

## **Argentina's Fight for the End of Human Trafficking**

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Every thirty seconds an innocent person disappears as a result of human trafficking. As many as twenty-seven million people around the world are enslaved at this moment, some of them are as young as twelve years old, serving their captors as laborers and sex slaves. Yet, as serious as this issue is, only two percent of victims world-wide are ever rescued.<sup>i</sup> Even though some people devote their entire lives to finding their loved ones, many victims are never found. Desperate searches that do at times produce convictions are often overturned due to lack of concrete evidence, and yet, people continue to fight for the justice and freedom of others. One such case is that of Susana Trimarco, whose daughter, Marita Veron was kidnapped and sold into the sex trade. Trimarco fought for ten years just to get her kidnappers convicted only to later see them overturned.<sup>ii</sup>

According to the Protection Project Report published in 2012, “Argentina is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking.”<sup>iii</sup> While in the case of Marita Veron, traffickers employed a local clinic to detain her, many women are lured into the sex trade by the promise of high paying jobs, only to be kidnapped and later enslaved. These women and children frequently come from surrounding countries such as Bolivia and Peru. Once they are kidnapped, they are routinely drugged and steps are then taken to alter their appearance. After this, they normally go through a “cooling off” period in which they are raped, tortured into submission, and provided with falsified documents -- effectively turning them into new people;<sup>iv</sup> often times they are rendered missing in plain sight of the authorities.

In order to better comprehend the roadblocks to combating human trafficking in Argentina, it is important to note that sex in exchange for money is legally protected, but working in an organized brothel remains a strictly illegal practice. In 2008, President Cristina Fernandez de Kirchner passed a law prohibiting newspapers from publishing solicitations for sex. This law, however, does not prohibit online publications or other digital media platforms including social media from publishing advertisements for prostitution. Due to the many loopholes to be found in this law, convictions stemming from its provisions are relatively rare.<sup>v</sup>

Susana Trimarco wasted no time after receiving conflicting reports that her daughter had either been murdered or taken to La Rioja, a northern agrarian province where the demand for prostitutes is high amongst farm workers. These conflicting reports led her to scour police reports to find the names and locations of pimps and brothels. She went undercover as a Madam (a woman in charge of managing a brothel and buying prostitutes), to buy girls as young as 14 their freedom.<sup>vi</sup> She worked largely on her own, finding woefully little assistance in the local police departments and judiciary system. She was also subjected to attacks and often received death threats by the local mafia who controlled most of the human trafficking in the area.<sup>vii</sup> Since 2002, Trimarco has rescued over 120 girls, often taking them into her own home, caring for them, and protecting them from their abusers. In 2007, Trimarco established the NGO *Fundacion Maria de los Angeles*, from which she conducts rescue missions, teaches survivors skills for employment, and provides them with social and psychological help. The work conducted by the NGO brought the attention of the federal government to the problem of human trafficking and its corrupt ties to local governments; as a result this issue has now entered the legislative arena.<sup>viii</sup>

In 2012, the men who allegedly kidnapped Marita were eventually acquitted and it was Trimarco who instilled hope in those who had been rescued and are now bitterly disappointed in the criminal justice system. During the trial, survivors asked Trimarco, “Why would we believe in justice after seeing what those shameless judges did after all that you’ve done all these years?”<sup>ix</sup> One girl refused to testify in front of a judge as she had been forced to sleep with him in the past.<sup>x</sup> The Council on Hemispheric Affairs previously reported on Marita Veron in November of 2012 before the men who were convicted of kidnapping Marita were acquitted of all charges due to lack of evidence a month later<sup>xixixiii</sup>

A critical reason for the unacceptable level of human trafficking convictions is the systemic miscommunication between the federal government, national police forces, and non-governmental organizations. Maintaining productive communication throughout all of these levels of government is critical for the effective implementation of the law. It is not uncommon for local police officers to accept monetary bribes from brothel operators in exchange for protection from the application of the law and help in returning escaped prostitutes back to the brothels.<sup>xiv</sup> According to Lujan Araujo, the director of *Maria de Los Angeles*, “Girls have reported seeing the chief of police coming to collect money from the traffickers, and they know that they cannot go to the police.”<sup>xv</sup> According to PassBlue, in 40 percent of sex trafficking cases that reached the courts, police officers, judges, and a host of tainted mayors, were repeatedly found to be complicit either as customers or as illicit contacts for brothel owners.<sup>xvi</sup> Practices like these inhibit Argentina’s potential to combat sex trafficking. If the federal government cannot readily trust local level officials to aggressively pursue and uphold the law, any meaningful progress seems unlikely.

While Argentina is now in the process of making significant progress in eliminating human trafficking with the help of the state attorney’s office for trafficking and exploitation of persons, PROTEX (Procuraduría de Trata y Explotación de Personas) it does not yet meet the TVPA’s standard for Tier 1, but it comes close to conforming to US

standards. The Trafficking in Persons Report (TIP), a report published by the U.S. State Department, is the “world’s most comprehensive resource of governmental and anti-human trafficking efforts... It represents an updated, global look at the nature and scope of trafficking in persons and the broad range of government actions to eliminate it.”<sup>xvii</sup> In order for a country to achieve Tier 1 status, the country must have a civil authority that “acknowledges the existence of human trafficking, makes efforts to address the problem, and complies with the TVPA’s minimum standards.”<sup>xviii</sup>

In order to better combat human trafficking and to achieve Tier 1 status, the TVPA recommends more effective techniques as well as an increase in funding and availability for victims’ services; establishing a federal council on human and sex trafficking and expanding training for officials to include victim identification and providing assistance in victim protection. By partnering with civil society at all levels, and strengthening communication between advocates, Argentina will be better able to promote punishments for complicit officials who inhibit the rescue and safety of victims of human trafficking; and to strengthen efforts to prosecute traffickers with more stringent sentences.<sup>xix</sup>

The problem, unfortunately, goes deeper than corruption within local law enforcement bodies. Mafias and gangs have become some of the major players in human trafficking. They have money, power, and the ability to carry out death threats which makes them powerful players when it comes to manipulating police officers and local judges. Non-governmental organizations and their associates also face threats that may inhibit their ability to adequately protect survivors who come to them for help. Since it is so easy for these traffickers to falsify documents, many people suspect that the only way to truly eradicate human trafficking is to aggressively end the incentive for local level officials who to take advantage of the system and prosecute those taking part in the process as consumers.<sup>xx</sup>

In 2008, President Cristina Kirchner campaigned to pass Law 26364 which works to prevent, punish and fight against human trafficking. It also works to assist and protect victims who come forward. Resolution 731/12, created by the Ministry of Justice and Human Rights, established the National Program for the Rescue and Accompaniment of Victims of Human Trafficking, which provides victims and their families with psychological, social, medical, and legal support by means of trained professionals. They work with PROTEX to assist in legal battles on behalf of survivors.<sup>xxi</sup> Their main goals are to prevent human trafficking by means of programs that generate awareness and training for members of the judiciary and all agents involved in the investigation of human trafficking.

Although the Argentine government is making some strides in combating human trafficking, as with any other commodity, the power rests in the hands of the consumer. The only way to stop human trafficking is to heavily discourage the demand and to promote awareness. And while Marita Veron may never be found, Susana Trimarco must take solace in the fact that her sacrifice is saving countless other women from a similar fate. As Martin Luther King Jr. once said, “The arc of the moral universe is long, but it bends towards justice.”<sup>xxii</sup>

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