

**Inter-American Bar Association 50<sup>th</sup> Conference**

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**Best Practices in Combating Human Trafficking in Latin American Countries  
Participating in the 2014 World Cup**

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Thank you Madam Chair, Professor Rey, distinguished guests,

I am delighted to be here to share with you some thoughts about human trafficking.

So, allow me first to thank the Inter-American Bar Association for addressing the most important human right issue of our time: human exploitation.

And allow me second to thank the Bar for holding this meeting during the World Cup.

I remember the 2006 World Cup in Germany, when the U.S. Congress held Congressional Hearings on the impact of the World Cup on sex trafficking.

And you are all familiar with the reports of labor trafficking in Qatar in preparation for the World Cup in 2022.

And a few days ago, precisely on June 20<sup>th</sup>, 2014, the United States released its trafficking in persons report.

Only 29 countries are on Tier 1, most countries, 89 of them are on Tier 2. But the majority is not doing so well: 44 countries are on Tier 2 Watch List and 23 countries are on Tier 3.

So where are the Latin American countries, which are playing this year, in this tier system?

Brazil, Argentina, Colombia, Costa Rica, Ecuador, Honduras and Mexico are on Tier 2.

Chile is on Tier 1

And only Uruguay is on Tier 2 Watch List

So, I would like to focus on practices and challenges in these 9 countries.

I would like to start with Best Practices, because I believe that we are done with phase 1 of the anti-trafficking movement and now it is time to shift the focus to phase 2, sharing best practices, what works.

In **Brazil**, in an effort to reduce the use of forced labor, the Ministry of Labor published a “dirty list”, identifying employers and corporations responsible for slave labor, 579 of them, who are denied access to credit by financial institutions.

As you know, the U.S. publishes a labor report. This past year, it identified 134 products in 74 countries that are produced through child labor and forced labor.

In **Mexico**, the government opened an investigation and seized the assets of an employment agency that defrauded thousands of Mexicans with false offers of employment in the U.S.

- Fraud in labor recruitment is a crime under the Trafficking Victims Protection Act, and
- It is a violation of the International Labor Organization Convention n. 181 on the liability of private employment agencies.

In **Chile**, the government provided anti-trafficking training to Chilean troops prior to their deployment abroad for international peacekeeping missions and, as you know, it is an issue of jurisdiction. Who holds these missions accountable?

And that is why I believe in universal jurisdiction, under article 7 of the ICC Statute human trafficking is a crime against humanity and it is not subject to statute of limitations.

In **Costa Rica**, a fund to fight human trafficking was established by the government and financed primarily through the departure tax, one dollar per traveler. In 2013 the fund collected 1.5 million dollars. State funds, as you know, are always a good idea to compensate the victims or to pay for victim-centered programs.

In **Uruguay**, a special court was created providing mobile services to child victims once a case of trafficking has been identified.

In **Colombia**, 158 children in prostitution were assisted and, as you know, the challenge that we have is identification of victims.

This brings me to some of the other challenges:

One is from **Honduras**, where child trafficking victims are treated as criminals in violation of the principle of non-punishment of a victim of trafficking.

Another is from **Argentina** and is the issue of corruption, complicity of government officials in trafficking crimes. Police officers looking the other way or even providing protection to brothels where victims of trafficking are exploited and judges receiving bribes not to prosecute traffickers.

Finally, in **Ecuador**, it was observed that judges do not fully understand the concept of human trafficking. Sometimes they confuse it with prostitution, sometimes they describe it as a mere labor violation, which results in both cases in shorter sentences.

So, let me conclude with the concept itself:

Human trafficking is not prostitution

Human trafficking is not labor violation

Human trafficking is not slavery

Human trafficking is human exploitation,

A wider concept that includes every case in which you recruit a human being for the purpose of exploitation. This form of exploitation may be

- Pornography
- It may be sex tourism
- It may be adoption
- It may be Jihad and terrorism
- It may be begging
- And it may be marriage of convenience

Or what professor Rey, in a very important statement calls “purchased marriage” for the purpose of obtaining residency status here in Puerto Rico.

But for the status of trafficking in Puerto Rico I will yield to the expert, professor Rey.

Thank you for listening.