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USDOS – US Department of State

2019 Trafficking in Persons Report: Venezuela

VENEZUELA: Tier 3

The Government of Venezuela does not fully meet the minimum standards for the elimination of trafficking and is not making any efforts to do so; therefore Venezuela remained on Tier 3. Despite the lack of significant efforts, in 2018 the Venezuelan government led by then-President Nicolas Maduro conducted a training for officials to begin the development of a victim protection protocol. However, the government did not report assisting any victims and it did not investigate, prosecute, or convict any traffickers.

PRIORITIZED RECOMMENDATIONS

Provide specialized services for all trafficking victims, including victims identified abroad who are returning to the country. • Strengthen and document efforts to investigate and prosecute cases of sex trafficking and forced labor and convict and punish traffickers. • Educate Venezuelans fleeing the country on the risks of human trafficking and where and how to seek services. • Train all migration and law enforcement officials operating in border crossings on trafficking indicators. • Work in partnership with civil society organizations and other service providers to assist victims. • Implement formal procedures and training for identifying victims among vulnerable populations, such as persons in prostitution, and for referring victims for care. • Draft and enact comprehensive anti-trafficking legislation criminalizing all forms of trafficking, including the criminalization of child sex trafficking without elements of force, fraud, or coercion, and the trafficking of men and boys. • Develop and publish an anti-trafficking action plan and allocate resources to implement it. • Enhance interagency cooperation by forming a permanent anti-trafficking working group. • Improve data collection on government anti-trafficking efforts and make this data publicly available.

PROSECUTION

The government maintained insufficient law enforcement efforts. Venezuelan law criminalized labor trafficking and some forms of sex trafficking of women and girls through a 2007 law on women's rights that prescribed penalties of 15 to 20 years' imprisonment. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute child sex trafficking and therefore did not criminalize all forms of child sex trafficking. Venezuelan law failed to criminalize

trafficking of men and boys when perpetrators were not part of an organized criminal organization. The law addressing organized crime criminalized trafficking by organized criminal groups of three or more individuals, with penalties of 20 to 30 years' imprisonment. The penalties for these trafficking crimes were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Authorities did not report investigating, prosecuting or convicting anyone for trafficking; however, media reports indicated 99 individuals were indicted for trafficking crimes. In addition, press reports also indicated that the government conducted an anti-trafficking operation that led to the arrest of at least 32 possible traffickers that were allegedly forcing victims into live streaming sexual acts. The organized crime office (ONCDOFT) continued to be the lead investigative entity for trafficking crimes; however, the government did not report any training or operations during 2018.

PROTECTION

The government did not report making efforts to identify or protect victims. According to media sources, the ONCDOFT continued to operate a 24-hour hotline to receive reports of suspected trafficking cases; however, several of the numbers provided were often inactive. Media reports indicated that authorities began convening technical working groups to develop formal procedures for victim protection. It was unclear if the government formalized any mechanisms by the end of the reporting period. Authorities did not report identifying trafficking victims among vulnerable populations or referring victims to services. In previous reporting years, victim referrals to different government entities, including ONCDOFT and the women's ministry, occurred on an ad hoc basis. The availability of victim services remained limited. There were no specialized shelters for trafficking victims in the country. Historically, victims could reportedly access government centers for victims of domestic violence or at-risk youth, although services for male victims were minimal. It was unclear if these services were available during the reporting period. It reportedly also made psychological and medical examinations available to trafficking victims, but additional victim services—such as follow-up medical aid, legal assistance with filing a complaint, job training, and reintegration assistance—were extremely limited. International media sources continued to report on the increased number of Venezuelan victims identified abroad, many repatriated or deported back to Venezuela; it was unclear what assistance the government provided upon their return. According to government websites, authorities conducted some training activities for government officials on the development of a protection protocol for victims.

PREVENTION

The government maintained inadequate prevention efforts. No permanent anti trafficking interagency body existed, and the government did not have an anti trafficking plan or strategy. According to an international organization, ONCDOFT conducted limited awareness activities for immigration authorities and families in communities along the Venezuelan border with Colombia. The government did not

report conducting any other awareness activities, and observers reported efforts to raise awareness significantly decreased due to limited funding. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not report any specific activities to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Venezuela, and traffickers exploit Venezuelan victims abroad. As the economic situation continued to spiral into critical deterioration, more than 3.7 million Venezuelans have fled Venezuela to neighboring countries. The UN estimates approximately 5.3 million Venezuelans will have fled the country by the end of 2019. Traffickers have exploited Venezuelan victims in Aruba, Colombia, Costa Rica, Curacao, Dominican Republic, Ecuador, Guyana, Macau, Mexico, Panama, Peru, Spain, Suriname, and Trinidad and Tobago. Venezuelan women and girls were particularly vulnerable to sex trafficking in Colombia and Ecuador. Venezuelan men are increasingly vulnerable to forced labor in destination countries, including islands of the Dutch Caribbean. Venezuelan boys are vulnerable to forced criminality and forced recruitment by dissident illegal armed groups in Colombia. Traffickers subject Venezuelan women and girls, including some lured from poor interior regions to urban and tourist centers, to sex trafficking and child sex tourism within the country. Traffickers, often relatives of the victims, exploit Venezuelan children in forced labor for domestic service within the country. Venezuelan officials and international organizations have reported identifying sex and labor trafficking victims from South American, Caribbean, Asian, and African countries in Venezuela. Foreign nationals living in Venezuela subject Ecuadorians, Filipinos, and other foreign nationals to forced labor in domestic servitude. Venezuelan officials have noted an increase of sex trafficking in the informal mining sector.

ecoi.net summary:

Annual report on trafficking in persons (covering April 2018 to March 2019)



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