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USDOS – US Department of State

Trafficking in Persons Report 2018 - Country Narratives - Colombia

COLOMBIA: Tier 1

The Government of Colombia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Colombia remained on Tier 1. The government demonstrated serious and sustained efforts by reintegrating more than 140 former child combatants, proactively identifying more trafficking victims, funding the implementation of its national anti-trafficking strategy, and piloting a new trafficking information system to collect statistical data across government agencies. Although the government meets the minimum standards, it did not adequately fund or coordinate services to victims and struggled to screen and provide services to potential victims among the influx of Venezuelan migrants.

RECOMMENDATIONS FOR COLOMBIA

In partnership with civil society and through dedicated funding from national and local governments, increase specialized services and shelter available to all trafficking victims; improve efforts to screen and protect potential trafficking victims among incoming Venezuelan migrants, and provide them with adequate services; vigorously prosecute and convict trafficking crimes, including forced labor; improve access to long-term care for trafficking victims; vigorously investigate, prosecute, and convict members of illegal armed groups or organized crime groups involved in forced child recruitment or forced criminal activity; increase efforts to identify child victims exploited in sex trafficking, forced begging, and within informal sector activities, such as street vending; increase efforts to hold criminally accountable public officials complicit in trafficking; and improve data collection and disaggregation, such as by fully implementing the national trafficking information system.

PROSECUTION

The government maintained law enforcement efforts. Article 188 A of Law 985 of the penal code criminalized of sex and labor trafficking and prescribed punishments of 13 to 23 years imprisonment plus fines up to 1,500 times the monthly minimum salary. These penalties were sufficiently stringent, and with respect to sex trafficking,

commensurate with those prescribed for other serious crimes, such as rape. The government did not disaggregate statistics for trafficking and trafficking-related offenses, likely incorporating cases that were not trafficking. Authorities sometimes charged traffickers with lesser crimes, such as induction into prostitution or pimping. In 2017, the attorney general's office opened 164 cases (150 in 2016 and 135 in 2015), of which 73 cases yielded full investigations. Police arrested 30 suspects for trafficking or trafficking-related crimes (29 in 2016 and 40 in 2015). Authorities prosecuted 31 suspects for trafficking crimes (59 in 2016 and 31 in 2015) and convicted 21 of trafficking and trafficking-related crimes (25 in 2016 and 31 in 2015). The attorney general's office reported investigating 1,872 trafficking-related crimes tied to illegal armed groups in 2017. Although Colombian law prohibited forced child recruitment and forced criminal activity by illegal armed groups, such crimes are not considered to be human trafficking. In 2017, the attorney general's office investigated 428 cases of forcible use of children in the commission of criminal activities and 344 cases of forcible recruitment. Following 2016 allegations of a trafficking ring involving police cadets sold into prostitution, authorities convicted a retired colonel and a retired police major on charges of inciting prostitution during the reporting period.

Authorities collaborated with foreign governments and international organizations on anti-trafficking law enforcement operations. Often through partnerships with international organizations and foreign donors, the government provided training to more than 414 prosecutors, investigators, labor inspectors, family advocates, and other officials during the reporting period. In September 2017, the government hosted the third meeting of the Ibero-American Network of Prosecutors on Trafficking in Persons and Smuggling of Migrants in Cartagena to enhance regional cooperation investigating and prosecuting trafficking cases.

PROTECTION

The government increased protection efforts. The Ministry of Interior (MOI) reported authorities identified 96 trafficking victims (68 in 2016 and 67 in 2015). Of these, 69 were exploited in sex trafficking, 12 in forced labor, two in forced begging, and 13 were unknown. The Colombian Family Welfare Institute (ICBF) identified seven girls exploited in trafficking in 2017 (39 girls and seven boys in 2016). International organization and media sources reported the government struggled to identify and provide services to potential trafficking victims among Venezuelan migrants due to financial and personnel constraints. Authorities and an international organization identified at least 140 children who separated from illegal armed groups in 2017 (167 in 2016 and 229 in 2015); all received medical and psychological evaluations from an international organization and reintegration services from the ICBF.

Presidential decree 1069 of 2014, which clarified the implementation of Law 985, mandated the government to provide emergency trafficking victim assistance, which includes medical and psychological services, clothing and hygiene kits, housing, transportation, legal advice, issuance of travel and identity documents, and repatriation, and medium-term assistance, such as educational services, job training and job search

assistance, and economic support. Emergency assistance was provided for five days and could be extended for an additional three days as needed; medium-term assistance was provided for up to six months and could be extended for an additional three months. Of the 96 identified victims, the government provided 37 victims with emergency assistance and 59 with medium-term assistance in 2017 (compared to providing 63 with emergency assistance and 37 with medium-term assistance in 2016). The government provided repatriation assistance to 35 victims. Seven child victims identified by the ICBF received services. The government did not operate specialized shelters dedicated to adult trafficking victims, but it referred victims to NGOs for these services. The ICBF provided shelters for child trafficking victims and led a working group with the MOI to coordinate service provision for child trafficking victims. Shelter and services for male victims were very limited. NGOs asserted Afro-Colombian, indigenous, LGBTI, and disabled persons received insufficient attention, but the government reported maintaining a shelter for LGBTI victims of violence, an indigenous training center, and policies to assist disabled victims. Following a 2016 constitutional court decision, victims were not required to file an official complaint against their traffickers in order to receive assistance. The Interagency Committee for the Fight against Trafficking in Persons (ICFTP), which coordinated the efforts of 16 national entities, created formal instructions for each agency in the committee regarding reporting standardization, identification of victims, and provision of rapid assistance. NGOs acknowledged improved coordination, but criticized delays in service delivery, lack of long-term victim assistance, lack of attention to vulnerable populations, and lack of systematic verification of quality of care. NGOs indicated the absence of formal procedures for engagement with civil society resulted in uncoordinated and limited engagement by the government. During the reporting period, Colombian consulates in Lima, Peru; Guayaquil, Ecuador; and Mexico City, Mexico assisted Colombian victims abroad.

In 2017, the government appropriated 2.3 billion pesos (\$771,350) to assist internal trafficking victims through the MOI and ICFTP, and earmarked 222.8 million pesos (\$74,720) to assist Colombian trafficking victims abroad, the same amounts as in 2016. Authorities lacked sufficient funding and personnel to provide specialized services to trafficking victims. Decree 1069 of 2014 makes local governments responsible for providing services beyond emergency care, but most had no funding dedicated to providing specialized services.

During the reporting period, the government assisted one trafficking victim and one witness through the victim and witness protection program. Some victims were reluctant to report their exploitation or testify against their traffickers due to fear of reprisals or lack of trust in the justice system. There were no reports that victims were penalized for unlawful acts committed as a direct result of being subjected to trafficking. Authorities could provide foreign trafficking victims with temporary permission to remain in the country during the investigative process on a case-by-case basis; however, authorities did not report doing so during the reporting period. Trafficking victims were entitled to request restitution or file civil suits at any time under articles 102 and 103 of the criminal procedure code; however, there were no reported victims who received restitution. The department government of Guaviare allocated 215 million pesos (\$72,100) for its restitution program in 2017.

PREVENTION

The government increased prevention efforts. The ICFTP conducted 45 technical advisory meetings with departmental, municipal, and district committees during the reporting period to improve coordination between the ICFTP and regional committees, review functions and responsibilities at various levels, and make recommendations for the preparation of territorial action plans. In 2017, the government appropriated almost 2.3 billion pesos (\$771,350) to implement the 2016-2018 national anti-trafficking strategy. The absence of a national trafficking information system hindered monitoring and evaluation of efforts; however, the government piloted an information system with various agencies in 2017. Authorities maintained an interagency commission for the prevention of child recruitment by armed groups and child sexual exploitation. The ICBF, with the support of an international organization, met with 17 departmental authorities to develop and implement awareness and prevention activities. Colombia's 24-hour anti-trafficking hotline received 889 calls. Through the hotline, the government provided advice on job offers abroad, including corroborating the veracity and legality of employers. The government did not report efforts to reduce the demand for forced labor. Authorities conducted investigations for child sex tourism and reported the arrest of one person for this crime.

TRAFFICKING PROFILE

As reported over the past five years, Colombia is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor in Colombia and throughout Latin America, Asia, and Europe. Groups at high risk for trafficking include internally displaced persons, Afro-Colombians, Colombians with disabilities, indigenous persons, and Colombians living in areas where armed criminal groups are active. Sex trafficking of Colombian women and children occurs within the country and around the world. Colombian children are exploited in sex trafficking in areas with tourism and large extractive industries. Transgender Colombians and Colombian men in prostitution are vulnerable to sex trafficking within Colombia and in Europe. Colombian labor trafficking victims are found in mining, agriculture, and domestic service. Colombian children working in the informal sector, including as street vendors, are vulnerable to labor trafficking. Colombian children and adults are exploited in forced begging in urban areas. Illegal armed groups forcibly recruit children to serve as combatants and informants, harvest illicit crops, and to exploit them in sex trafficking. Children and adolescents who separate from the ranks of illegal armed groups are vulnerable to trafficking. Venezuelan migrants, whose numbers rose during the reporting period (as of February 2018, the government estimated at least 600,000 Venezuelans were residing in Colombia), are particularly vulnerable to trafficking.

ecoi.net summary:

Annual report on trafficking in persons (covering April 2017 to March 2018)



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