

Human Trafficking Cases in Chile: Challenges for Reducing the “Dark Figure”

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Abstract

At the global level, human trafficking estimates face a few limitations regarding dark figure. In addressing this type of crime, the Chilean criminal justice system is characterized by a deficient performance both in terms of identification of victims and conviction rates. This concerning situation is largely driven by the operation of several biases and shortcomings that conceal the perpetration of human trafficking acts in Chile. A paradigmatic example of this is the fact that there have been no trafficking cases brought to court in Tarapacá, a trans-border Chilean region with highest proportion of foreign population. Taken together, these facts point to a structural problem associated to processes of globalization and securitization of the border in the context of an institutional culture deeply rooted in a national security doctrine.

In this scenario, drawing on a systematic review of the relevant case law in Chile, this article reflects on human trafficking dynamics in the context of a highly securitized border region in Latin America. The focus is on the mechanisms by

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which these cases are known and processed by the criminal justice system, with special attention to elements with a high potential for estimating the dark figure through the Multiple System Estimation method and for reducing these multiple biases and limitations. From this analysis, critical recommendations are drawn for both law enforcement and border control agencies to reduce this dark figure of human trafficking cases. This paper thereby assumes that situated research is essential to overcome these shortcomings, since it leads to consider the influence of local, historical, and structural factors in the study of this largely invisible criminal phenomenon.

Keywords

Securitization · Dark figure · Border control · *Tarapacá* · Invisibilization · Multiple System Estimation

Introduction

Human trafficking is a growing problem in Chile and Latin America. Countries within this region are not only a primary source for people trafficked to United States, Western Europe, and Japan, but also serve as a transit and destination countries for trafficked victims from Asia (Ribando 2010). In response, legislations in Latin America have incorporated different models of human trafficking offences. This wide range of responses has been described in at least eight countries within the region by Sozzo (2017), who has observed both a broadening of conduct considered as criminal behavior and an increase in the severity of penalties for its perpetrators and accomplices.

Starting in February 2005, Chilean state agencies began to adopt a series of strategies in response to the ratification of the UN Convention against Transnational Organized Crime and its Protocols. To comply with its provisions, these strategies include the modification of the still in force Criminal Code of 1874, as well as the implementation of various public policies regarding trafficking. As a result, the US Government Trafficking in Persons Report (TIPR) has classified Chile as a Tier 1 state since 2014, above many other Latin American countries such as Argentina, Brazil, Uruguay, and Mexico, in spite of showing several limitations regarding the identification of victims and the application of dissuasive, proportionate sentences (US Department of State 2017).

The TIPR highlights the Chilean state's efforts regarding the increase of judicial cases, the achievement of more convictions, and the implementation of a national victim identification and referral policy. Yet the TIPR strongly recommends increasing the number of criminal convictions for trafficking offenders and strengthening the capacity of public agencies to assist trafficking victims. Thus, even when recognizing some advances in this subject, the TIPR highlights two key problematic issues: the institutional shortcomings on victim identification and the weakness of the criminal justice system in terms of sentencing trafficking offenders.

The Chilean Government Report on Human Trafficking shows that, from 2011 to 2017, only 33 identified trafficking cases were brought to criminal courts (Ministerio del Interior y Seguridad Pública 2018). Yet, the report also reveals some important differences at the local and subnational levels. For example, whereas 12 cases have been identified within the most populated region the *Metropolitana*, where the capital Santiago is located, there are other regions with no recorded cases at all. This situation is reflected at the northern region of *Tarapacá*, which currently exhibits the highest proportion of foreign population within the country (13.7% of the overall population). On the one hand, this trans-border region (Tapia 2012) has historically been important for different migration patterns within the Andean subregion area (Tapia 2013). On the other hand, it is a tax-free zone (González 1992) and plays a key role in the economic trade from the “South American Midwest” (Argentina, Bolivia, Brazil, Chile, Paraguay, and Peru) to the Asian Pacific market (Aranda et al. 2010). All these singularities turn *Tarapacá* into a paradigmatic case study to analyze the invisibilization of human trafficking as the result of the combined interaction of different institutions related to border control and the criminal justice system in the context of globalization.

This chapter aims to explore the governmental arrangements, narratives, and practices that contribute to the invisibilization of trafficking and its victims within the Chilean context. To these ends, the first section presents some of the singularities of *Tarapacá* as a special “case study” for exploring the impact of the border securitization process. The second section provides a critical reflection on Chilean penal policy based on both a statute law and case law analysis on human trafficking. The third section discusses the possibility of implementing the Multiple System Estimation method to estimate the dark figure on trafficking. Finally, drawing on the previously identified biases and shortcomings, several recommendations are given for policy makers, but also for researchers conducting studies on a still widely invisible phenomenon in Chile.

Border Control Policy Impact on Human Trafficking: The Case of *Tarapacá*

Border control dynamics observed in *Tarapacá* can be considered as social and political control efforts to select and securitize flows (Amilhat Szary 1997; Foucault 2008). All the aspects account for a governmental border operation designed as a control apparatus from an economic and securitized lens. Hence, one can assert that the varying levels of visibility of human trafficking cases and victims are managed through the governmental operation of border and migration controls. Such operations have resulted in immigrants being portrayed as enemies rather than potential victims of exploitation, thus further contributing to the invisibility of trafficking and its victims.

This highly intense border control context is possible to observe in different parts of South America, where border areas have been associated with military defense of

national territories and with the privileged position they hold in managing commercial relations. Both aspects have involved the implementation of various strategies whose purpose is to control a wide variety of actors and objects within the framework of “mobility” (Adey 2002; Bigo 2002). To materialize this “art of governing” (Foucault 2008), the state deploys a series of control devices aimed at containing “dangerous” mobilities, while facilitating the mobility of capital (García Pinzón 2015; Ramos and Ovando 2016). Thus, border control strategies have been designed around two central dimensions: the opening of the border to facilitate the movement of capital and its securitization for unwanted immigration flows.

In this sense, contradictory discourses coexist in order to promote a border policy that is “open” for orderly and regular migration, while at the same time remains “closed” for irregular migration, human trafficking, and smuggling (Magliano and Clavijo 2011). Hence, trafficking in persons has been addressed without an adequate conceptual distinction between victim, irregular migrant, and unwanted migration, resulting in a contradictory strategy of border and migration control. This contradiction accounts for the functional rationale of border management, which operates according to the material and symbolic dimension from which mobility is understood (Balibar 2003). Thus, various states in South America have built securitized *dispositifs* (Foucault 1980) to intensely intervene those “unwanted mobilities” (Vidal 2000). Then, the tightening of border control policy is a response to the lack of distinction between crime and disorderly migration (Campesi 2012).

In the case of Chile, it is also possible to observe this combination of strategies on border control. Under an orthodox neoliberal model that promotes an expansive and aggressive freedom of movement (Harvey 2007), Chile stands out for its virtuous relationship with transnational and multinational organizations. This economic expansion began with the internationalization of its economy during the 1990s because of a Free Trade Agreement with Canada and an Economic Complementarity Agreement with Mercosur, the Southern Common Market established in 1991 after the Treaty of *Asunción*. By 2012, Chile had entered 24 commercial agreements involving 59 countries, covering 62% of the world population, and giving Chile access to a market with more than four billion potential customers. Considering these agreements, Chile’s international trade commitments force it to maintain a highly securitized border policy mainly open for capital flows.

Consequently, Chile has replicated novel global dynamics tending to the securitization of territories (Dammert and Bailey 2005). In general terms, securitization is the process by which a phenomenon is transformed into a security problem, irrespective of its objective nature or the level of its threat (Campesi 2012; Weaver 1995). This is the case of border areas or “hot territories,” where the state projects a securitized ideology (Fuentes 2008). Both the *Plan Frontera Norte* (Northern Border Plan, 2011–2014) and the *Plan Nacional Contra el Narcotráfico* (National Plan against Drug Trafficking, 2014–2020) are clear examples of this. The Plano Nacional influenced the design of these strategic plans *de Fronteira* (National Border Plan) in Brazil, the *Operativo Escudo Norte* (Northern Shield Plan) in Argentina and the Mexican plan, which deployed military forces at the border to

Table 1 Number and proportion of expulsions by region (2011–2014)

Region	Expulsion	% of total sanctions
Arica y Parinacota	1207	18%
Tarapacá	3619	20.3%
Antofagasta	507	4.4%
Metropolitana	1010	1.1%

Source: Quinteros (2016)

mainly tackle drug trafficking. Thus, both the practices and the narratives of these Latin American plans share the common idea of fighting transnational crime by increasing border controls with greater resources and technologies.

These dynamics of opening and closing borders can be particularly observed in the northern region of *Tarapacá*, where border management is deployed from both an economic and a securitized perspective. *Tarapacá* is seen as a key area for commercialized goods, especially after it was promoted by the national government as a destination for foreign investment through a series of measures such as the declaration of a Free Trade Zone in 1975. As a result, the application of these “new economic rules” (Amilhat Szary 1997) at the local level facilitated the circulation of capital across Bolivia, Paraguay, and Brazil, while simultaneously limiting human mobility within sectors not connected to these commercial networks.

Indeed, the latest dynamics of border mobility in this area have revealed the existence of an intense migration control apparatus. The decision to implement the Northern Border Plan in the *Macrozona Norte*, the northern border area including the regions of *Arica y Parinacota*, *Tarapacá* and *Antofagasta*, represents a clear example of the Chilean state’s securitized discourse for *Tarapacá* (Ovando and Ramos 2016). In October 2011, the first Piñera Administration (2010–2014) announced that this plan was aimed at controlling “unconventional threats” deriving from organized crime, drug trafficking, and illegal migrations within the region. In this context, as shown in Table 1, from 2011 to 2014 the regional government of *Tarapacá* deported the most migrants nationwide, even more than the other two regions of the *Macrozona Norte* or the regional government of *Metropolitana*, where two thirds of the foreign population living in Chile resides (Departamento de Extranjería y Migración 2016).

Moreover, this evidence points to the existence of a wide discretionary power for border control agents. In practice, this results in arbitrary rejections at the border, illegal detentions, and the selective application of legal measures, and in particular deportations. When analyzing the application of immigration law enforcement measures between 2011 and 2014, one can detect some important biases in the application of deportations, which mainly target males from Bolivia, Colombia, Peru, and the Dominican Republic (Quinteros 2016). This approach to enforcing migration and border control policies has negative effects on the symbolic representations of specific immigrant groups. Unwanted migrants are mainly seen as potential enemies, which regarding trafficking becomes highly problematic since it

contributes to the invisibilization of foreigners as legal subjects and potential victims. As a result, no cases or victims have been registered in *Tarapacá* even though the region is one of just two to have national specialized police units in human trafficking since 2012.

Criminal Justice System Limitations: Trafficking Definition and Identification

After an extensive parliamentary debate that lasted almost 6 years, Anti-Human Trafficking Act 2011 (Nr. 20,507) came into force in Chile on April 8, 2011. Being the first law to criminalize the trafficking of persons, this regulation tends to reproduce the Palermo Protocols and the UNODC orientations aimed at prevention, protection, and prosecution. It not only punishes those who promote, facilitate, or finance trafficking, but also criminalizes the conspiracy to perpetrate human trafficking crimes. In addition, it reproduces criminal investigation techniques that are typical of drug trafficking regulations, e.g., effective cooperation with law enforcement agencies and the intervention of undercover agents. In terms of penalties, this Act stipulates 5- to 10-year prison sentences, fines ranging between 4000 and 8000 USD, and harsher sentences for recidivists. In fact, as the parliamentary debate revealed, the main goal was to prevent trafficking and to assure an effective criminal prosecution. However, based on a comparative statute and case law review of available convictions, it is possible to observe two main problematic areas: the lack of a conceptual definition of trafficking and the difficulties in identifying victims.

Regarding the first area, although the Palermo Protocols adopted in 2000 by the UN General Assembly provide general definitions of the central elements that constitute this criminal act, the specific interpretation varies widely in time and space (Lerum and Brents 2016; van Dijk and van der Heijden 2016). For example, this can be seen in the difficulties to elaborate an agreed upon, conceptual definition of “exploitation” (Gallagher 2010). According to Villacampa (2011), given the lack of agreement, the Convention only provides a limited catalogue of conduct outlining basic forms of exploitation. Therefore, it leaves the responsibility to articulate legal details to each state in accordance with their own regulations.

In the case of Chile, the Anti-Human Trafficking Act of 2011 is fundamentally based on the victim-centered approach adopted by the Convention and its respective Protocols. Thus, it not only encompasses men and women, but also includes forced labor, servitude, slavery, or similar practices as forms of exploitation. In this scenario, in order to determine if this legislative technique is adequate to effectively prevent trafficking (Vrousalis 2016), a deep discussion about what it means to exploit another individual is required. Yet, the Chilean criminal justice system’s strong inclination towards a “justice of agreements” model (Matus 2018) has neglected discussion on how exploitation should be understood in the local context.

According to available data from criminal convictions, at least seven out of fourteen cases were resolved via a special form of summary trials. Based on plea

bargaining agreements between defendants and prosecutors, all of these cases have resulted in noncustodial sentences. Of the cases that have gone to trial, a panel of judges has opted to re-qualify the trafficking in persons charge as facilitation or promotion of the prostitution of others (Article 411 *ter* of the Chilean Criminal Code 1874), even though there was sufficient evidence to classify these cases as trafficking crimes. Due to this re-qualification of charges, all of these convictions have been also replaced by noncustodial sentences, with the only exception of one particular case, where the conviction included both trafficking in persons and the conspiracy to perpetrate human trafficking crimes. In sum, discussion of the substantive elements that would constitute trafficking in persons has only been possible in one case, thus leaving public agencies and the entire criminal justice system without a clear definition of exploitation and trafficking.

Concerning the second problematic area, multiple difficulties regarding the identification of subjects aiming to hide from state control can be observed. According to Tyldum and Brunovskis (2005), one of the most problematic factors in relation to human trafficking is precisely the hidden nature of the relevant actors of this criminal phenomenon: prostitutes, traffickers, victims, and irregular migrants. The identification of victims has also been limited by the oldest border control regulation in South America, which reinforces the idea of migration as a threat to national security. Passed under Pinochet's dictatorship, a nondemocratic military regime that ruled from 1973 to 1990, the Border Control Act of 1975 (Nr. 1094), was designed based on a “national security” doctrine that sees foreigners as potential enemies (Bassa Mercado and Torres Villarrubia 2015). This regulation established a system of sanctions that gives special importance to deportation, together with broad discretionary power to law enforcement agencies. Hence, beyond the prevention, prosecution and protection principles of the Palermo Protocols, potential victims are firstly seen as potential offenders.

A further difficulty is the fact that the identification of trafficking offenders has not been particularly successful so far. The widespread use of plea bargaining procedures, together with the noncustodial sentences considered in the Alternative Sentencing Act of 2012 (Nr. 20,603), has meant that no convicted person has served a prison sentence yet. Moreover, although the Alternative Sentencing Act of 2012 (Nr. 20,603) includes deportation for irregular foreigners, this has not been applicable to trafficking cases. In fact, according to the available data, at least nine of the fourteen cases with a guilty verdict involved regular migrants. Considering their regular status at the time of committing the crime, the convicts were given a series of noncustodial sentences but were not deported.

Based on the two aforementioned problematic areas, it can be argued that the Chilean criminal justice system tends to produce “collateral damages” (Dottridge 2017), thus ignoring trafficking cases. The available data points to the interrelated operation of both the border control apparatus and the criminal justice system, an interrelation which seems to favor trafficking offenders, and subsequently promotes the profitable operation of transnational criminal networks with minimum risks. From here, the criminal justice system bias operates from two different, yet closely connected perspectives. On the one hand, it inhibits the identification of potential

victims due to the border control rationale centered on national security. On the other hand, as alternative sanctions are aimed at irregular migrants, the criminal justice system is prevented from enforcing deportation measures for trafficking offenders. Subsequently, the legal/illegal dichotomy of border control regulation penetrates the criminal justice system, thus contributing to the invisibilization of trafficking cases.

Limitations for Estimating the “Dark Figure” on Human Trafficking in Chile

Thanks to the seminal work of Kitsuse and Cicourel (1963) on the problems of “appropriateness” and “reliability” of official statistics, the notion of the dark figure has been a long-standing concern in criminology. As pointed by Penney (2014), this concept was first coined by Quetelet and refers to the cases that are not known by the police or the criminal justice system. In the case of Chile, the first study on this issue estimated that the “real amount” of crime was almost twice that of what police recorded, without major differences between type of crime and geographical location (Benavente and Cortés 2006). Yet, a later analysis based on the main Chilean victimization survey (*Encuesta Nacional Urbana de Seguridad Ciudadana*, ENUSC) showed that this absence of reports varies widely depending on both the type of crime and the victims’ profile (Quinteros 2014). In this regard, as Skogan (1977) clearly stated, the existence of this hidden or dark figure of criminal acts depends not only on victims not reporting, but also on authorities not registering these cases.

Regarding nonreporting, there are several factors that help to understand the scarce number of filed trafficking reports. Two important ones are the complexity of human trafficking and its criminal prosecution, and the vulnerability of trafficking victims, who generally have no incentives to file a report. In response to these challenges, victimization surveys have emerged as the most promising method for estimating the dark figure within criminological research. Yet, as Tyldum (2010) states, there is no clear definition on either the concept of trafficking or the target population from which subsamples can be drawn for questionnaire interviews. In addition, even when overcoming these issues by focusing on former victims of convicted cases, one still faces the difficulty of interviewing victims that generally do not want to be identified as such. Therefore, victimization surveys within the trafficking field have not yet adequately solved problems of coverage and identification, rendering them both unreliable for conducting research in this area and even less so for providing strong estimates on the dark figure (Tyldum 2010; van Dijk and van der Heijden 2016).

Alternatively, in response to these structural limitations, the failure to register cases by control agencies has been addressed by the Chilean state in two senses. On the one hand, the Chilean Board on Human Trafficking has been in operation since 2008, coordinating more than 20 public and civil society institutions around various strategies for the prevention, prosecution, and conviction of trafficking cases. On the other hand, in October 2012 the *Policía de Investigaciones* (National Civil Police),

one of the two national police corps in Chile, created a special unit for preventing and investigating human trafficking criminal networks. Since international borders are considered as a vulnerable issue for national security, this special unit not only operates in the *Metropolitana* region, but also since 2014 in *Tarapacá*, due to its high number of clandestine border crossings. Consequently, the combination of a restrictive regulatory framework, a negotiated functioning of the criminal justice system, and the impact of border policy in controlling human mobility seem to have shaped a set of practices and narratives that facilitate and promote both victims not reporting and authorities not registering crimes.

There is, however, a promising alternative method which has recently become available to estimate the dark figure on human trafficking – the Multiple System Estimation (MSE). This method is based on the capture-recapture concept, which combines two existing lists of detected victims produced by different authorities or NGOs to estimate the number of non-detected victims. As pointed by Van Dijk and Van der Heijden (2016, p. 2), “the ‘dark figure’ of victims that are not included on any list is estimated by analyzing the overlaps *between* [emphasis added] the lists.” With three or more lists, a loglinear modeling allows to assess how much being in a particular list affects the chances of being in another, thus providing a strong estimate of the number of individuals not appearing in any list (Cruyff et al. 2017).

However, as pointed out by these authors, apart from the required temporal and spatial operational definition for “closing the system,” MSE depends on three additional problematic assumptions. To begin with, MSE needs to correctly identify the overlap of uniquely defined individuals between different available lists of victims. Secondly, it also requires an homogeneity of inclusion probabilities within the lists, i.e., the individuals have the same inclusion probability in at least one of the lists (van der Heijden et al. 2015). Finally, this method is built on the existence of independent lists, where “the probability of inclusion in one list does not affect probability of inclusion in the other” (van Dijk and van der Heijden 2016, p. 15).

In order to overcome these limitations, different methodological strategies suggested by van Dijk and van der Heijden can be introduced. Yet, in practice, its application within the Chilean context still needs to overcome several limitations. For example, the operation of the criminal justice system towards a “justice of agreements” model not only moves away from the prevention, prosecution, and protection principles of the Palermo Protocols, but also from the UN Sustainable Development Goals regarding access to justice. Thus, achieving such solutions within the local context requires the modification of very well-established organizational structures and processes among control agencies.

Firstly, regarding the identification of overlaps between lists, even though the Chilean Board on Human Trafficking assumed the specific goal of generating registration systems for potential victims, strategies deployed so far have not been adequately implemented. As stated, Chile exhibits serious deficiencies in terms of victim identification, which translates into the absence of available data for perfect matching of unique individuals between lists. This has been confirmed by the Chilean Government Report on Human Trafficking, which clearly states that all its data is not available at the individual level (Ministerio del Interior y Seguridad

Pública 2018). For instance, even when the Public Prosecution Service provides information regarding administrative aspects of cases brought to criminal courts, and both national police corps, *Carabineros de Chile* (National Military Police) and the National Civil Police, disclose detailed information on the victim (e.g., nationality, sex, and age), this information still cannot be matched. Thus, this particular limitation inhibits the ability to correctly identify overlaps between different catches or lists in order to perfectly match “uniquely defined individuals.”

Secondly, as van Dijk and van der Heijden (2016) state, the “homogeneous inclusion probabilities assumption” can be met through the methodological stratification by relevant covariates. By using a loglinear model, these covariates can be included into the model by making separate calculations for more and less visible victims and then adding the estimated numbers (van der Heijden et al. 2015). Yet, despite efforts by the Chilean Board on Human Trafficking to create the Protocol for Victims, homogeneous inclusion probabilities are not easily achievable due to two limitations. For one, the Protocol has been scarcely applied due to the low number of cases. Second, it tends to merge lists that should be separately maintained. Therefore, since MSE requires at least two or more lists, one of which exhibits equal probability of selection, it cannot be implemented in the current scenario, mainly due to an inadequate inter-agency coordination.

Finally, to overcome “the most problematic condition” of independence between lists, a third or multiple registers should be included for conducting multiple way contingency tables on which the Multiple System Estimation method operates. Yet, the multiple difficulties in identifying victims or potential victims, together with the inclination towards consolidating lists instead of separating them, severely limit the possibility of having several both lists and cases that could then be combined. Undoubtedly, all the above should not only be a key dimension during the assessment of the Chilean Board on Human Trafficking Action Plan 2015–2018, but also a central concern of future strategies against trafficking.

Conclusion: Challenges for the Identification of Victims and for Reducing the Dark Figure on Human Trafficking

The scenario described so far accounts for the multiple organizational and structural limitations for detecting victims and thus reducing the dark figure on human trafficking in Chile. Beyond formal efforts to identify, prevent, and protect trafficking victims through legal modifications and the recent implementation of a targeted range of public initiatives, there is still much to be done. The structural biases regarding migration and border control intertwines with a penal process that will rarely discuss the specific forms of exploitation, resulting in the current inability to produce a valid estimate on trafficking victims. In fact, as the Chilean Report describes, only 35 victims have been identified during the last 4 years, far below the minimum standard of 75 per year proposed by van Dijk and van der Heijden (2016). Thus, to reduce the dark figure in Chile, the focus should be first on the

implementation and strengthening of strategies aimed at detecting and assisting victims.

At the policy level, efforts should be aimed at improving the organizational processes behind the production of statistics. In the case of Chile, the National Civil Police is responsible for both the prevention and investigation of trafficking cases and for the enforcement of the border control policy. This internal contradiction facilitates the failure to register cases, since the national security ideology underpinning the operation of the border prioritizes categorizing foreigners as potential threats rather than potential victims. This is clearly represented by the mechanism of repatriation, which discursively aims to protect victims, but in practice operates as a type of built-in deportation response to their threatening irregular status (Lobasz 2009; Nieuwenhuys and Pécoud 2007). In addition, a lack of inter-agency cooperation has limited the implementation of the Protocol for Victims by the Chilean Board on Human Trafficking. In the case of data production, this lack of collaboration limits not only the availability of quality lists of victims, but also the possibility to correctly match individuals registered by different institutions and organizations.

As Brandariz (2014) states, the rationality of risk contributes to the transformation of punitive control, focusing mainly on specific groups with characteristics of mobility. This can be clearly seen in the case of *Tarapacá*, where the process of securitization of the border has focused primarily on controlling irregular, unwanted migrants rather than providing protection for potential victims. As a result, this region presents a major internal paradox. On the one hand, despite the presence of one of the two specialized police units on human trafficking, there is still a complete absence of identified victims of human trafficking. On the other hand, during the last decade, *Tarapacá* has been the region with the highest amount of deportations in the country. In sum, the shortcomings of the Chilean criminal justice system at the national level intertwine with the biases of border and migration policy at the regional level, leading to a major hindrance in estimating the dark figure at the local level: the lack of identified victims turns into the lack of available lists, thus making it impossible to apply MSE or any other reliable estimation technique.

Finally, scholarly driven knowledge production on human trafficking has also been considerably limited at both the local and the Latin American level. A review of the literature on trafficking research within the region produces no more than 50 references, mostly essays without much scientific or systematic production of data. Thus, the scenario discussed here poses a series of challenges not only for public agencies or NGOs, but also for academic and criminological research. Firstly, at the epistemological level, it is necessary to deepen understanding on the impact of structural processes, such as securitization, in the construction of the symbolic and material representations of particular criminal activities such as trafficking. From here, researchers should not consider the absence of cases in any given context as a social fact, i.e., more as the result of the constructed invisibility of trafficking dynamics rather than the simple lack of criminal conducts. Secondly, at the methodological level, conceptual and operational definitions are needed in order to understand the specific forms of trafficking and of the operation of criminal

networks. For this, situated research potential to produce contextualized knowledge becomes essential to grasp the singularities and complexities of different forms of exploitation. Thirdly, at the technical level, qualitatively situated studies should critically assess the processes around data production in response to the difficulties in conducting quantitative analysis. Moreover, qualitative studies are not only better adaptable to each specific context, but they are also better suited for assessing, refining, and transforming the production of knowledge regarding human trafficking.

Cross-Reference

- [Farrell](#)
- [DoCarmo](#)
- [Foot](#)
- [Van der Watt](#)

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