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Written Statement of Proposed Testimony

Background

As a Doctor of Criminal Justice, professor at American Military University, and as a humanitarian I have been researching current trends in human trafficking for several years. This work has led me to in-country research in South America, Central America, and the United States to gain a deeper understanding of human trafficking trends. I have been a guest of INTERPOL and the National Police of Colombia to conduct in-country research on human trafficking originating in Colombia and I have provided human trafficking training to government officials in the United States and Central America to mitigate human trafficking. This training has included training to immigration, the Belize Defense Force, and other law enforcement officials in Belize to counter human trafficking. I have presented research at the International Human Trafficking and Social Justice Conference for two consecutive years on human trafficking trends and have peer-reviewed research published on the topic of human trafficking. I also engage in humanitarian work that involves leading teams to a prison in Central America where I provide training to the prison staff on various aspects of prison management and provide life-skills training to inmates. This has opened the door to hear the perspectives of those who were formally involved in human trafficking to gain unique and in-depth insight. The information presented below is a culmination of in-country research in Latin America involving human trafficking that leads to the Southwest Border and humanitarian work I have conducted in Central America.

Human Trafficking Trends

Typically, gangs focus on smuggling drugs and guns. Transnational Criminal Organizations (TCOs) and trafficking groups aid in moving people from around the world through Latin American attempting to come to the United States illegally across the Southwest Border. Human smuggling is transportation based on when someone pays to be smuggled to the United States. Human trafficking, which is labor-based, involves sex trafficking, domestic slavery and forced labor. Being forced into human trafficking can be a consequence of human smuggling.

Economic conditions in Central America and around the world is the biggest factor that drives people to leave their homes and risk their lives to be smuggled across the Southwest Border. People who live in dangerous impoverished conditions spend all of the money that they have and often end up becoming victims of human trafficking through their attempt to come to the United States illegally. This occurs because delays and obstacles along the human smuggling route result in the migrant owing more money than they or their family can afford to pay. Therefore, they are placed into human trafficking as a means to pay off the debt once they arrive at the Southwest Border. This may include sex trafficking, packaging drugs, or other forms of forced labor. There are unspeakable vulnerabilities for migrant children who are forced by armed human traffickers to pay off their debts.

The Role of Coyotes

When groups of people are smuggled to the United States, intelligence is collected from within the group. For example, you'll have a coyote [smuggler] mixed with those being transported as part of a smuggling operation for intel purposes. The victims are not aware that the coyote is among them and if the coyote finds that they don't have the money to be smuggled, he will sell them to the traffickers for

sexual exploitation. TCOs exploit people who cannot pay to be transported, and they are sold into the sex trade or forced labor.

The Use of Safe Houses

Safe houses have an important role in human trafficking along the Southwest Border. Safe houses are located both on the Mexican and United States sides of the border. TCOs use local gang members to manage safe houses in both countries. Safe houses can be described as a triangle with three different houses involved in a specific human trafficking ring. The first house is used as a processing center. When a migrant is brought to the border and does not have the money to pay for the transportation costs, the first house will act as a processing center where the person will be stripped of their clothing or personal items and provided different clothing by the gang members managing the safe house. They will typically be photographed and the total payment owed will be listed. It is during this phase that victims are likely to be verbally or physically abused as a form of coercion or to exert control over the victim. Passports and personal belongings are often retained by the trafficker to maintain control over the victim. The victim may be beaten or sexually assaulted. Victims are then moved to a second safe house. Within the second safe house is where the actual exploitation occurs, such as in the case of sex trafficking or drug packaging. The victim will remain at the second house until their debt for transportation to the United States is paid. Once that occurs, the victim will be moved to the third safe house. It is at the third safe house that the victim is provided any clothing and property that was taken at the first safe house. Victims are typically fed and better taken care of at the third safe house. Victims are permitted to remain at the third safe house until their transportation to their final destination can be arranged or they can leave. While being moved between safe houses, victims are blindfolded or other measures are taken to prevent the victim from seeing where the safe houses are located. Safe houses may be disguised as businesses with bedrooms in the back space. Typically at safe houses, security cameras will be used and extend surveillance to nearby intersections so that traffickers can see who may be approaching the safe houses. Reinforced windows are common along with handcuffs, chains, and modifications that include sound proofing. Traffickers may have an escape path developed at the safe house.

TCOs create an illusion that no crime is being committed and instead they are just helping people find a better life since the border system is set up to detect illicit narcotics instead of trafficked people. Many TCOs depend on outlets that aid in the facilitation of human trafficking by providing blanket security for everyone involved through tipping them off of law enforcement operations or other threats to their operations. People are put into place to monitor for threats to the trafficking operation. These connections exist from Central America through Mexico to the United States. Different TCOs have their own outlets that aid in the trafficking process, which exists for both human trafficking and drug trafficking. It is not uncommon for paperwork to be doctored to aid in trafficking people. If given false documentation, travel agencies can arrange travel that appears to be legitimate. For example, a husband and wife may move children from Central America through Mexico to San Diego under the guise that the children accompanying them are their own. Once in the United States, the children may be sold to another family that wants children but does not wish to go through the legal adoption process. Traffickers with these connections easily move people to the United States. Traffickers without these connections are more likely to be those moving people across the desert into the United States.

Trafficking Originating in Central America

In Central America, smugglers will go to the immigration office and will sit there. They can tell where people are from. They will approach them and say, where you trying to go? Someone may say 'L.A.'

The smuggler will say, 'how much money do you have?' The immigrants may say that they have \$2,500 and are trying to get their visa with that money. The smuggler will tell them they can be transported to L.A. for only \$1,000 and they have connections who will smuggle them through Mexico across the U.S. border to San Diego." Once the victim gives the smuggler money, demands are typically made for more money because the smuggler claims that there were unforeseen expenses. If the immigrants don't have a way of getting extra money, then they are sold to human traffickers. If they are women, they are often forced into sex trafficking. If they are men, they are often coerced into forced labor.

Human traffickers in Central America target public squares and migrant shelters. They exploit the vulnerabilities of victims by either promising false work opportunities or use physical force that compels victims to go along with traffickers out of fear that either they or their families will be harmed if they don't cooperate.

Often, human traffickers make threats to harm family members. Those threats compel adult and child victims to remain in the sex trade or other facets of human trafficking.

Also, human traffickers target the areas where migrants have been deported. They know that victims often have lost their money on failed smuggling attempts to the United States and are especially defenseless.

Perils of Being Smuggled to the United States

Human smuggling is extremely dangerous for the people seeking to enter the United States along its southwest border. Smugglers are notorious for placing people in hazardous situations that can result in their deaths. During smuggling operations, women and children are especially at risk. They may suffer different forms of physical and emotional abuse, including rape, beatings, kidnapping and robbery. When migrants are smuggled, they are often exposed to harsh conditions such as unsuitable and overcrowded sleeping accommodations, coercion, deceit, and verbal abuse.

Often, migrants pay the smugglers all of the money that they have for illicit transportation to the United States. Other times, family members already residing in the United States pay smuggler fees for their family members to be smuggled into the country.

Human Trafficking Involving Juvenile Organs

One element of human trafficking that is not well known is organ harvesting. Sadly, part of my humanitarian work in Central America has revealed that there is a market for juvenile organs.

While engaged in humanitarian work at a prison in Central America, I met with a former gang member who today is rehabilitated, but he has spent a significant part of his life in prison. He explained that the reason why organ harvesting has a market is due to buyers' personal needs. For instance, he said that a buyer may "have a family member who is dying, and they will pay anything for their loved one. It is like making a custom order. Organ traffickers view this exploitation as a 'job'."

I asked him how a child becomes a victim of human trafficking. He explained, "if someone does not love their child and allows them to wander on the street, and the trafficker has the opportunity to take them, then he will. If he doesn't, someone else will."

The former gang member spoke of one organ trafficker who operated out of Mexico, Venezuela and the Philippines. This organ trafficker would frequent homeless places, shelters, encampments and drug houses where families camped with their kids. He would offer money to the parents to take the kids out of that environment and would never return with those children.

To the former gang member's knowledge, the last child this organ trafficker kidnapped was 12 years old, and someone paid him \$15,000 for the child's eye. This was several years ago. Moving children from one point to another was easy because the organ trafficker never had to show documentation. He did not receive resistance from the kid because the child's parents had given permission for the child to be with him. They harvested the child's right eye in Mexico.

Human trafficking continues to grow as a global crime due to its profitability. When a drug dealer makes a profit through selling drugs, he has to continually obtain more product to make another sale. In the case of sex trafficking, the same victim can be used repeatedly to make a profit.

Dr. Jarrod Sadulski

A handwritten signature in cursive script that reads "Jarrod Sadulski".

Testimony of Ambassador John Cotton Richmond
Before the House Committee on Homeland Security
Subcommittee on Border Security and Enforcement and Subcommittee on Emergency
Management and Technology
“The Broken Path: How Transnational Criminal Organizations Profit from Human
Trafficking at the Southwest Border”
October 24, 2023

Chairman Higgins, Ranking Member Correa, Chairman D’Esposito, Ranking Member Carter, and distinguished members of the subcommittees, thank you for the opportunity to testify at this important hearing. I am grateful to testify with my thoughtful colleagues on this panel.

I serve as the Chief Impact Officer of Atlas Free, a Network of over forty organizations fighting human trafficking around the world. I am also the President of the Libertas Council, a leadership community focused on combating human trafficking, advancing democracy, and affirming human dignity. For over twenty years, my work has focused on the global fight against human trafficking. I have worked for a number of amazing nonprofits, served as a federal prosecutor and founding member of the Department of Justice’s Human Trafficking Prosecution Unit, worked in the private sector, and led US foreign policy on this issue as the U.S. Ambassador-at-Large to Monitor and Combat Trafficking in Persons. I have met and learned from many survivors over the years. I have also benefit from listening to traffickers – the women and men who choose to commit this crime. Together these experiences shape my understanding and fuel my passion to ensure all people are free.

The Members have wisely highlighted that traffickers “profit” from human trafficking. This is not the noble profits of market-based enterprises in a fair capitalist system. These are illicit economic gains from treating inherently valuable people as disposable commodities.

Whenever issues of the border arise in conversations about human trafficking, I think it is wise to clarify the distinction between human smuggling and human trafficking. Smuggling is a crime of transportation. It can be voluntary or involuntary, and it violates border integrity. Human trafficking, however, is always involuntary. Coercion is at the very heart of the crime and there is no legal requirement that a person crosses a border. The UN estimates that traffickers exploit 77% of all victims in their country of origin without crossing a border.

This is not to suggest that borders do not matter. They do. It is just that illegal border crossings do not cause human trafficking. They do, however, make people more vulnerable. Traffickers prey on vulnerable people because the traffickers believe vulnerable people are easier to exploit – and undocumented individuals are exceptionally vulnerable. Many things make people vulnerable to those bent on evil: poverty, illiteracy, disabilities, lack of strong families – yet none of these vulnerabilities cause human trafficking. They are correlated but not causal. There is only one cause of human trafficking. The root cause of human trafficking is traffickers. When people talk about “going upstream” they focus on reducing vulnerabilities. While noble, these efforts have at best an

indirect impact on human trafficking, because they focus on correlated vulnerabilities instead of trafficking's true root cause.

The government's failure to enforce laws benefits criminals. This is true of border laws and trafficking laws. The U.S. State Department highlighted the plummeting rate of human trafficking law enforcement last year. According to State, the United States only initiated 162 new federal human trafficking prosecutions last year. New prosecutions have not been that low since 2014. US federal courts only convicted 256 human traffickers last year, a 48% decrease since 2019. Although a strong and effective criminal justice response to trafficking alone will not solve the problem, it is a necessary component of a holistic approach. The failure to fund and resource the hard-working people at DOJ and DHS to enforce our human trafficking laws means human traffickers operate with impunity. Pair that awful reality with a dramatic increase in vulnerable undocumented people, and human trafficking becomes a high-reward ~ low-risk criminal undertaking.

We are not only dealing with government's failure to enforce border laws concerning individuals, the United States is also failing to stop companies from importing goods made by forced labor victims. The faithful teams at DHS charged with enforcing both the Tariff Act and the Uyghur Forced Labor Prevention Act must be allowed to stop slave-made goods from tarnishing United States markets.

Congress must decide if it will take a consistent approach to human rights or only engage in soaring rhetoric when it is convenient for other priorities. With almost all the solar panels crossing U.S. borders having been stained by China forcing Uyghur minorities to work, we have to ask if America wants to "go green" on the backs of slave labor. We have to ask if chocolate Halloween treats are worth traffickers forcing children from Mali and Burkina Faso to work in cacao fields. Forced labor interferes with free markets and undermines capitalism. For individuals to flourish, people must be free to decide where they work and who touches their bodies.

Congress should move quickly to reauthorize the international provisions of the Trafficking Victims Protection Act and create vacatur and expungement pathways for trafficking survivors. The United States should screen every undocumented person for indicators of trafficking as it humanely enforces its border laws and prevents the surge of vulnerable individuals for traffickers to target.

Thank you, and I welcome your questions.

Testimony of Terry FitzPatrick
Director of the Alliance to End Slavery and Trafficking (ATEST)
Homeland Security Subcommittee on Border Security and Enforcement
U.S. House of Representatives
October 24, 2023

Thank you for the opportunity to address the committee today. My name is Terry FitzPatrick. I direct the Alliance to End Slavery and Trafficking (ATEST). We are a nonpartisan coalition of organizations that conduct programs in more than 30 U.S. cities and 100 countries. ATEST advocates for stronger federal laws and increased federal funding to prevent and combat forced labor and human trafficking.

I think the most important takeaway from my comments today will be this: whole-of-government solutions are needed to defeat trafficking. I'd like to articulate what that should look like regarding migration. I have three issue areas to discuss, and three recommendations.

Issue One: Some Context

Not all forced labor and human trafficking is related to migration. The United Nations estimates that 15 percent of victims throughout the world today are migrants. That's 4 million people worldwide. Unfortunately, there are no authoritative trafficking statistics for the U.S. The National Institute of Justice is currently conducting research.

But it is known that migration-related trafficking reaches beyond undocumented individuals. For example, the National Human Trafficking Hotline has received thousands of calls for help from migrants inside the U.S. legally on guestworker visas or already in asylee protected status.

Lastly, it's American businesses who ultimately profit from transnational human trafficking. American farms and factories exploit migrant children in illegal child labor. Migrant adults trapped in illegal debt bondage are generating profits for American corporations.

Issue Two: The Need for Prevention and Protection

Law enforcement isn't the only solution. Foreign assistance programs can help reduce the number of individuals leaving their home countries. Increasing the capacity to properly process migrants can reduce trafficking vulnerability. That's because long delays at legal points of entry can cause desperate individuals to become trafficking targets. There's an urgent need at the U.S. border for more asylum officers, immigration judges, child welfare specialists, and attorneys.

As well, to protect migrants already here, there needs to be increased workplace inspections by the Labor Department, and reform of guestworker visa rules.

Issue Three: The Protection of American Values and Leadership

Migrants not only seek economic opportunity in the United States; they seek safety and freedom. Our answer to those fleeing forced labor and human trafficking abroad must not be to go back.

Congress has ensured that the United States, perhaps more than any other country, embraces a whole-of-government vision for counter-trafficking programs. However, particularly along the border, our nation is not living up to that holistic ideal.

Quickly, Three Recommendations:

Recommendation One: Pass the Trafficking Victims Prevention and Protection Reauthorization Act, the TVPRA. To improve international trafficking prevention, H.R. 5856 will require the integration of anti-trafficking strategies into programs at the U.S. Agency for International Development. To protect trafficking survivors in the U.S., the bill reauthorizes programs at the Department of Health and Human Services. We also urge passage of a companion Senate bill, S. 920, with additional provisions to protect migrants and reauthorization of State Department anti-trafficking programs.

Recommendation Two: Enact key provisions of the FY24 Emergency Supplemental Appropriations Request. The Border Supplemental section includes additional asylum officers and immigration judges, increased social services, and tougher enforcement of U.S. child labor law. As well, hold the line on trafficking funding throughout the federal budget. With all the public attention this issue is receiving at movie theatres and in the news media, the response from Congress must not be to slash support.

Recommendation Three: Do not rollback protections for unaccompanied child migrants. All children deserve screening by specially-trained border personnel. Congress has specifically required this safeguard for children from Central America. However, H.R. 2, the Secure the Border Act, would strip this protection in favor of expedited review by lesser-trained staff. H.R. 2 has already passed the House; but I urge you to oppose efforts to attach it to appropriations bills or other legislation.

Thank you for your attention. I look forward to answering any questions that you have now or at any time in the future.

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Testimony of Pablo Villeda Ortiz, International Justice Mission
Before the
House Committee on Homeland Security
Subcommittee on Border Security and Enforcement and Subcommittee on Emergency
Management and Technology

“The Broken Path: How Transnational Criminal Organizations Profit from Human Trafficking at
the Southwest Border”

October 24, 2023

Chairman Higgins, Ranking Member Correa, Chairman D’Esposito, Ranking Member Carter, and distinguished members of the subcommittees, thank you for the opportunity to testify at this important hearing. From my personal and professional experience, I hope to shed light on the all-too-common reality of violence and human trafficking in Latin America, as related to the situation at the southwest border of the United States.

My name is Pablo Villeda Ortiz. I serve as the Regional President for Latin America at International Justice Mission (IJM). IJM is a global, non-governmental organization (NGO) that works to protect people in poverty from violence.¹ We partner with government authorities in 31 program offices in 16 countries to combat human trafficking, police abuse of power, violence against women and children and online sexual exploitation of children. Since 1997, IJM has worked to achieve this mission through the strengthening of justice systems and community support mechanisms that restore survivors to safety and strength, strengthen local law enforcement, and bring criminals to justice.

In Latin America, IJM currently works in Guatemala, El Salvador, Honduras, Colombia, Peru and Bolivia to address violence against women and children (VAWC). Additionally, IJM recently concluded a 10-year project to address sex trafficking of children in the Dominican Republic.

I grew up in Guatemala City, Guatemala. Before joining IJM as Guatemala Field Office Director in 2007, I was a lawyer. I was inspired to enter the legal profession by my father, who was also a lawyer, and who not only used his career for personal gain but also to help many people in need. In my upbringing, my family was comfortable as part of the Guatemalan upper middle class. We lived in a secure home with high walls, free from fear of violent crime, physical or sexual assault, or any kind of abuse. However, I knew that this was not the experience of millions of others in Guatemala who face persistent insecurity and the threat of violence in their daily lives. In fact, I witnessed this reality firsthand. Firstly, before practicing law, I worked as a law clerk in the Guatemalan court system. I saw that those living in poverty or those without influence, power or

¹ <https://www.ijm.org/>

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wealth could not afford legal representation, and did not have access to justice. Secondly, in my work at IJM, I have personally met many survivors of violence who expect little to no protection from their law enforcement and legal systems.

The Challenges

In many parts of Latin America, including my country of origin, Guatemala, violence is a common and ever-present danger for many women and children, particularly those living in poverty. For instance, the forthcoming results of IJM studies measuring the prevalence of violence against women and children in multiple Latin American countries show that:

- In both El Salvador and Guatemala, nearly 40% of women and 30% of adolescents have experienced physical or sexual violence in their life.
 - Within the last 12 months alone, 6.2% of women and 6.9% of adolescents in El Salvador and 7.6% of women and 9.8% of adolescents in Guatemala have experienced this kind of violence.
- In Bolivia, over 50% of women and nearly 40% of adolescents and in the municipalities of Sucre, El Alto and La Paz have experienced physical or sexual violence in their life. Nationwide, 29.6% of women and 24.1% percent of adolescents have experienced life-threatening violence in their life – and a majority of these women and adolescents are vulnerable to being victimized again.

Studies conducted by other organizations show similarly high rates in other countries² and IJM will soon develop prevalence studies for Colombia, Peru and Honduras.

In the face of such pervasive violence faced by Latin American communities, it is also important to note that government authorities responsible for addressing violence are often themselves a barrier to justice for the victim of a crime. Law enforcement and justice system officials respond slowly and with unprofessionalism that jeopardizes the quality of cases and protection of the victim. Instead, these officials inadvertently retraumatize the victim in their questioning and uncaring treatment, failing to counteract the fear and shame that the individual is experiencing. At the same time, systems for the reception and processing of cases are outdated, susceptible to corruption, and inefficient, creating significant backlogs that can last years before any sense of justice can be achieved. In the meantime, victims are left unsupported to navigate a complex and intimidating system and perpetrators continue to commit crimes in impunity, fearing little in the way of repercussions.

² WHO: <https://www.who.int/news/item/09-03-2021-devastatingly-pervasive-1-in-3-women-globally-experience-violence>; UN Women: <https://caribbean.unwomen.org/en/materials/publications/2021/7/research-brief---intimate-partner-violence-in-five-caricom-countries>; The Lancet: [https://www.thelancet.com/article/S0140-6736\(21\)02664-7/fulltext](https://www.thelancet.com/article/S0140-6736(21)02664-7/fulltext).



IJM studies evaluating the performance of the public justice systems in Bolivia, Guatemala and El Salvador demonstrate the existence of these barriers to justice for victims. For example, a review of criminal case files in Bolivia in 2023, revealed that only 33.3% of cases contained complete information to be evaluated and only 39.6% allowed for the identification of the suspect and their location, reflecting a poor handling of the case from its initial intake and investigation. Most concerning, only 4% of reported cases reached any form of sentencing. In an assessment of official interactions with victims, only 6.55% of victim interviews were conducted in Gesell Chambers (private, nonthreatening spaces for taking victim testimony) and not a single interaction that took place within the court (hearings and preparation for the survivor to testify) was conducted with trauma-informed care, implying that 100% of these interactions resulted in re-traumatization for victims.

In Guatemala, of all the reported cases of violence against women and children in 2019, prosecution offices dismissed 40% of cases and had taken no action in 32% of cases by the end of 2022. In El Salvador, of all reported cases between 2016 and 2019, prosecution offices dismissed 46% of cases.

The title of this hearing suggests “a broken path”. If such a path exists, it is indeed broken and it is broken from the outset. It is broken in the homes and communities of millions of people in Latin America, for whom the rule of law is a notion and impunity is the norm.

Let’s consider the plight of those impacted by violence and the unbearable options before them. Where can they turn and what options do they usually have?

- One option is to suffer in silence and see their lives, the lives of their loved ones and communities deteriorate;
- A second option is to take matters into their own hands, which is why support for extrajudicial violence against alleged criminals by outraged mobs in poor communities is common in Latin America;³
- A third option, also unfortunately common in many places in the region, either by desperation or under extortion, sees many people resort to the “protection” offered by criminal gangs and cartels;
- And a fourth option is the difficult choice to leave their community and loved ones behind, flee, and attempt to migrate to a place of safety and opportunity.

³ Cruz, J., & Kloppe-Santamaría, G. (2019). Determinants of Support for Extralegal Violence in Latin America and the Caribbean. *Latin American Research Review*, 54(1), 50-68. doi:10.25222/larr.212



The Solutions

In recent years, a host of issues, including violence, have contributed to an upsurge of outmigration from Central America. In the face of these challenges, we must look to the source and then work to address the factors that drive people to abandon their homes, their families, and their communities. IJM's experience in Latin America, where we work in partnership with public justice system officials, is that progress is possible and has not been disrupted by changes in national leadership, nor has it been severely or seriously undermined by corruption. Local governments must be responsible for extending the benefits of protection of the rule of law to all citizens, but especially those in poverty, so that they are safe and secure within their own communities – and there are proven, effective ways to achieve this end.

For over 20 years, IJM has been countering the problem of violence through the strengthening of justice systems and mechanisms of community support for victims and survivors. In each context, IJM works alongside prosecutors on actual cases of violence and human trafficking, providing mentorship, technical resources and training to address weaknesses and gaps in capacity. Through firsthand insight into these cases, IJM works to identify and address systemic issues that prevent the identification of victims and prosecution of perpetrators. In the process, IJM develops targeted, contextualized interventions that address the core, systemic issues that allow for impunity to continue unhindered, while mobilizing political will and social demand so that local governments increase their ownership and actions to strengthen the protection of those living in poverty from violence.

From IJM's programmatic experience in Latin America, we have seen the effectiveness of these interventions to address trafficking and violence:

Dominican Republic

IJM recently concluded a project in the Dominican Republic (DR) to combat sex trafficking of children.

Nearly a decade ago, a 2015 IJM study⁴ showed sex trafficking of children in the Dominican Republic was a rampant crime, with children comprising 1 in 10 people who were observed in sexual exploitation – most as young as 13 to 15 years old. Traffickers operated with impunity in establishments like bars, brothels and even private businesses, but the crime truly thrived in public settings. The prevalence of minors in sex trafficking in public spaces like parks, beaches, and streets surrounding private establishments was as high as 24 percent of individuals observed in sexual exploitation. Customers would work through either formal or opportunistic pimps – young men or women who work as trafficking facilitators and offer to find children for sex.

⁴ IJM (2015). [Commercial Sexual Exploitation of Children in the Dominican Republic](#).



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This had been the norm for years — studies carried out during the early 2000s consistently reported women and children as the most vulnerable to trafficking and sexual exploitation, particularly highlighting the number of children trafficked for the purpose of commercial sexual exploitation.⁵

As the scale of violence and impunity became clear, the U.S. Department of State’s Office to Monitor and Combat Trafficking in Persons (J/TIP) funded an anti-trafficking program led by IJM. This strategic investment in U.S. foreign assistance leveraged IJM’s years of experience assisting local law enforcement and justice sector authorities in the fight against sex trafficking and helped transition the focus of the work to sustainable protection in the long term, to ultimately strengthen local authorities’ capacity to proactively identify this crime and enforce laws.

According to the State Department, this programming sought to create “a measurable deterrence and a significant reduction in the prevalence of sex trafficking in the country” through “consistent apprehension and effective prosecution of perpetrators,” and provide “an effective response to sex trafficking that ensures the sensitive treatment of survivors and results in a deterrent effect that reduces the prevalence of the crime throughout the country.”

During this project, IJM and our partners:

- Developed investigation standards that ensure that police respond to victims with trauma-informed care and gather the proper evidence for a case to advance through the legal system.
- Spurred a civil society movement to successfully advocate for a ban of child marriage, which had served as legal loophole that enabled perpetrators to act in impunity.
- Worked with the Dominican National Police to co-design the nation’s first electronic investigation system that will safeguard the integrity and documentation of collected evidence and enable the effective prosecution of sex trafficking cases.

As a result of these initiatives, we have seen a tremendous improvement in the performance of the Dominican justice system⁶ and reduction in prevalence of violence⁷ in cases of sex trafficking of children.

- From 2010 to 2013, the anti-human trafficking department of the Dominican National Police did not handle **any** cases of sex trafficking; while from 2014 to 2021,

⁵ UNICEF: <https://docplayer.es/20918363-Estudio-cualitativo-sobre-explotacion-sexual-comercial-de-ninos-ninas-y-adolescentes-en-republica-dominicana-resultados-preliminares.html>; Sorensen, & Claramunt, M. C. (2003). Commercial sexual exploitation of children and adolescents in Central America, Panama and Dominican Republic: synthesis report. ILO.

⁶ IJM (March 2023). Study of the Dominican public justice system in response to sex trafficking and commercial sexual exploitation of children, 2010-2022.

⁷ IJM (January 2023). Commercial Sexual Exploitation of Children in the Dominican Republic: Endline Study.

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- 130 cases were initiated. This crime was once unrecognized and unpunished – and now it is actively investigated and prosecuted.
- Similarly, the Attorney General’s Office of the Dominican Republic only handled eight cases from 2010 to 2013, while it registered a total of 90 cases between 2014 and 2021.
 - The total prevalence of children involved in sex trafficking was reduced from 10.0% in 2014 to 2.2% in 2022. This represents a 78% decrease in children in sex trafficking over the course of eight years. In other words, in 2014, 1 in 10 individuals involved in sex trafficking was a minor experiencing sexual exploitation. In 2022, one in 45 individuals involved in sex trafficking was a minor.

Northern Triangle

The effectiveness of this approach is not unique to the Dominican Republic but has generated promising results in other parts of Latin America. IJM has worked in Guatemala since 2005, beginning by partnering with justice system actors to address sexual violence against children. Over several years, our team in Guatemala:

- Provided field mentoring to police officers and case-based consultation to prosecutors to improve outcomes and quality of investigations and cases;
- Developed technological and data management tools to assess the criminality of perpetrators and identify gaps in the performance of the justice system;
- Assisted in the launch, training and capacity building of the first-ever specialized sex crimes police units and crimes against children prosecution offices;
- Provided training on best practices in trauma-informed care for victims so that evidence collection and victim testimonies are non-threatening; and
- Made tangible contributions to the quality and expediency of forensic reports rendered by the National Institute of Forensic Sciences.

As a result, according to an 2018 external impact evaluation⁸ commissioned by IJM, the Guatemalan justice system has more effectively responded to cases of child sexual abuse, as evidenced by:

- 357% more arrests – from 301 (2008 – 2012) to 1077 (2013 – 2017)
- 318% more charges brought by prosecutors – from 520 to 1,658
- 335% more convictions – from 181 to 581
- 80% of charges brought by prosecutors at endline (cases sent to trial) met legal requirements – from 28% at baseline
- Increased victim sensitivity by justice system officials, including a reduction in the number of times victims give testimony, increase in the use of pre-trial testimony, and an increase in the use of victim-friendly spaces for child victims.

⁸ IJM (December 2018). Final Evaluation of Program to Combat Sexual Violence Against Children and Adolescents in Guatemala, 2005-2017.



Based on this success, IJM expanded its program in Guatemala to the broader issue of violence against women and children (VAWC). IJM is making progress by:

- Strengthening the capacity of the recently launched Victim's Institute as the primary government agency tasked with providing free, specialized assistance and accompaniment to victims of crime to ensure their access to justice, restoration, and dignified treatment throughout the process. IJM has been instrumental in assisting the Victim's Institute by co-developing its model of attention, protocols, best practices, case monitoring system, and victims' reparation policy, informed by consultation with actual survivors of violence.
- Improving the application of restraining orders so that perpetrators are kept from committing further violence, and women and children are protected from further harm.
- Piloting a Coordinated Community Response model, as a scalable and replicable model to enhance security based on building trust, cooperation and capacities in both state agencies and community actors.
- Organizing and equipping groups of survivors to amplify their voice, stories and advocacy for sustainable change.
- Embedding training and best practices into justice and citizen security agencies' official curricula and training academies.

Additionally, in El Salvador, where IJM has worked since 2018, IJM has already seen a 78 percent increase in the number of police investigations that meet quality standards, including evidence collection and analysis and application of investigative techniques.

Conclusion

At IJM, we are convinced that when a justice system protects its most vulnerable, it will deter violence and break the cycle of abuse and crime. When a justice system protects its most vulnerable, victims report their cases and perpetrators experience real consequences for their crimes. When a justice system protects the most vulnerable, victims are treated with dignity and care so that they can heal and flourish. When a justice system protects the most vulnerable, people can live peacefully within their own communities without the need to seek help and opportunities elsewhere. When local governments increase their ownership, strengthen policies, and improve their law enforcement performance with support from effective international partners, change is accelerated, and wins are more sustainable. Our experience is evidence of this.

From IJM's experience, when strategic investments are made to strengthen the capacity of the government authorities to respond to violence and support survivors, substantial progress can be made in the performance of public systems responsible for the protection of their citizens. In both the 116th and 117th Congress, IJM was pleased to support the Central American Women and Children Protection Act – bipartisan legislation designed to strengthen public justice

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systems to protect women and children, support victims of violence, and hold perpetrators accountable. In the fiscal year 2022 appropriations bill, Congress appropriated funding "to support bilateral compacts with the governments of such countries for the specific purpose of strengthening their capacity to protect women and children from domestic violence, sexual assault, trafficking, and child abuse or neglect, including by holding perpetrators accountable."

The United States has a pivotal role in this fight to counter violence as a fundamental factor that creates instability, drives migration and makes people vulnerable to trafficking and exploitation. Toward that end, I offer the following recommendations:

1. **Partnering with and investing in local governments in Latin America:**
Criminal justice systems can be unresponsive to reports of crimes of physical and sexual violence against women and children. Yet continued partnership between governments can significantly improve the performance of criminal justice systems for lasting change. While civil society and community members play an important role in child protection, the goal cannot and should not be for those actors to replace the crucial role of government officials and those institutions mandated to protect children in their communities. These include law enforcement, the judiciary, social welfare services and local leaders; all of whom need more trauma and technical training, and practical resourcing to be able to build trust with those citizens and create sustainable systems that are accessible and reliable for those in the communities they serve. Accordingly, this requires funding for public justice system improvements, including:
 - a) Fair, transparent and efficient administration of justice: International NGOs such as IJM are playing a role in improving case management in courts, court-based victim's support services and the use of technological tools to increase efficiency in criminal hearings. There is also an increasing need in this field to promote greater engagement from civil society organizations to foster accountability, integrity and transparency in criminal processes.
 - b) Community-based services for women and children: Through MOUs and cooperative agreements, NGOs in Latin America can and do effectively partner with government agencies to enhance reporting, response, and restoration services. NGOs are part of the government's referral system for women and child victims and often provide support services to the most vulnerable populations, including women who had been forcibly displaced from their communities or reside in areas that are subject to the control of gangs.
 - c) Assisting government partners: It is essential to work alongside government partners to ensure a coordinated response to violence against women and children occurs, police protocols increase the safety and stability of victim's access to justice, and all legal processes are trauma-informed and survivor centered.
 - o Training and mentoring justice officials including police, prosecutors, and social workers.

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- Reforms to bolster witness accompaniment, to improve the process of “walking alongside” individual clients throughout the court process. (Lacking this, witnesses fall away and violent criminals fail to be held accountable.)
 - Mentoring and equipping local leaders, including civil society and survivor-led groups to serve as advocates for change.
2. **Increase U.S. diplomatic efforts to address violence against women and children in partnership with the government of Honduras.** IJM welcomed the joint statement by the governments of the U.S. and Honduras⁹ at the Strategic and Human Rights Dialogue in January 2023 in which both governments “reaffirmed their continued commitment to jointly address the root causes of irregular migration and forced displacement” and announced “their intention to sign a joint memorandum of understanding that defines specific actions against domestic and gender-based violence while also increasing support to survivors.” IJM encourages the Department of State to work with the government of Honduras to finalize and commence such a joint MOU, as soon as practicable. IJM recommends that a joint MOU specify particular government institutions that are responsible for implementation to maximize fiscal accountability and outcome-based measurement. We also recommend activities under a joint MOU be implemented by experienced NGOs that support local authorities and provide technical assistance, mentorship and training to police, prosecutors, courts, and social service agencies.
 3. **Prioritize the reauthorization of the Trafficking Victims Protection Act (TVPA).** Notably, September 30, 2023 marked two years since the previous authorization of the international TVPA programs expired. It is past time for this important legislation, which guides U.S. programming and policy to combat human trafficking globally, to be reauthorized. Survivors, NGOs, and governments worldwide look to the United States as a leader on this issue and the TVPA is central to this fight. A bill, H.R. 5856, was recently introduced in the House for this purpose and we encourage members of this committee to support that legislation.
 4. **As Congress negotiates a 2024 appropriations bill, it is essential that funding is sustained or increased for programs that combat trafficking and other forms of violence abroad.** We can all agree that no child should be trafficked, exploited, or violently abused. U.S. government programs that support the efforts of foreign governments to identify victims, prosecute traffickers and violent criminals, and support survivors in their journey of healing should continue to receive robust funding.

⁹ [Joint Statement on the U.S.-Honduras Strategic and Human Rights Dialogues](#). January 10, 2023.