

ORIGINAL

Corrupt officials, invisible accomplices of pimping and trafficking networks

Funcionarios corruptos, cómplices invisibles del proxenetismo y redes de trata

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ABSTRACT

This research analyzes the existence of corrupt officials, invisible accomplices in pimping, and human trafficking networks in recent years. To this end, a qualitative methodology with a phenomenological design and a descriptive approach was used. The population consisted of prosecutors' office officials and conveniently selected lawyers with law degrees as participants. Data collection was conducted through interviews using a semi-structured guide. The results reveal that corrupt officials, accomplices in pimping, and human trafficking have a neutral impact due to the lack of logical and human resources, the limited investment by the state in technology, resulting in the inability to obtain direct virtual evidence, the implementation of internal control mechanisms, and the strengthening of public ethics, which affects the physical and psychological personality of the victims. There are difficulties in obtaining direct evidence because this crime operates clandestinely and emotionally manipulates its victims, who are mostly minors, and who do not file complaints out of fear or economic or financial dependence. Municipal officials issue licenses to establishments that operate undercover, and to prevent this, internal control and auditing must be structural and sustained across all related entities. Within a rigorous regulatory framework, it is essential that cases of trafficking be better coordinated between criminal laws and policies.

Keywords: Pimping; Human Trafficking; Corruption; Victims; Judicial System.

RESUMEN

La presente investigación analiza si existen funcionarios corruptos, cómplices invisibles del proxenetismo y redes de trata durante los últimos años. Para ello, se empleó una metodología cualitativa con un diseño fenomenológico y un enfoque descriptivo. La población estuvo conformada por funcionarios de la fiscalía y abogados seleccionados por conveniencia titulados en derecho como participantes. La recolección de datos se realizó mediante entrevistas, utilizando una guía semi estructurada. Los resultados revelan que los funcionarios corruptos, cómplices en el proxenetismo y trata de personas impactan neutralmente debido a la falta de recurso lógicos y humanos, la poca inversión del estado para la tecnología, ocasionando que no puedan tener pruebas directas virtuales, la implementación de mecanismos de control interno y fortalecimiento de la ética pública, que afecta la personalidad física y psicológica de las víctimas, en el que hay dificultades para obtener pruebas directas debido a que este delito opera en clandestinidad y manipulación emocional en sus víctimas que mayormente suele ser menores de edad y estas no realizan sus denuncias por miedo, dependencia económica o efectiva. Los funcionarios municipales proporcionan licencias a establecimientos que operan encubiertos y para evitar esto debe ser estructural y sostenida el control interno y auditoría en todas las entidades vinculadas. En un marco normativo de rigor es necesario que los casos de trata deben tener mayor articulación entre normas penales y políticas.

Palabras clave: Proxenetismo; Trata De Personas; Corrupción; Víctimas; Sistema Judicial.

INTRODUCTION

Over the years, corruption has gone from being a secondary problem to becoming the main concern for Peruvian citizens, surpassing even crime and other social ills.⁽¹⁾ The insatiable desire for wealth reflects a mentality that has persisted throughout history, where crime has been normalized and justified in various contexts.⁽²⁾ However, human trafficking is a global problem that subjects human beings to inhumane conditions,⁽³⁾ to the extent that it is estimated that between two and four million people are trafficked annually, with 98 % suffering labor and sexual exploitation.⁽⁴⁾

In this sense, women in socially vulnerable situations, many of them migrants or racialized, are the main victims of this system, exposing themselves to physical and psychological risks,⁽⁵⁾ in addition to being subject to multiple forms of violence in the health sector.⁽⁶⁾ The traditional attribution of risk to prostituted women⁽⁷⁾ is criticized, ignoring the influence of clients,⁽⁸⁾ who impose unsafe sexual practices without assuming the consequences, highlighting the need to problematize prostitution from a public health perspective, addressing its impact on women's biopsychosocial health.⁽⁹⁾

Society as a whole and some organizations committed to supporting victims of various acts of violence, such as the crime of human trafficking for the purpose of pimping,⁽¹⁰⁾ the treatment or concern for the victim as a human being is deficient because, within the framework of the state's responsibility to provide assistance,⁽¹¹⁾ the victim is seen as a case number in the judicial system or a file in the fiscal sphere, leaving aside the human aspect.⁽¹²⁾

Human trafficking and corruption transcend borders, affecting the dignity and freedom of thousands of women.⁽¹³⁾ However, it is rarely analyzed and still marginal in public debate. Thus, trafficking was observed along the borders of Ecuador and Bolivia over a long period.⁽¹⁴⁾ This crime is one of the most recognized and least studied global illegal markets in the world.⁽¹⁵⁾

Nevertheless, from the perspective of corruption and pimps, challenges against prostitution persist, as it is closely linked to social fragility.⁽¹⁶⁾ Factors such as poverty, racial discrimination, and lack of employment make life difficult for many women.⁽¹⁷⁾ In this context, prostitution is not only a way to earn money, but also a space where the rules of society, prevailing morals, and these women's ability to make their own decisions collide.⁽¹⁸⁾ Over time, authorities and policies have changed their stance on this issue, sometimes accepting it and other times repressing it,⁽¹⁹⁾ often motivated by political or economic interests that do not always have to do with social or ethical concerns.⁽²⁰⁾

In this regard, the present study aims to analyze and evaluate the different practices between corruption and pimping in the form of human trafficking. The following research question is formulated: How is the crime of corruption of public officials linked to the crime of pimping in the form of human trafficking? In addition, the objective was to analyze the legal link between crimes against human dignity and the criminal implications of corruption in the crime of pimping and human trafficking. This analysis not only seeks to point out the direct or indirect connection between corruption and pimping in the form of human trafficking, but also to understand the mechanisms of the process by which this inhumane act is carried out.

METHOD

This study is based on a qualitative approach, as it seeks to understand the dynamics and experiences underlying these crimes from a deep and detailed perspective. Therefore, this research is oriented toward studying in greater depth, excluding and including information.⁽²¹⁾ The level of this project is descriptive, as its purpose is to identify the characteristics and properties of concepts, variables, or facts in a given context, allowing us to determine the problem of how the crime of pimping is on the rise and is related to the crime of corruption of public officials. Likewise, the descriptive scope is that which aims to describe the fundamental characteristics of homogeneous sets.⁽²²⁾ The research design applied is phenomenological, as it aims to explore, describe, and understand experiences. Thus, it is considered a branch of philosophy that seeks to understand and give importance to how people live their daily lives in the world we live in.⁽²³⁾

The population of this research study is from Peruvian territory. They define the population as specifically fitting a set of interest to the researchers.⁽²⁴⁾ In the sample, we have 15 officials from the Public Prosecutor's Office and selected lawyers, considering their knowledge and experience in the subject, a group of participants selected for their direct link to the phenomenon under investigation.⁽²⁵⁾

The technique to be used will be the semi-structured interview, which offers us more considerable leeway to probe our respondents and maintain basic structural flexibility. These interviews are very feasible for qualitative research methodological bases, so they are conducted in an open manner so that the interviewee can respond freely.⁽²⁶⁾ The instrument will be the interview protocol. It is mentioned that through this instrument, the fieldwork will be more flexible in the development of the research to obtain authenticity and possible transferability of the study.⁽²⁷⁾

RESULTS

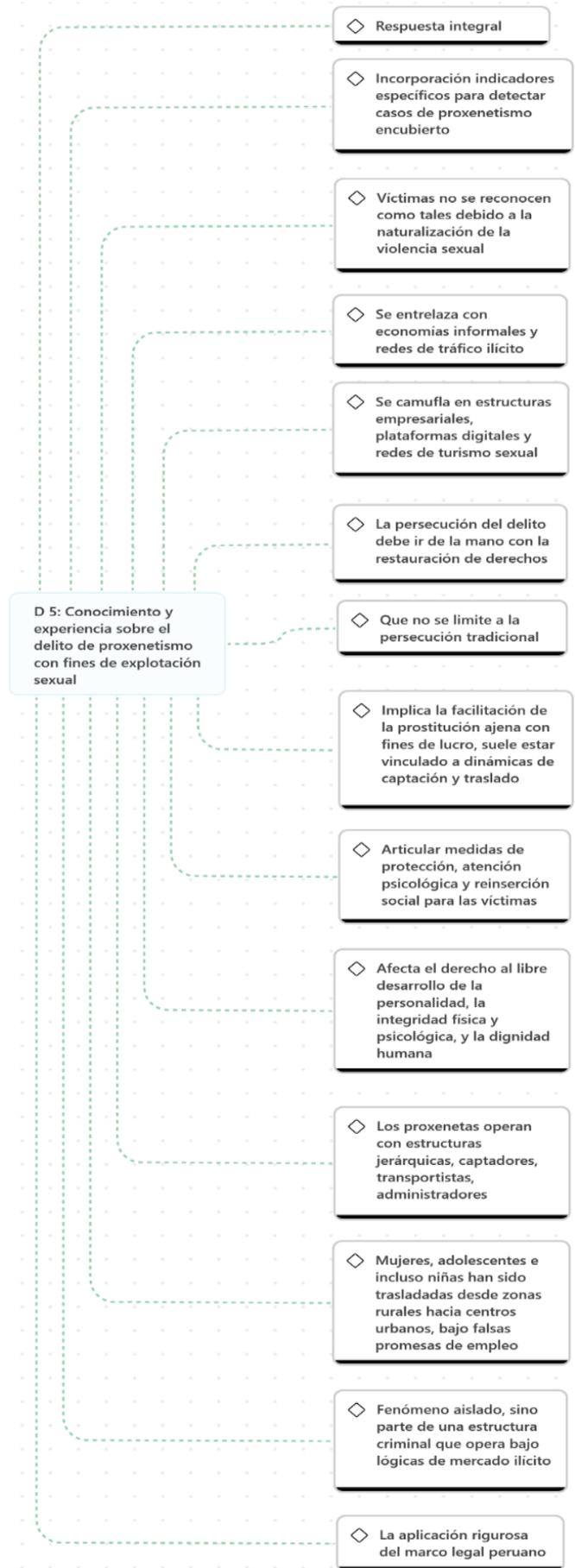


Figure 1. Perspective on the crime of pimping for sexual exploitation

With regard to the first question on experience and knowledge of the crime of pimping for the purpose of sexual exploitation, the responses obtained reveal several aspects. On the one hand, it is intertwined with informal economies and illicit trafficking networks that are camouflaged in business structures, digital platforms, and tourism networks. On the other hand, respondents pointed out that it is not an isolated phenomenon, but part of a criminal structure that operates under the logic of the illicit market.

Likewise, cases were highlighted of adolescents and even girls who have been moved from rural areas to urban centers under false promises of employment, only to be sexually exploited in clandestine brothels. This affects not only sexual freedom, but also the right to free development of personality, physical and psychological integrity, and human dignity.

Furthermore, the crime of pimping for sexual exploitation has a profound impact on the physical and emotional health of victims. Many suffer from post-traumatic stress, depression, and loss of identity, which requires that the criminal process be conducted with a comprehensive protection approach. Now, during the process, it must also be ensured that victims have access to psychological care, temporary shelter, and reintegration programs. The prosecution of the crime must go hand in hand with the restoration of rights, because what is at stake is not only legality, but human dignity.

In relation to the second question, on the main obstacles to the investigation and prosecution of these crimes, respondents indicated that there are difficulties in obtaining direct evidence, as this crime operates in contexts of secrecy and emotional manipulation. Victims, often minors, do not report the crime out of fear, economic or emotional dependence, or because they have been subjected to psychological coercion. This situation leads to procedural delays and loss of evidence due to a lack of logical and human resources, as well as consistent testimony from victims.

In addition, there is social stigma towards victims of sexual exploitation due to the lack of effective protection for witnesses and victims. Similarly, the constant turnover of personnel in specialized units causes delays in resuming cases. As a result, instead of being treated as subjects of law, they are often judged morally, which reinforces their isolation and distrust of the system. I believe it is urgent to implement care protocols with a human rights approach.

Regarding the third question, on whether there is a link between corruption among officials and the crime of pimping in the form of human trafficking, the responses indicated that municipal officials grant licenses to establishments that operate as covert brothels, as police officers alert pimps about operations, obstruct proceedings, or even participate as clients. In some cases, as administrative favors, they omit inspections or manipulate files to delegitimize and allow criminal networks to operate with impunity.

Corruption prevents effective oversight of premises where victims are sexually exploited. Municipal inspectors, health personnel, or immigration officials may be recruited by criminal networks, allowing them to operate without control, even in downtown or tourist areas. Likewise, the omission of duties is expressed in various stages of the crime, from recruitment to exploitation. For victims, the state's actions are delegitimized and impunity is perpetuated, regardless of whether operating licenses are granted to establishments with a double facade.

In short, both officials and police alert pimps to operations, obstructing proceedings and manipulating files.

In relation to the fourth question, what mechanisms or strategies do you consider effective in preventing and combating corruption, respondents revealed a variety of opinions. First, the fight against corruption must be structural and sustained in strengthening internal control and audit systems in all entities involved in the prevention of trafficking. In addition, the protection of whistleblowers is key to breaking the silence surrounding these crimes.

Likewise, anonymous reporting mechanisms should be improved and exemplary sanctions applied. Continuous training in public ethics, human rights, and gender issues should be combined with legal, institutional, and cultural measures. It is necessary to promote a culture of integrity, transparency, and public service, with social oversight and accountability.

However, public entities must share databases, report on their actions, expenses, and results, and properly implement artificial intelligence and predictive analytics.

Regarding the fifth question, prevention and punishment play a role in corruption linked to pimping and trafficking. Respondents indicated that a comprehensive regulatory framework of necessary rigor should be established in cases related to trafficking, with greater coordination between criminal and political norms. In the best-case scenario, corruption related to these crimes should be treated as an internal enemy that undermines the protection of the most vulnerable.

In addition, the methods of collusion and influence peddling should be investigated more thoroughly and with greater determination, strengthening the justice system with specialized prosecutors, trained judges, and investigative units with technical autonomy and ongoing training. This could significantly limit corruption linked to pimping and trafficking.



Figure 2. Main obstacles to the investigation and prosecution of these crimes

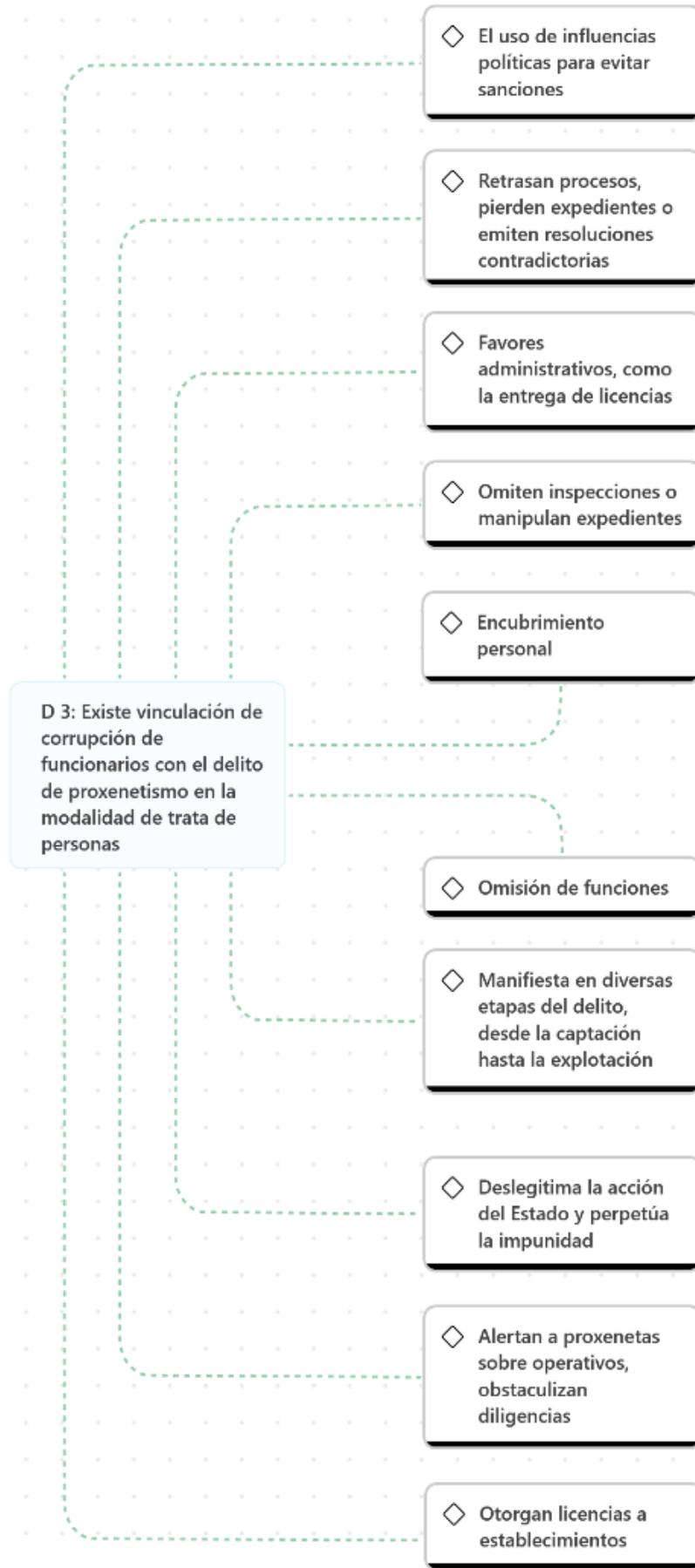


Figure 3. There is a link between corruption among officials and the crime of pimping in the form of human trafficking

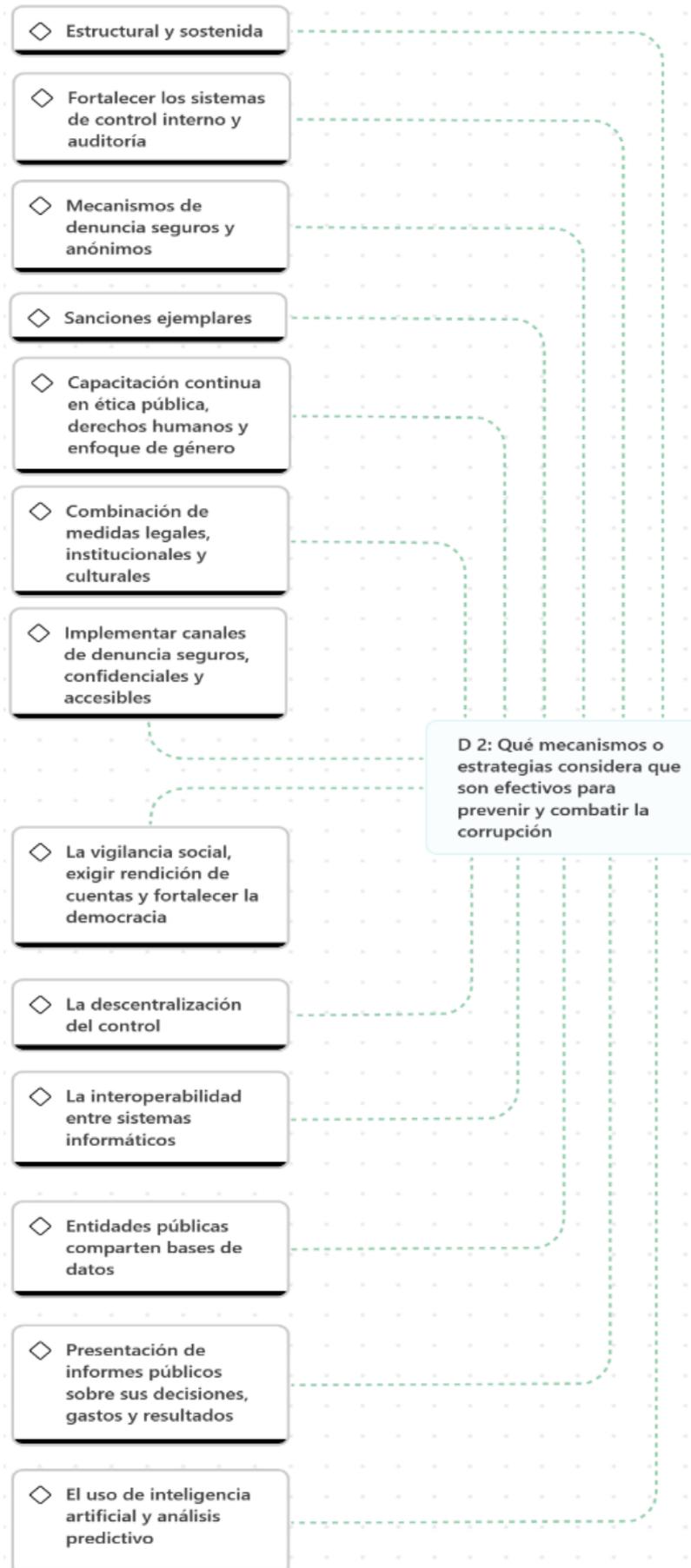


Figure 4. What mechanisms or strategies do you consider effective in preventing and combating corruption?



Figure 5. Prevention and punishment play a role in corruption linked to pimping and trafficking

On the other hand, in the area of obstruction, terms such as “effective,” “officials,” “investigation,” “sanction,” “exploitation,” “allows,” and “knowledge” stand out. These words suggest gaps in coordination and a lack of effective protection for witnesses and victims.

In terms of connection, words such as “modalities,” “sexual,” “purposes,” “control,” “combat,” “gender,” and “prevention” are observed, indicating that there are forms of control for the purposes of sexual exploitation, undermining confidence in the justice system.

In terms of combating corruption, we find words such as “criminal,” “strategies,” “measures,” “prevent,” “ethics,” “confront,” “article,” and “fight.” These words indicate that there are strategies and measures to prevent and confront corruption with the articles established in the Penal Code and that these should be reanalyzed for the present day.

Peruvian legislation uses terms such as “prosecutors,” “experience,” “code,” “mechanisms,” “justice,” “legislation,” “cases,” and “crime,” which indicate that prosecutors must apply judicial mechanisms in cases of crimes involving pimping and human trafficking and enforce the law.

In general, the lack of coordination between the Public Prosecutor’s Office, the National Police, and the Judiciary leads to procedural delays. They should share databases to prevent the opening of establishments with authorized licenses.

With regard to the co-occurrence of sentiments, according to Figure 7, respondents express diverse perspectives. In terms of positive sentiment, only one participant pointed out that it is necessary to review and harmonize the regulatory framework, incorporating specific anti-corruption clauses into sectoral laws, strengthening administrative and criminal sanctions, and ensuring that legislation is applied with a rights-based approach and a territorial perspective.

In relation to negative sentiment, perceptions were identified such as the use of artificial intelligence and predictive analysis that can help identify patterns of corruption linked to trafficking that are not investigated with the necessary depth. Another point is that in-depth investigations by investigators do not have specialized units or personnel trained in gender, human rights, or investigative techniques. In addition, political influences alert pimps to operations to avoid sanctions and police protection for human trafficking networks.

Finally, the neutral sentiment expressed by respondents regarding the crime of corruption of public officials linked to the crime of pimping in the form of human trafficking: psychological care and protection, ongoing training in public ethics for officials and prosecutors in addition to human rights, personal cover-ups, and criminal structures attempting to infiltrate processes. Furthermore, this is due to a lack of logical and human resources, as well as low investment by the state in technology, which makes it impossible to obtain direct virtual evidence. It was also pointed out that the fight against pimping must include a firm strategy against corruption, with exemplary sanctions, internal control mechanisms, and the strengthening of public ethics, which affects the physical and psychological well-being of victims.

DISCUSSION

From the perspective of the crime of pimping for sexual exploitation, it was identified that pimps intertwine informal economies and illicit trafficking networks that are camouflaged in business structures. It manifests itself as an isolated phenomenon, as part of a criminal structure that operates under market logic. Furthermore, Article 179 of the Criminal Code defines pimping as the promotion, encouragement, or facilitation of prostitution for profit. In practice, this crime is often linked to human trafficking, especially when the victim is recruited, transported, or retained through deception, threats, or abuse of power. In these cases, the victim’s consent has no legal validity, in accordance with Article 129-B of the Criminal Code, which punishes human trafficking even if the victim consents voluntarily, when there are means of commission such as deception or coercion. However Zerga⁽²⁸⁾ points out that the Peruvian Constitutional Court made a distinction between clandestine prostitution and non-clandestine prostitution, the former being that which does not comply with these administrative provisions and the latter being that which is practiced in accordance with municipal ordinances. On the other hand, Martínez Huamán⁽²⁹⁾ argues that it has been observed that the state itself turns a blind eye in order to evade the main problems in the country, despite the high levels of reports linked to corruption, which are disappearing.

Regarding the main obstacles facing the investigation and prosecution of these crimes, respondents mentioned that it is difficult to obtain direct evidence because this crime operates clandestinely and emotionally manipulates its victims, who are mostly minors. They do not report the crimes out of fear, economic or effective dependence, or, in the worst cases, psychological coercion. This also leads to delays in proceedings and the loss of documentation as evidence due to a lack of logistical and human resources. In addition, staff turnover or changes in specialized units cause delays in resuming cases. Instead of being treated quickly as subjects of law, they are often dismissed, which reinforces their distrust of the system. I believe it is urgent to implement care protocols with a human rights approach.

With regard to the link between corruption among officials and the crime of pimping in the form of human

trafficking, municipal officials grant licenses to establishments that operate as covert brothels, i.e., under another guise, which were not granted for that purpose. Likewise, it can be noted that police officers alert pimps about operations and obstruct proceedings due to administrative favors, omitting inspections or manipulating files to delegitimize and allow criminal networks to operate normally. In contrast, corruption prevents effective oversight of premises where victims are sexually exploited. Zavaleta Cabrera⁽³⁰⁾ indicates that there is a need to implement effective measures to combat corruption and strengthen transparency in state management, and Carbajal Ochoa⁽⁴⁾ points out that in various regions of the world, in Peru, according to data from the Public Prosecutor's Office, 3,119 people were victims of this crime in 2023. For its part, Reyes Valdivia⁽³¹⁾ refers to the need to strengthen public policies and international cooperation to counteract the harmful impact of these networks on the social fabric.

In relation to which mechanisms or strategies you consider to be effective in preventing and combating corruption. First, it must be structural and sustained in strengthening internal control and audit systems in all entities involved in the prevention of trafficking. Furthermore, it is not only a matter of applying exemplary sanctions. Article 384 of the Criminal Code punishes the crime of passive bribery, and when this is linked to serious crimes such as trafficking, the aggravating circumstance provided for in Article 46-A must be applied, which allows for an increase in the penalty when the agent is a public official and has abused their position. Another interesting point is citizen participation: civil organizations, the media, and social groups must be allies so that they can detect irregularities, demand accountability, and strengthen democracy. Therefore, Nuñez Laura⁽¹²⁾ points out that victims in our reality are seen as a case number in the judicial system when it comes to bringing cases to court, or as a file in the fiscal sphere, leaving aside the human aspect of not applying sanctions or enforcing the rules. For its part, Milon Kahatt⁽³²⁾ mentions that the economic situation of deep poverty and vulnerability leads people to apply for false job offers in order to get away and become independent from their families and domestic violence, or in other cases they decide that this is their best option to get ahead and help their family.

Finally, prevention and punishment of corruption linked to pimping and trafficking play a role. Within a comprehensive regulatory framework, it is necessary for cases related to trafficking to have greater coordination between criminal and political regulations. This would reduce corruption, as these crimes must be confronted as an internal enemy that undermines protection. Peruvian legislation has made progress in the criminalization of related crimes, such as Law N.° 28950⁽³³⁾, which establishes a comprehensive regulatory framework for the prevention, prosecution, and punishment of trafficking, including forms such as pimping, and Legislative Decree 1323, which strengthens penalties and establishes protection measures for victims. In general, greater coordination between criminal law and public policy is required. The National Policy against Human Trafficking (DS 009-2021-IN) establishes lines of action, but its implementation depends on political will and institutional strengthening. In contrast, Penal Code⁽³⁴⁾ in its article 129-A, it mentions that it is a modern form of slavery and a contemporary manifestation of dehumanization, in which the recruitment, transportation, transfer, concealment, or receipt of persons is visualized, using methods such as coercion, deception, or abuse of power, for the purpose of exploiting them. Victims of trafficking are treated as commodities, deprived of their freedom and autonomy, and subjected to degrading living and working conditions.

CONCLUSIONS

The perception of corruption in complicity with pimping and trafficking networks was mostly neutral, such as psychological protection and coordination, training in public ethics and human rights, personal cover-ups, infiltration of criminal structures in processes, logistical limitations, and lack of resources, among others. This indicates that there is an analytical and objective approach, recognizing difficulties as opportunities for improvement.

In short, the complexity of the phenomenon and the need for comprehensive and sustained measures that combine robust regulations, technological innovation, institutional capacity building, and ethical commitments to recognize the existence of multiple structural and operational challenges that hinder the prosecution and investigation of these crimes are highlighted, as it has been identified that corruption is present at all times.

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CONFLICT OF INTEREST

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