgent care services, and financial assistance for loved ones of femicide victims, for not being evidence-based and failing to effectively protect survivors. The critique was based on evidence from the Ombudsman's Office in 2019, which reported on monitoring of over 300 of these Women's Emergency Centers nationwide. Deficiencies noted included inadequate space, lack of privacy, gender bias in teams, and inefficient delivery of post-GBV care services.⁴²

Civil society service providers interviewed for this study described how, in their experience, survivors are made to personally appear at community mental health centers and recount the events experienced before, during, and after the trafficking process to receive care. This situation results in many victims and survivors not going to the centers or seeking professional help from government entities. Service providers also described, as in the example below, how a lack of coordination between different services limits their effectiveness in protecting survivors and supporting their recovery.

“That is part of what we receive as feedback from the [shelter] operators themselves; there is no communication between the Prosecutor's Office, the Special Protection Directorate, and the Shelter; no, there is none.”

Quote 34: CSO Service Provider

While there are concerning shortcomings in the coverage and quality of government protection and recovery services following cases of GBV and trafficking, there are CSOs that provide these services. For example, Capital Humano y Social (CHS) Alternativo, a CSO with over 20 years of experience working to protect the human rights of people vulnerable to trafficking and exploitation, has a Legal and

⁴¹ Purizaca, G. (2023, September 9). Casi 30 casos de violencia contra la mujer terminaron en feminicidios por negligencia de los CEM en 5 regiones. *La República*. <https://data.larepublica.pe/genero/2023/09/10/violencia-contra-la-mujer-casi-30-casos-terminaron-en-feminicidios-por-negligencia-de-los-cem-en-5-regiones-ministerio-de-la-mujer-programa-nacional-aurora-367173>

⁴² *Reporte de la primera supervisión de los centros emergencia mujer mayo/junio 2019*. (2019). Defensoría del Pueblo. <https://www.defensoria.gob.pe/wp-content/uploads/2019/12/Supervision-CEM-Mayo-2019.pdf>

Psychosocial Care Center (*Centro de Atención y Orientación Legal y Psicosocial*, or CALP) that provides direct post-GBV and trafficking psychosocial care services, including initiatives to support employability and entrepreneurship. CHS Alternativo, which has offices in Lima, Iquitos, Cusco, and Puerto Maldonado, also offers technical assistance and capacity building to support government service providers.

A 2020 performance evaluation of a USAID program implemented by CHS Alternativo to address trafficking in persons in the Amazon found that the CALP represented a “unique care model in the country, given that the government services for victims of trafficking are in early stages of development.” It further found that CHS Alternativo enhanced the capacity of government staff in specialized Residential Care Centers to provide protection and recovery support services for survivors of human trafficking. However, the evaluation called into question the sustainability of the CALP, given that it is the “only pertinent service that accompanies victims in their empowerment process to produce a healthy family reunion and reintegration.”⁴³

One perceived shortcoming in protection and recovery services according to government and civil society service providers alike is a lack of inter-regional coordination. Institutional actors have anti-trafficking plans that allow for coordination between public institutions and civil society. In Lima and in the interior of the country, particularly in the departments where the rates of human trafficking are high (for example, Loreto, Madre de Dios, Cusco, and Piura), institutional networks or regional and local anti-trafficking roundtables have been formed with the participation of representatives of the regional government, regional labor directorates, national police, specialized prosecutors, family courts, MIMP, and NGOs that deal with these issues.

However, service providers perceive that these roundtables treat human trafficking as a situation subject to the technical and financial capabilities of each region, rather than a continuous phenomenon which crosses regional boundaries. There is not currently an integrated territorial strategy with a budget that enables efficient work and meets the differentiated needs of each region.

“Initially, we intended to collaborate more closely with [municipality redacted]. [...] The context could have been more favorable, too, but in the end, we did not manage to finalize this with them. Also, when we sought these collaboration spaces, they had approved the creation of the District Commission against Human Trafficking and the District Instance for Concertation for the Prevention, Sanction, And Eradication of Violence Against Women and Members of the Family Group. However, they never activated it, and we have been behind them, suggesting or instead hoping they activate it; that this is the space where we could indeed pursue this. However, to this day, they have not activated those spaces.”

Quote 35: CSO Service Provider

Government service providers described enthusiasm about the potential of updated protocols and guidelines for addressing human trafficking to improve the quality of government protection services for minors. However, none mentioned improvements on the horizon for protection services for adults.

⁴³ Rotondo, E. L., Vega Segoin, L., & Guevara, S. (2020). *Mid-Term Evaluation of “Human Trafficking in the Peruvian Amazon.”* United States Agency for International Development (USAID). https://pdf.usaid.gov/pdf_docs/PA00X1N9.pdf

“I worked at a shelter in the Women's Emergency Center in [location redacted] in 2015, and at that time, there was still no joint care protocol in cases of human trafficking, and the roles were not clear... When a minor who had been liberated came, all the institutions would show up—the Public Ministry, Police, Prosecutor's Office—everyone wanted to conduct the interview. Instead of helping, we ended up re-victimizing her, because she had to tell her story all over again. There was a sense of disorder and uncertainty about our roles and what was most prudent. Subsequently, a protocol was established, and now, with that protocol, the Women's Emergency Centers, where there are no UDAVIT (Units for Victims of Trafficking in Persons), get explicitly involved.”

Quote 36: Government Service Provider

“Now, we also have protocols, and recently, the latest protocol has been issued, which is the intra-sectoral one to oversee the entire protection system solely for victims of trafficking. It establishes the roles of each institution and the care pathway and, in a way, makes a difference in the care provided to Peruvian and foreign adolescent victims. Undoubtedly, the treatment along the way is different concerning the legal situation because, in most cases, foreigners return, and there is a need to carry out a repatriation process to their countries of origin, according to the studies conducted in each case.”

Quote 37: Government Service Provider

The above two interview quotes highlight the evolution of care protocols for victims of human trafficking, particularly in the context of governmental services. In the first quote, the interviewee recalls a time when there was a lack of coordination and clarity among institutions involved in victim care, leading to re-victimization and confusion about roles. However, with the establishment of protocols, including intra-sectoral ones, the second quote demonstrates potential improvement in providing systematic care for both local and foreign victims, through emphasizing clear roles and pathways for assistance, including repatriation processes when necessary.

3.3.2 Judicial services

From analysis of available documentary evidence and interview transcripts, it becomes clear that critical gaps in access to justice persist in Peru, impeding victims and survivors from seeking legal recourse. Many victims and survivors choose not to report trafficking cases, whether because they lack legal accompaniment, fear reprisals from perpetrators, normalize their experiences, or lack time and resources. Despite dedicated efforts and a robust legal framework to respond to trafficking, cases that survivors do report rarely result in the prosecution and sentencing of perpetrators, or in civil reparations for survivors.

Through the MIMP, Peru offers a variety of services aimed to support victims and survivors with reporting incidents of violence and exploitation and seeking legal advice and accompaniment. These services include fixed and mobile Rural Assistance Centers, Urgent Care Service units, Women's

Emergency Centers, and confidential telephone and online hotlines.⁴⁴ Nonetheless, trafficking victims rarely report to police.

Two common reasons victims choose not to report include fear and intimidation by traffickers and victims' normalization of their situation of exploitation. Another factor that disincentivizes victims and survivors from reporting is the time and cost. As a service provider describes below, victims weigh whether they can accommodate the cost of and time of traveling to a Women's Emergency Center to file a complaint. As the service provider implies, a far larger cost to consider is whether victims and survivors can accommodate losing the financial support of their aggressors when they report to police. All these factors reduce reports and hinder possible prosecutions of perpetrators.

“In case any of them did go to file a complaint, whether they were referred to a CEM (Center for Women's Comprehensive Care), or rather, referred to a Prosecutor's Office and are in contact with a CEM, the mere fact that they have to travel to go to a CEM, for example, if it is about half an hour away, generates an economic expense that they have to cover themselves. Moreover, [...] there are a large number of women who are financially dependent on their aggressors, right? So, there are many limitations.”

Quote 38: CSO Service Provider

In cases where survivors do choose to report trafficking or GBV, case study participants corroborate findings from literature that survivors are rarely able to advance reports through a judicial process on their own. While the Peruvian legal framework in theory guarantees judicial services for trafficking victims, including by availing them of free public attorneys, in practice the cases that proceed to being investigated and tried in court are those where survivors have legal accompaniment services. Though these services are available through the MIMP, CSO service providers have found that additional assistance is required from civil society for women to successfully access legal accompaniment.

“They access a portion of justice. They access it because they can go to the police, to a service at the Center for Women's Emergency Care in some cases, or to assistance from DEMUNA (Municipal Office for the Comprehensive Development of Women and Children), but the processes end there, right? Some cases can follow through the legal pathway when someone accompanies or supervises them. However, if no one is overseeing that process, it stops there. Many of the complaints [we have handled] involving girls whose rights have been violated, would have ended there if we had not supported another one of their processes.”

Quote 39: CSO Service Provider

Despite dedicated effort and a robust legal framework, very few perpetrators of trafficking are investigated or sentenced, even when they are reported. While Peru's national statistics institute estimates there are thousands of reported trafficking cases per year, the National Penitentiary Institute (INPE) reported that as of December 2022, only 451 perpetrators are imprisoned for human trafficking. Of these, 179 were being prosecuted, while 272 had been sentenced.⁴⁵ A recent study revealed gender

⁴⁴ See a summary of these services on MIMP's website: <https://www.gob.pe/479-servicios-para-atender-casos-de-violencia-contra-las-mujeres-e-integrantes-del-grupo-familiar>

⁴⁵ *El 63,2% de las denuncias de Trata de Personas es por explotación sexual.* (2023, September 23). Instituto Nacional de Estadística e Informática (INEI). <https://www.gob.pe/institucion/inei/noticias/839072-el-63-2-de-las-denuncias-de-trata-de-personas-es-por-explotacion-sexual>

stereotypes that disadvantaged survivors in seven judicial rulings on trafficking. The study specifically outlined how notions of the "ideal victim," credibility of rape testimony, and gender roles influenced the rulings.⁴⁶

A final perceived shortcoming in government judicial services is insufficient reparations for survivors whose cases are tried in court. Very few cases receive civil reparations, and those that do are rarely sufficient to extricate survivors from the socioeconomic hardship that made them vulnerable to GBV and trafficking in the first place.

“All of them feel very disappointed in civil reparations because, in many cases, perpetrators are sentenced, they are to be confined, and yet they simply do not pay the civil reparations. Economically, there is no way; many of the aggressors do not even have assets to seize.”

Quote 40: Government Service Provider

3.3.3 Prevention initiatives

There are a variety of prevention initiatives currently operating in Peru from government, civil society, and international non-governmental organizations alike. However, case study participants feel that these initiatives’ effectiveness is blunted by insufficient funding and coordination. As with protection and recovery support and judicial services, there is a gap between the robust legal and regulatory framework for preventing GBV and trafficking and the reality of services provided.

MIMP offers a variety of services to prevent GBV and trafficking under the auspices of the Aurora National Program. These are summarized in the table below. The MIMP offers other services more focused on protection and recovery support and legal assistance after GBV occurs, described in previous sections of this report. It is important to note that these services, while focused more on response than prevention, can also contribute to prevention by giving survivors an opportunity to extricate themselves from situations where revictimization can occur. However, as previously discussed, GBV and trafficking response services from the Aurora National Program have been criticized as not being evidence-based, efficient, or effective to date. As with protection and recovery support and judicial services offered by the Aurora National Program, case study participants described these prevention initiatives as inadequate to fulfill their mandate.

Table 2: Summary of Existing, Limited MIMP Prevention Services

Service Name	Summary
<i>Centers for Institutional Assistance (CAI)</i>	Educates men who are sentenced or prosecuted for perpetrating GBV about more gender-equal beliefs and perceptions about women. There are six CAIs across five departments in Peru.
<i>Women’s Emergency Centers (CEM)</i>	In addition to a set of GBV protection and recovery support services, CEMs also carry out awareness raising activities in schools, community centers, and strategic areas concerning GBV and human trafficking. There are at least 430 CEMs throughout Peru, many of which are open 24 hours per day.

⁴⁶ *Estereotipos de género en la Corte Suprema de Justicia de la República del Perú: Un análisis jurídico de siete decisiones judiciales en materia de trata de personas.* (2022). Promsex. <https://promsex.org/publicaciones/estereotipos-de-genero-en-la-corte-suprema-de-justicia-de-la-republica-del-peru-un-analisis-juridico-de-siete-decisiones-judiciales-en-materia-de-trata-de-personas/>

Service Name	Summary
Rural Assistance Services (SAR)	Fixed and mobile assistance teams implement initiatives to prevent violence in rural areas and among Indigenous people. Teams also offer services to support protection and access to justice in these areas. There are 62 SAR teams operating across 271 communities in 48 provinces spanning 23 regions in Peru.
Línea 100 and Línea 1818	Toll-free, 24/7 hotlines that provide referral services, guidance, counseling, and emotional support to people affected by or desiring to report violence and trafficking. Services available in Quechua, Aymara, and Spanish. Línea 100 routes to MIMP, whereas Línea 1818 routes to the Central Unit for Reporting within the Ministry of the Interior.
Chat 100	Confidential, 24/7 online service where specialized professionals provide referral services and psychological support to identify situations at risk of intimate partner violence. Also provides support to promote more positive masculinities.

As described on MIMP's website: <https://www.gob.pe/479-servicios-para-atender-casos-de-violencia-contra-las-mujeres-e-integrantes-del-grupo-familiar>

One significant constraint to all these services is a limited budget. According to a CHS Alternativo report, the Peruvian State's efforts have been insufficient, with the allocated budget to combat trafficking in persons reduced from 11 million soles in 2015 to 4 million soles in 2021, representing only 0.008 percent and 0.002 percent of the annual budget, respectively. This translates to an investment of 0.012 soles per person.⁴⁷ Below, a government service provider describes the effect of this inadequate resourcing on government prevention initiatives and the ways that more resources could support their work to be more effective.

“Definitely, over time, it is necessary to have more resources available. However, there is always a need for additional support to strengthen the inter-institutional actions carried out by the Public Ministry in coordination with other ministries [...] aiming to minimize the actions of international criminal organizations dedicated to this crime, right? There needs to be more personnel and vehicles that would allow proper transportation of personnel to different locations where operations occur. Perhaps more specialization in various areas related to crime prevention and victim safety, right? Networks within the Ministry of Women that would enable adequate support with multidisciplinary teams, especially psychologists and social workers, and why not more lawyers as well, so that we can adequately safeguard their involvement in investigations and provide information on their rights for their participation in investigations.”

Quote 41: Government Service Provider

Peru has a diverse set of communication campaigns and other initiatives meant to prevent human trafficking and GBV, often implemented in education institutions in rural parts of the country by collaborative efforts between public institutions, civil society, and community groups. Notable examples

⁴⁷ El Estado solo invierte s/ 0,12 por ciudadano para protegerlo de la trata de personas. (2022, September 29). Defensoría del Pueblo. <https://www.defensoria.gob.pe/el-estado-solo-invierte-s-012-por-ciudadano-o-para-protegerla-o-de-la-trata-de-personas/>

include initiatives such as "No clients, no trafficking,"⁴⁸ "The Blue Heart,"⁴⁹ "No more invisible women,"⁵⁰ and "Love me without violence."⁵¹ While case study participants value these initiatives, and some have demonstrated evidence of effectively preventing trafficking and violence in their target populations, case study participants assert that these campaigns lack sustainable support. Coordination between governmental institutions and CSOs occurs through national and regional anti-trafficking roundtables but lacks consistent funding and implementation.

International organizations and CSOs have implemented protective measures with the aim to prevent revictimization. These include on-site care and guidance services like Points of Attention and Orientation (PAO), which offer access to information about rights, migration regularization, and protection services for migrants and refugees, with both prevention and protection aims with these populations. Additionally, efforts by organizations such as the International Organization for Migration (IOM) involve capacity building for officials who offer specialized awareness raising campaigns to combat harmful gender stereotypes that normalize GBV and gender inequality, and community-level interventions through PAOs. These interventions aim to bring prevention and protection services closer to those in need and assist various vulnerable groups, including unattended children, trafficking survivors, and migrants.

⁴⁸ See, for example, this YouTube video from the Peruvian Trafficking Prevention Project:

<https://www.youtube.com/watch?v=ruNCstC7qN0>

⁴⁹ From the National Prosecutor's Office (Ministerio Público para la Fiscalía Nacional), as described on their website:

<https://www.gob.pe/25489-campana-corazon-azul>

⁵⁰ From the Consortium for Social and Economic Research (CIES) and Promsex, as described on CIES' website:

<https://cies.org.pe/proyecto/proyecto-no-mas-mujeres-invisibles/>

⁵¹ As described and evaluated in Anastacio, S. Y. V. (2023). "Ámame sin lastimarme", violencia en relaciones de enamoramiento de adolescentes. *Revista Científica Emprendimiento Científico Tecnológico*, 4, Article 4.

<https://revista.ectperu.org.pe/index.php/ect/article/view/131>

4. SOLUTIONS TO ADDRESS IMPUNITY FOR GBV AND TRAFFICKING IN PERU

Participants in the Peru Case Study, which consisted of interviews with CSO and government service providers, largely viewed closing gaps in the quality and coverage of services to victims and survivors of trafficking and GBV as pathways to accountability. The most salient pathways to accountability according to case study participants were improving judicial outcomes in trafficking cases, increasing budget allocations and coordination for trafficking care and prevention services, and enhancing the degree to which trafficking care and prevention services respect survivors' choices, rights, and dignity.

For many service providers, the most pressing pathway to accountability is improving judicial outcomes such that more victims and survivors report, more perpetrators are convicted, and more survivors receive adequate reparations. Throughout this process, service providers emphasize the need to improve the degree to which judicial services are survivor-centered, prioritizing the rights and wellbeing of survivors at each stage. From service providers' perspective, addressing the inadequate convictions of human traffickers requires acknowledging the skill and resources trafficking organizations have that enable them to exploit loopholes in the legal process. Training law enforcement officers and strengthening evidence collection and prosecution processes is paramount to hold traffickers accountable and eradicate the culture of impunity.

“When discussing impunity, we see the legal aspect where the aggressor is not penalized; it happens. That could be due to several factors. There may be legal loopholes and inadequate training of police officers, leading to weak reports, evidence collection, and testimonies. Consequently, when the entire case file reaches the Prosecutor's Office during the investigation, several flaws could be improved upon with sufficient evidence. These traffickers have outstanding lawyers who are aware of these loopholes in the system, so they walk free.”

Quote 42: Government Service Provider

Aside from convicting more perpetrators, service providers also assert that a key pathway to accountability through the judicial process is revamping civil reparations processes to ensure adequate compensation for survivors and exploring avenues for enforcement, including asset seizure from traffickers. Service providers conveyed that, in a more accountable system, there would be specialized roles within institutions to provide personalized attention and facilitate follow-up support beyond legal proceedings to survivors receiving civil reparations. In the absence of these measures, survivors are vulnerable to reprisals by trafficking organizations and/or to returning to situations of exploitation for lack of alternative livelihoods.

A second consistent theme across interviews with government and CSO service providers was the need to increase budget allocations to trafficking and GBV prevention and response programs. This means resourcing government programs with the personnel, vehicles, and specialized training required to implement their legal and policy mandates. It also means allocating resources to monitor and evaluate the extent to which the implementation of prevention, protection and recovery support, and judicial services fulfill legal and policy mandates and take corrective action where gaps exist. In the quotes below, service providers describe how they feel they understand their institutional role but cannot fulfill it at the current level of funding.

“...From there, it is fundamental, for example, to perceive how much progress has been made in caring for these children and how much is still lacking. Even though the State makes much effort, there is still a need to strengthen these spaces. Because if I tell you about the budget allocated by the Peruvian State for care, in the specific case, for example, of trafficking victims, it is only 0.2 cents per person.”

Quote 43: CSO Service Provider

“For human trafficking, uh-huh, the other institutions said the same thing; we work within our means, within our budget, we cannot do more than that. They refer again to the budget because of sensitizing the institutions about their role and functions; I believe we have already reached it, which is already understood. It is understood, but the other aspects of the budgetary situation that are lacking are not provided.”

Quote 44: Government Service Provider

Alongside increasing budget allocations to GBV and trafficking prevention and response programs, service providers also feel it is essential to enhance coordination between institutions that provide these services to improve their quality at the point of care. Building upon recently established management protocols, efforts should focus on strengthening coordination within and between sectors. Protocols and guidelines, especially regarding human trafficking, should be reinforced to clarify roles, streamline care pathways, and fortify protection systems, particularly for adolescent and young women victims from Indigenous and migrant backgrounds. For judicial services, service providers feel it is important to establish networks within the MIMP to support multidisciplinary teams and enhance their involvement in investigations.

Service providers' visions for accountability center survivors with decision-making power, voice, improved access to services that guarantee their rights, facilitate their wellbeing, respect their choices, and treat them with dignity. A united and accountable front should be evident to trafficking and other GBV survivors through receiving comprehensive support, including guaranteed rights to report, freedom from police revictimization, and economic recovery resources and social support networks. Simplifying procedures and providing necessary assistance will help increase survivors' access to justice. Service providers, as summarized in the quote below, consider that Peru must solve the foundational issue that traffickers can coerce people with offers of an improved livelihood relative to the minimum livelihood available to most people in Peru. An accountable system would be one where people live well enough in the first place to avoid falling into or returning to situations of exploitation.

“... That reintegration axis is not functioning because when they leave, or the process ends, many of them return to their place of origin and family, and they do not find other alternatives to move forward or pursue their life projects. They are not offered job opportunities according to their needs or supported in academic or educational matters, right? The offers made by traffickers exceed the minimum living standards provided by the State. The victim reintegration phase in this crime is not being addressed.”

Quote 45: Government Service Provider

To achieve this vision, service providers consider that it is vital to enhance the accessibility of support services such as emergency care centers and legal assistance. They further consider that financial

barriers should be removed or minimized, particularly for financially dependent survivors, and oversight mechanisms should ensure continuous support throughout the legal process.

Although many service providers focused their visions for accountability on an improved, comprehensive set of government services for GBV and trafficking victims and survivors, they also advocated for including CSOs alongside state institutions to address human trafficking. Including CSOs in networks and roundtables alongside government institutions can support improved accountability in government services. Also, while there are gaps in the quality and coverage of government services, CSOs can continue to offer services which promote accountability for victims and survivors.

5. RECOMMENDATIONS FOR USAID TO IMPROVE GBV AND TRAFFICKING ACCOUNTABILITY

This case study advances five core, overarching recommendations for USAID and other stakeholders to improve GBV accountability based on the perspectives of service providers interviewed in Peru. The first three recommendations represent strategic pathways to GBV accountability, while the last two recommendations represent overarching principles to apply in each pathway.

Core strategic pathways for strengthening GBV and trafficking accountability:

1. Strengthen survivor-centered, inclusive protection and recovery support services.
2. Strengthen survivor-centered, inclusive judicial services.
3. Strengthen survivor-centered, inclusive prevention initiatives.

Across each of the three strategic pathways above:

4. Support efforts to monitor and evaluate the quality and coverage of GBV and trafficking interventions.
5. Help CSOs build government capacity to address GBV and trafficking, especially for Indigenous and migrant survivors.

Within each of the three strategic pathways for GBV accountability, we offer a variety of specific recommended actions. These align with USAID's goals in the Peru Mission's Country Development Cooperation Strategy (CDCS) and the 2022 United States Strategy to Prevent and Respond to GBV Globally. As such, these recommendations are strategically designed to contribute to increased GBV accountability, as well as gender equality, reduced structural inequalities, and sustainable national development and community safety in Peru. By applying the two cross-cutting recommendations within each pathway, USAID can respond to service providers' visions for longer-term accountability and nearer-term practical actions, with a key emphasis on better aligning government services for trafficking victims and survivors with existing legal and policy mandates and available technical guidance.

Prioritization of these recommendations is paramount to their effective implementation. USAID can strategically prioritize based on the urgency and severity of the issues identified in the diagnosis, taking into consideration their alignment with activities of the CDCS and the global GBV strategy and associated implementation plans. Recommendations that directly address gaps in service provision, such as mental health programs, psychological care services, and economic recovery and empowerment programs, could be prioritized for immediate action. Cross-cutting initiatives that engage both government and civil society actors should be implemented concurrently for holistic and sustainable impact.

Implementing these recommendations necessitates collaboration with key stakeholders, including the Peruvian government, CSOs, and Indigenous leaders and migrant community members supporting GBV and trafficking survivors or those at risk of being trafficked in these communities. The Peruvian government, as the primary guarantor of democracy, human rights, and governance within its borders, plays a pivotal role in the success of these interventions. Engaging in dialogue with the government, at both national and local levels, is essential for garnering support, ensuring effective implementation, and fostering responsibility towards the safety and well-being of trafficking victims and survivors.

Collaborating with and supporting CSOs is equally vital, as they can act as monitors, advocates, and partners in holding the government accountable for implementing and improving these initiatives. Together, USAID, government institutions, CSOs, and Indigenous and migrant communities can form powerful alliances to drive positive change and significantly strengthen accountability for diverse GBV and trafficking victims and survivors.

Ultimately, increasing efficacy of the core recommendations above and strategic actions outlined below will rely on development and implementation of a broader national strategy to increase citizen security, and address the widespread structural inequalities and human rights violations perpetuated through organized crime, including labor and sex trafficking, in Peru.

5.1 STRATEGIC PATHWAY ONE: STRENGTHEN SURVIVOR-CENTERED, INCLUSIVE PROTECTION AND RECOVERY SUPPORT SERVICES

1. Improve and expand survivor-centered recovery support services to provide a safety net and pathway out of trafficking, while also providing security for staff delivering these services. Establish spaces where survivors of all ages can feel physically and emotionally safe, socialize, rebuild networks, and access multi-sectorial GBV response services. Develop, implement, and evaluate standard operating procedures for GBV response in health and law enforcement tailored to the distinct needs of trafficking survivors. Develop safety and security risk mitigation planning to protect service provider staff.
2. Integrate mental health programs and psychological care services for trafficking survivors into existing services, targeting areas with the highest incidence of trafficking. Ensure services are intercultural and provided in Indigenous languages to meet the diverse needs of survivors.
3. Engage with origin and transit communities along the Peruvian border, including formal and informal border crossing areas, to raise awareness about protection and recovery support services available in Peru for trafficking victims. Utilize public spaces for awareness campaigns, raising awareness about trafficking and disseminating information about available protection and recovery support services in Peru.
4. Strengthen delivery of GBV and trafficking protection and recovery support services from within community spaces for survivors, collaborating with community-based organizations, community centers, and health clinics. Fund community-based organizations and strengthen capacities to provide comprehensive services and information to formerly trafficked women.
5. Establish inclusive transitional homes for women trafficking survivors of all ages in rural and urban high-incidence areas, providing wrap-around services. Ensure shelters accommodate cis-gender women, their children, LGBTQIA+ individuals, and cis-gender men separately, providing a safe environment for all.
6. Promote access to public services to promote vulnerable populations' opportunities for employment, education, and health care. Ensure this includes opportunities for safe, fair-waged employment for Indigenous and migrant women, offering job training programs and business establishment support. Aim to facilitate a level of wellbeing that reduces the risk of revictimization by traffickers.
7. Provide public services to aid survivors of all ages in physical, emotional, and psychological recovery, not exclusively minors. Ensure services facilitate child, adolescent, and adult survivors' social and economic reintegration into communities.
8. Conduct further political economy analyses at a nationwide scale to further investigate policy framework gaps, implementation limitations, and institutional capacities of service providers to

deliver trafficking survivor-centered protection and recovery support and coordinated judicial services.

5.2 STRATEGIC PATHWAY TWO: STRENGTHEN SURVIVOR-CENTERED, INCLUSIVE JUDICIAL SERVICES

9. Enhance the support structures for trafficking survivors who choose to report cases and pursue a judicial process. This includes establishing safe and accessible locations for victims to report, providing resources for protective accompaniment and support services for survivors' family members during judicial processes, and increasing the number of lawyers trained to handle trafficking cases to international standards who are affordable and available to survivors. At each of these stages, build the capacity of government and CSO service providers such that they respect survivors' choices and treat them with dignity.
10. Advocate for robust legislation prioritizing trafficking prevention, survivor protection, perpetrator prosecution, and reparations for survivors. Support the review and strengthening of existing legal frameworks to streamline judicial processes while prioritizing victim support and rehabilitation. Seek to identify and fill loopholes exploited by trafficking organizations to avoid prosecution and sentencing. Further, seek opportunities to provide for reparations for survivors that are sufficient to reduce the risk of revictimization, even in cases where perpetrators do not have sufficient assets to seize.
11. Reduce bureaucratic barriers and increase judiciary resources to streamline judicial processes, reduce case processing time, and bolster survivors' capacities and willingness to report cases. Coordinate tandem legal education and aid combined with wraparound support programs strengthening survivors' reporting capacities. Deliver legal education, aid, and accompanying support within community spaces, collaborating with local organizations, health clinics, and community centers to center survivors' needs and rights as they consider pursuing a likely arduous, costly, and often lengthy judicial process.
12. Strengthen mechanisms for victim detection, identification, and referral, ensuring coordination between public and private institutions at all levels. Reinforce mechanisms for collecting statistical data and coordinating information gathering to understand the scope of trafficking and sexual exploitation. Develop or enhance processes for identifying victims, including non-discriminatory measures to identify trafficking victims among vulnerable populations. Support efforts related to providing identity documents to migrants and others who lack them to reduce the risk of trafficking and aid in victim identification.
13. Resource and strengthen initiatives to increase judicial sector transparency and accountability and reduce corruption among law enforcement and judicial staff directly involved in or indirectly enabling trafficking networks. Combine government transparency, accountability, and anti-corruption initiatives with independent, external monitoring programs to report on progress.

5.3 STRATEGIC PATHWAY THREE: STRENGTHEN PREVENTION INITIATIVES

14. Support prevention initiatives targeted to spaces that are most vulnerable, including source and transit communities of Indigenous and migrant women, schools, and transportation systems. Strengthen prevention and awareness efforts about GBV and human trafficking in these spaces. Ensure that social norm change and behavior change communication campaigns exist in these sites of intervention to raise awareness and promote the national trafficking hotlines, Línea 100 and Línea 1818. Integrate prevention information into official school curricula and incentivize successful strategies to keep girls in primary and secondary education.

15. Separately engage Indigenous and Venezuelan women and men community leaders, teachers, and local authorities in collaborative efforts to co-develop culturally and locally specific trafficking prevention initiatives. This includes creating and executing awareness campaigns, demonstrations, and community activities tailored to each group's needs and context. Utilize group-specific approaches, such as contextualized awareness campaigns, social support networks, and economic strengthening activities, to increase the effectiveness of prevention efforts. Foster intersectional analyses of Indigenous and Venezuelan women's common versus different socioeconomic, legal, and political push and pull factors into trafficking among local public officials, community leaders and members, integrating locally and culturally adapted gender, social and economic protective factors into prevention programs, and addressing diverse criminal tactics that traffickers use distinctly to manipulate and exploit women and girls from Indigenous versus Venezuelan migrant groups.
16. Incentivize private enterprises and local/regional media to play a more active role in preventing trafficking, including reporting suspected cases and raising awareness. Implement work-site awareness programs in high-incidence areas, targeting formal mining companies, hotel chains, and transportation companies.
17. Engage men and migrants' communities of origin as allies in trafficking prevention. Promote the participation of men in trafficking prevention through communication campaigns, community-led public declarations, and demonstrations. Strengthen prevention and awareness efforts among migrant women's communities of origin, promoting access to information and services, including health, education, and legal assistance.
18. Support initiatives that seek to prevent repeated exposure to GBV and trafficking and discourage demand that fosters exploitation. Programs to prevent the recurrence of GBV and trafficking could include education for aggressors, interventions to change behavioral patterns, and long-term follow-up with victims to ensure their safety. Awareness campaigns to discourage demand that fosters exploitation should target at-risk populations and the general public alike, engaging media, NGOs, the private sector, and community leaders.
19. Support and strengthen community-based organizations, networks, and women's movements working to address gender inequalities and respond to survivors of trafficking and GBV. Map women's organizations, facilitate inter-agency coordination, and explore funding opportunities to support these key actors in their efforts.
20. Facilitate cross-border learning and coordination among international NGOs and government officials to implement and scale up best practices in trafficking prevention in formal and informal border crossing areas. Prioritize efforts to strengthen capacities for cross-border cooperation in transit areas, focusing on addressing trafficking demand and enhancing procedures for identifying, protecting, and referring individuals vulnerable to exploitation, including labor and sexual exploitation. Support border law enforcement and relevant officials in trafficking prevention efforts, ensuring collaboration with civil society and NGOs while upholding the human rights of individuals crossing borders. Encourage collaboration with international organizations to identify and share effective prevention strategies. Advocate for the establishment of national coordinating committees or inter-ministerial working groups to oversee cross-border anti-trafficking initiatives and promote capacity development.

ANNEX I: ADDITIONAL DETAIL ON THE METHODOLOGY AND ETHICS AND SAFETY PROTOCOLS

The national study protocol received approvals from two research ethics committees: NORC at the University of Chicago's Institutional Review Board and a committee in Peru consisting of three distinguished academic experts with subject matter expertise relevant for researching GBV, including trafficking, impunity.

The team conducted qualitative individual IDIs to explore the extent and social acceptance of GBV impunity, its social, economic, and political drivers, and survivors' recommendations for how to improve GBV accountability among trafficking victims and survivors in Peru.

The regional study technical team facilitated a three-day capacity-sharing, pre-data collection online workshop together with the Peru research team. Workshop sessions covered GBV survivor-centered, trauma-informed, qualitative interviewing techniques, along with role-playing exercises that included technical support feedback. The workshop also covered refresher knowledge and skills sessions on GBV, and specifically sex trafficking, research ethics and safety practices, good communication techniques with survivors, and strategies for managing trauma and stress in GBV research.

Following the capacity-sharing workshop, the team finalized a map of available and verified survivor referral support services and created an information sheet with relevant contact details. They then field-tested and refined the interview guide. To ensure ethical and safety procedures, the team followed a rigorous security process to contact and invite study participants for interviews safely. Over a few months, the team completed 20 IDIs with service providers from among staff of government institutions and CSOs. Interviews with trafficking survivors were not conducted because of high security risks in interviewing them either in-person or via a mobile phone or Internet-based encrypted communications application. The approved research had protocol indicated only remote phone- or Internet-based interviews, yet survivors did not consent to technology-mediated communication for fear of being digitally surveilled and of retaliation by traffickers and other powerful actors connected to them. Both the NORC at the University of Chicago Institutional Review Board, and Prisma, the Peruvian ethics committee, did not authorize in-person interviews with survivors or service providers. The team conducted interviews with service providers therefore over the Internet or by phone, using end-to-end-encrypted, Voice-Over-Internet-Protocol (VOIP) platforms, in adherence to the study's security and COVID-19 prevention approved protocols for privacy and safety of interview participants and the researchers.

The team used an adapted qualitative data analysis Framework Method⁵² with integrated thematic analysis⁵³ to identify, analyze, and interpret key themes in the interview transcripts. The researchers

⁵² The process of Framework Method qualitative data analysis involves several steps, including transcribing the interviews; becoming familiar with the data; coding the data; creating an analytical framework; applying the framework to the data; reducing the data into charts; and interpreting the data. The Framework Method is a systematic and flexible approach to analyzing qualitative data that can be used effectively by research teams, even if not all members have previous experience with qualitative research, provided there is leadership from an experienced qualitative researcher. See Gale, Nicola K; Heath, Gemma; Cameron, Elaine; Rashid, Sabina; and Redwood, Sabi. (2013). Using the framework method for the analysis of qualitative data in multi-disciplinary health research. *BMC Medical Research Methodology*, 13(1), 117. <http://www.biomedcentral.com/1471-2288/13/117>.

⁵³ Terry, Gareth; Hayfield, Nicki; Clarke, Victoria; Braun, Virginia. (2017). Chapter 2: Thematic Analysis, in *The Sage Handbook of Qualitative Research in Psychology*. Sage Research Methods. <https://dx.doi.org/10.4135/9781526405555.n2>.

agreed collectively on a codebook for analysis that they adapted from the regional study common codebook. The codebook retained a set of a priori codes to enable synthesis with the other seven country case studies. To ensure consistency and reliability in the analytic process, each team researcher individually coded, analyzed, and interpreted data from transcripts, and engaged in collective interpretation discussions weekly or biweekly. The team produced tables of key themes and illustrative quotes in the interview data, disaggregated by profile of respondent (i.e., CSO staff member, or government institutional staff member). In this report, the study team features the voices of CSO and government service providers who work with victims and survivors, some of whom are GBV and trafficking survivors themselves, to present their analysis and interpretation of GBV impunity in Peru. The research team placed diverse victims' and survivors' rights and interests at the center of the findings and recommendations, as described by service providers who work closely with them.