

CHAPTER III – TESTING THE HYPOTHESIS: EMPIRICAL FINDINGS

3.1 ISSUES OF CONCERN REGARDING DATA ON THB AND CORRUPTION

As previously stated, THB, by its nature, is a very difficult criminal phenomenon to characterize and measure.¹ Consequently, gathering sound data on THB can be a complex and frustrating process.

As a crime, THB is difficult to classify. Through its process of enactment, THB encompasses a range of crimes, from the falsification of documents to the sexual exploitation of trafficked victims. For this reason, THB is commonly referred to as an “irregular phenomenon” – a criminal process that is in a constant state of change, mutating, making it difficult to recognize. Even reliable data sources can only partially demonstrate the scope of criminal activity involved in THB. Likewise, it is difficult to determine the ways in which other criminal activities mask THB. The inability to distinguish THB from its associated criminal activities not only inhibits the process of data gathering, but also distracts law enforcement, social organizations, NGOs and the criminal justice system from accurately focusing their attention on where it would be most effective. In underdeveloped countries, where crime rates tend to be higher and resources are scarce, gathering sound data is especially difficult.²

¹ Even those countries which maintain consistent and reliable databases (Netherlands and Germany, for instance) face limitations (Laczko, 2005:12). The International Organization for Migration noted that the lack of sound data is the result of factors such as: (1) the underground and illegal nature of trafficking; (2) the reluctance of victims to report their experiences to authorities; and (3) the lack of government priority given to data collection and research (IOM Quarterly Bulletin, № 23 – April 2001). Also found in *Trafficking in Persons: Global Patterns*, UNODC, 2006; Carchedi, 2006; Swedish Government Offices, 2003; Brennan, 2005. For accessing hidden populations, cf. Heckathorn (1997). On estimation and data collection approach for difficult to reach population cf. Tyldum and Brunovskis (2005).

² Analyzing the International Crime Victim Survey, Del Frate (2003) found that “crimes are more frequently reported to the police in Western Europe, North America and Australia than in the other regions, thus showing an opposite trend with respect to the frequency of victimization. She concludes that “in the regions where more crime occurs [especially in underdeveloped countries], the police know less about it.”

Although the limitations of data gathering vary from country to country, even the most sophisticated criminal justice networks face problems relating to accurate classification, particularly when the crimes involved are multiple and in some cases interchangeable. Basic controversies remain in criminological circles over how to define and classify reported crimes.³ Criminal activities associated with THB may not be included in THB case files due to differences in classification or as a result of misidentification. A common reason for misidentification is the failure to complete the full investigative process into crimes which may seem less significant on their own although they are connected to a larger criminal enterprise. In many case files, THB is identified only at the end of the investigative process, especially when sexual offences are the primary focus. Any single case file involving sexual abuse or sexual exploitation can mask the presence of THB.

For these reasons, the process of data collection on crimes commonly associated with THB, such as sexual abuse and exploitation, is of utmost importance. Considering the potential for one individual criminal element to mask another, law enforcement agents must be well trained to identify the clues that point to THB as an overriding element. For this reason, a database exclusively on THB is insufficient for identifying the real scope of the phenomenon. Without a solid database in which all potential related factors can be isolated, identifying every instance of THB is all but impossible; especially when only isolated sets of data are available.⁴

In Brazil, the problem of data collection is significant.⁵ The core issue for Brazil is the lack of a clear nationwide methodology for data collection. The absence of a unified and efficient national database comprising concrete statistical evidence has a direct impact on

³ The reduced number of reported cases is due in part to misclassification of crimes involving THB (Laczko, 2005:12). A victim of THB, for example, might be simply reported as a missing person. Even with international organizations struggling to compile data and analyze them, all the information gathered from different organizations and institutions “is difficult to combine and integrate” (Korvinus et al., 2005:15, Third Report of the Dutch National Rapporteur). The way institutions deal with THB may vary between regions and countries as to whether “victims” includes only adults or also minors; whether it includes cross-border TBH or also domestic trafficking. Differences also concern professional degree of specialization, commitment of public authorities and information registered (Korvinus et al., 2005:133, Third Report of the Dutch National Rapporteur).

⁴ “Fragmentary datasets cannot be collated into national figures or compared at international level” (Laczko, 2005:15). The lack of sound data also inhibits policy makers to act with certainty (Laczko, 2002).

⁵ International literature recognizes the difficulties of gathering sound data on THB from source countries (Laczko, 2002), especially countries in Latin America and the Caribbean (Pellegrino, 2004). Consequently, scientific research is damaged.

the ability of governments at every level (local, regional, federal) to formulate specific public policies targeting THB and sexual offences.⁶ The primary concern here is budgetary: without numbers based on statistical data, funding requirements cannot be met; neither can progress be evaluated. As Bales (2005:109) notes, “sound policy requires good estimates in order to determine the needed level of resources, the location of needed interventions, and the appropriate administrative mechanisms to be brought into play.” However, sound policies require good government and the “principal challenge in assessing political commitment is the ability to distinguish between reform approaches that are superficial and designed only to bolster the image of political leaders, and those which are substantive efforts to create real and sustainable change” (TI 2000:41).⁷

Beyond the technical difficulties of collecting data, Brazil, as South America’s most geographically expansive country, with over 184 million inhabitants, faces a multiplicity of ideological, political, moral and cultural issues, many of which are regionally defined. All of these issues are relevant to understanding THB in Brazil, as well as the corrupt practices that enable it. Likewise, cultural factors play a significant role in the way data are gathered and collated. When sexual offences are involved, especially those involving public officials, a level of discretion is observed that tends to hinder the registering of cases.⁸

Data on corruption itself are especially difficult to obtain as no database exists which specifically maintains records on corruption and no attempt has been made to distinguish and classify the different types of corrupt practices involved.⁹ As observed by Graf Lambsdorff, determining precise definitions of the different types of corruption-related crimes in different countries is very difficult since “the statistical methodology of counting

⁶ Brazil has no unified database of case files on domestic THB and sexual offences to support a comparative study of the number of violations that have been reported and investigated or their end results. The lack of comparable data makes measurement difficult when it comes to levels of violence and the restitution of rights.

⁷ In 1993, ten years prior to the CPMI, another special commission was formed by members of the Chamber of Deputies in Brazil (federal deputies) to investigate the prostitution of minors in Brazil. The commission was called “Comissão Parlamentar Mista de Inquérito” (CPI). Despite the seriousness of the results, no effective measures were taken. Even then, the difficulty of gathering meaningful data on the sexual exploitation of minors was characterized. The final report of this commission concluded that authorities in Brazil were not interested in analyzing, controlling or combating the sexual exploitation of minors (CPMI report: 5; 56).

⁸ Differences in regional attitudes influence not only the way data are registered but also the way data are evaluated. As Bindman (1997) correctly observes, “local police practice [in Brazil] varies enormously across this vast and diverse country, according to political and financial contingencies.”

⁹ Hodgkinson (1007:17) argues that corruption is often neglected in sociological research due to the relative scarcity of verifiable evidence.

and aggregating used in each national agency can differ considerably from that used elsewhere” (Graf Lambsdorff, 2001).¹⁰ In Brazil, researchers do not need to cross the national border in order to realize the difficulties of international comparison. It is enough to compare the data registered in different regions or federal states to discover how difficult it is to perform even inter-regional comparison. This difficulty is due to a lack of uniformity based on the considerable differences in the way each region perceives and registers data. Moreover, to compare conviction rates among states would require a lengthy period of field research – an endeavor with uncertain results as records are not likely to reflect actual rates of corrupt practices, but rather the relative efficiency of various public agencies (Ades and Di Tella, 1997; Sousa, 2002).

Despite the deficiencies of the process of gathering sound data on THB, especially in Brazil, the data used in this thesis are consistent in so far as the four different sources of data used are congruent with one another, with each one reinforcing the results of the others.

¹⁰ See Background Paper to the 2001 Corruption Perception Index: Framework Document, TI, 2001. See also Shaw et al. (2003).

3.2 FINDINGS FROM THE REPORT OF THE JOINT PARLIAMENTARY COMMISSION OF INQUIRY: DIRECT LINKAGE BETWEEN THB AND CORRUPTION IN BRAZIL

3.2.1 Report Background and its Relevance

This report originates from an investigation conducted by a joint commission of parliamentarians,¹¹ aimed at identifying cases of sexual abuse¹² and sexual exploitation¹³ against minors.¹⁴ 561 case files were investigated throughout Brazil. The work of the joint commission began on the 14th of May, 2003 and was completed on the 13th of July, 2004. All incidents investigated relate to crimes which occurred between 1994 and 2003. The commission analysed cases under investigation and ongoing court proceedings in order to better understand the criminal justice system's response mechanisms. For the purpose of brevity, the report will be referred to as the CPMI report.

During its work, the CPMI visited 22 federal states, representative of all five Brazilian regions (North, Northeast, Southeast, South and Central West).¹⁵ Unfortunately, not all federal states were visited¹⁶ and not every case file of sexual abuse and sexual exploitation

¹¹ The legal basis for this investigation is the Federal Constitution of 1998, Article 58, § 3° and Article 21 by the Common Regime of the Brazilian National Congress. The commission was composed of 22 members (11 federal deputies and 11 senators) and has the same investigative power as have judicial authorities, as established by the Federal Constitution, Article 58, § 3°.

¹² The term sexual abuse is defined by Article 34 of the 1989 UN Convention on the Rights of the Child as the inducement or coercion of a child into any unlawful sexual act.

¹³ The term sexual exploitation is defined by Article 34, (b) and (c) of the 1989 UN Convention on the Rights of the Child. Sexual exploitation comprises the exploitative use of children for prostitution, as well as any other unlawful sexual practices, including pornographic performances and materials. The commercial sexual exploitation of minors has been defined as one of the worst forms of child labor by Article 3 of the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour Convention (known in short as the Worst Forms of Child Labour Convention), adopted by the International Labour Organization (ILO) in 1999 as ILO Convention № 182.

¹⁴ Article 1 of the UN Convention on the Rights of the Child establishes that "child" is any human being under the age of eighteen, unless otherwise specified by the law of a particular country. Brazilian law differentiates between child and adolescent: a "child" is any person under 12 years of age; an "adolescent" is any person older than 12 but younger than 18. Brazilian Federal Law № 8.069 (1990), regulates Article 227 of the Federal Constitution of Brazil and follows the principles established by the 1989 UN Convention on the Rights of the Child, ratified by Brazil in 1990.

¹⁵ To visualize the division of political states and the geographical distribution of federal states, cf. country profile, Appendix 2.

¹⁶ The states not visited by the commission were Alagoas, Sergipe and Bahia in the Northeast region, Amapá and Tocantins in the North region.

could be followed up due to limited time and manpower. The crimes described in the CPMI report are classified as such:¹⁷

- **Sexual exploitation:** pedophilia¹⁸ and pornography;¹⁹ prostitution;²⁰ THB;²¹ sexual tourism²²
- **Sexual abuse:** rape; unlawful sexual practices other than rape;²³ male genital mutilation²⁴

¹⁷ These categories are established in the Brazilian domestic law (Penal Code and The Statute for the Child and Adolescent), and are in accordance with the UN Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons.

¹⁸ Pedophilia is sexual activity with children or the condition of being sexually attracted to children (HarperCollins Publishers Dictionary, 2004).

¹⁹ The 2000 UN Optional Protocol to the Convention on the Rights of the Child, on the sale of children, child prostitution and child pornography establishes in Article 2 (c) that “Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.”

Brazilian Federal Law № 8.069 (1990) Article 240 establishes as a crime the production or direction of: a theater representation, television program, cinematography (photographic activity or other kinds of visual means), depicting minors in explicit sex. Article 241 establishes as a crime the presentation, production, selling, furnishing with, or publishing any kind of communication means, inclusive internet, photography or images with pornography or scenes of explicit sex involving minors. The same penalty applies to any who authorizes, facilitates, intermediates or assures by any means the participation of minors, and the access of photography by means of a computer network.

²⁰ The 2000 UN Optional Protocol to the Convention on the Rights of the Child, on the sale of children, child prostitution and child pornography establishes in Article 2 (b) that “Child prostitution means the use of a child in sexual activities for remuneration or any other form of consideration.” Prostitution itself and soliciting is not illegal in Brazil. “Brazil is a signatory to the 1949 Convention and its Abolitionist model is apparent in legislation designed to outlaw commercial sex-based businesses: procuring and trafficking in women are prohibited, as is benefiting from the proceeds of prostitution, and maintaining premises used for sexual liaisons” (Bindman, 1997). As regards to minors, Brazilian Federal Law № 8.069 (1990) establishes as a crime the submission of a minor into prostitution or other forms of sexual exploitation. Brazilian Penal Code, Decreto-Lei № 2.848 (1940), in its Article 228, also establishes as a crime both the enabling of prostitution and the refusal to let any participant abandon the activity.

²¹ Cases of THB can take either a domestic or international form. Despite widespread public recognition of the existence of domestic THB, the relevant anti-trafficking laws had not yet been enacted by the Brazilian legislature during the period of investigation by the CPMI commission. The law criminalizing such conduct was added to the Penal Code on 29 March 2005. Prior to this, only international THB was a punishable offence in accordance with international treaty. However, cases involving domestic trafficking were all registered. Cf. Castilho, 2006.

²² Sexual tourism, following the definition of the global network “End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes,” is “the commercial sexual exploitation of children by men or women who travel from one place to another, usually from a richer country to one that is less developed, and there engage in sexual acts with children, defined as anyone aged under 18.” The 2000 UN Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, states that sex tourism “directly promotes the sale of children, child prostitution and child pornography.”

The CPMI report assumed a quantitative and qualitative approach in which case files of sexual offences were analyzed involving all the different categories, alongside with factors related to the environment in which these cases occurred. Therefore, the commission identified many of the root causes of the sexual exploitation of minors in Brazil, tracing the effects of globalization, social exclusion, economic inequality, geographical displacement,²⁵ culturally rooted practices,²⁶ and the negligence of those responsible for the protection of minors,²⁷ to the end-result in “modern day slavery.” These findings confirm the consensus of the international literature (Phinney, 2001; Graycar, 1999; Hughes, 1999) that THB is rooted in poverty and poverty-related phenomena.

CPMI also highlights specific factors in Brazil which have a direct impact on the data gathering process, especially when sexual offences is the focus. These are: (1) lack of necessary resources; (2) personal shortages; (3) institutional bias against victims of sexual offences;²⁸ (4) lack of institutional concern towards THB and sexual related offences;²⁹ (5)

²³ Unlawful sexual practices include any other type of sexual activity other than rape, which happens in a non-consensual way. Brazilian law defines unlawful sexual practices, punishing those who engage in these activities as well as those who enable these activities to happen.

²⁴ The term genital mutilation refers to the castration of male minors (defined as “*emasculação*” in Brazil).

²⁵ Cf. Trafficking Victims’s Protection Act, sec. 102 [b] 5; Chapkis, 2003.

²⁶ Cf. CPMI report, 2004: 51; Andrade, 2006; Mahoney, *in* Andrade, 2007; Long, 2004; Di Nicola, 1999; Kempadoo, 1988; Harrison, *in* Hojman, 2004. These cultural practices also have an impact on the process of registering data. As long as these violations seem “normal” or part of the “national culture” (CPMI, 2004), these circumstances make the “dark figure of crime” (Hagan, 2003:187) loom even larger for sex related offences, which, by nature, are generally unrecorded. Also in Movimento República de Emaús, 2002:104-105.

²⁷ For a discussion on the lack of familial guardianship, cf. Almeida, 2007.

²⁸ Due to their increased vulnerability, women and minors from low-income families are the primary targets of sexual exploitation networks. The CPMI data mention that a socio-economic background of minors affects both their potential for sexual exploitation, as well as the extent of the criminal justice system’s recognition of their rights (CPMI, 2004:206). Generally speaking, the claims of a minor who has already been a victim of sexual exploitation are considered unreliable. Consequently, disproportionate emphasis is placed on the statements of adult defendants, who often claim consent on the part of the victim. As asserted by Long (2004:22), “in courts, trafficked women are often treated as guilty until proven innocent while traffickers as innocent until proven guilty.” Also found in Doezema, 1998.

²⁹ According to the CPMI, the negligence of law enforcement and criminal justice agents results from the fact that THB and sex related crimes in Brazil (particularly involving minors as victims) is part of the “national culture” (Mahoney *in* Andrade, 2007). The potential for such crimes to be investigated is very low, as priorities are given to crimes considered more serious. As such, the priority given to minors is often disregarded in patent conflict with the Federal Constitution which mandates their integral protection and constitutes a lack of respect for children’s rights by the state, opening the door for traffickers and exploiters to profit from their victims’ adversities, distress and vulnerability (Swedish Government Offices, 2003).

the involvement of public officials; and (6) the involvement of persons of influence.³⁰

The CPMI report places emphasis on the epidemic impunity of sexual abusers and exploiters mainly due to the involvement of public officials and persons of influence in such crimes (Figueiredo and Hazeu, 2006:6). The sheer unlikelihood of indictments being sought against public officials makes law enforcement and criminal justice agents as unwilling to investigate sex crimes as victims are to report them. Likewise, even when a case is presented, prosecutors are unlikely to achieve convictions due to corruption within the courts. In one prominent case described in the CPMI report, an influential person from the state government of Acre was known to have raped 12 girls, aged 6-12, but was found not guilty due to the intervention of his personal contacts on the Tribunal.³¹

3.2.2 Secondary Analysis

The work of this author was to re-analyse the data and to isolate THB case files from the data set in order: 1) to verify the linkage between THB and corruption; 2) to demonstrate that a relationship exists between the key variables; and 3) to specify the time order of the relationship in specific cases of THB-related corruption. Each case file was thoroughly re-analysed and classified into two main categories: incidents of THB and incidents of sexual offences, the latter representing the remaining investigated cases.³² Incidents of THB were then divided into THB involving corrupt officials and THB not involving corrupt officials.

³⁰ Persons of influence, as mentioned in the footnote 56, are generally business persons who are well known in their regions of residence for their economic standing and their personal connections to public authorities (CPMI report: 206). The data shows how the lax attitudes governments and media reserve for business persons stand in contrast with the harsh regard they hold towards individuals from the lower socio-economic classes. Sutherland contends that business persons “are protected from criminal definitions, due to the cultural homogeneity and the close personal relationships between public and private institutions” (Walle, 2002:278).

³¹ CPMI, 2004:72. As asserted by Human Rights Watch (2005:195), “the vast majority of human rights crimes in Brazil go unpunished, reflecting widespread corruption and other factors. Lack of access to justice-especially for the poorest and most vulnerable sectors of society - is a major problem.”

³² In order to verify the consistency of the CPMI data, this author applied simple statistical correlation using the data on both THB incidents and the remaining cases of sexual offences. The result is that THB incidents are almost perfectly correlated with the investigated cases of sexual offences by federal state (the value of the coefficient of the correlation is 0.97). In places where a higher number of occurrences of sexual offences were observed, incidents of THB were also higher, demonstrating the consistency of the CPMI report. The highest rate of both THB and sexual offences has Roraima in the North region. See further The Pacaraima Pact (2003) between Brazil and Venezuela, especially between Roraima and Venezuela, focusing on research on mining sites.

The investigated cases of THB involving corruption were then reanalysed in order to classify the category of a public official involved, as well as their type of involvement.

During the analysis of the CPMI data, this author identified two major points of inaccuracy related to the classification of the investigated cases: (1) misclassification by error; and (2) lack of precise information on the phase of the case file in the criminal justice system.

The first point concerned the commission's failure to distinguish cases of sexual abuse from cases of sexual exploitation, a misclassification resulting from the misidentification of overlapping concepts. In order to solve this inaccuracy, case files related only to THB were quantified independently of those concerning other sexual offences. Despite the misclassification of case files in the CPMI report, data on THB were not affected. The presence of THB was clearly distinguishable from other categories of crimes. Because case files always include multiple crimes, each case was treated as a single case of the element relevant to this study. For example, a case file involving two crimes (a politician both sexually exploiting minors and influence peddling) was treated as a single case (a politician engaging in the sexual exploitation of minors). Likewise, regardless of the number of public officials named in a given case file, the case itself was analyzed as a single incident of THB involving public officials (one incident of THB-related corruption). Even those case files in which there were strong suspicion that more than one incident of THB had occurred, they were considered only one incident of THB. The same happened with cases of sexual exploitation; many of these cases involving sexual exploitation were believed to have involved victims of prior trafficking. However, there was not sufficient evidence to treat those cases as cases of THB.

The second point of inaccuracy concerned the proper classification of a case file's stage in the criminal justice system. In some cases, the CPMI failed to note whether files represented cases already registered in the criminal justice system, or failed to identify whether those cases were under investigation, prosecution, or at trial. However, these inconsistencies are more a reflection of the general inaccuracy of data collection in Brazil rather than a reflection of improper methodology by the CPMI. For this reason, all cases are referred to as "case files," "investigated cases" or "incidents" as a particular case file's actual stage in the criminal justice system can not be assumed.

The information from case files is used either individually (for the purpose of qualitative analysis) or in aggregated form by federal state and regions (for the purpose of quantitative analysis). The data can not be used beyond descriptive statistics as they do not fulfil the necessary criteria for the application of advanced statistical methods, especially insufficient number of statistical observations. As such, no predictions can be made in which a high degree of accuracy should be expected.

3.2.3 THB and Corruption as Directly Interrelated Phenomena

In this report, and in accordance with the main hypothesis, THB and corruption, are measured/ quantified by:

- The number of cases/ occurrences involving domestic THB
- The number of cases/ occurrences involving international THB
- The number of incidents of corruption inside THB cases

The CPMI report presents 89 investigated THB incidents. Out of 89 incidents, 63 involved corrupt behavior (70.79%). This finding constitutes the first genuine and empirically backed demonstration of the link between both THB and corruption in Brazil. Where the corruption occurred, whether in the trafficking chain or in the criminal justice chain, could not be determined. Nevertheless, the CPMI data suggest that many of those cases involved both.

Out of 63 incidents of THB involving corruption, 15 (24%) were related to domestic THB and 48 (76%) to international THB;³³ of the latter, there were 10 occurrences in which domestic THB was also present (21%), suggesting that many criminal networks traffic both domestically and internationally, blurring the common distinctions held between the two. Table 3.2.1 (on the following page) demonstrates the summary of the CPMI findings.

³³ Due to the potential overlap of 19 cases of international THB in both the CPMI and Federal police statistics, the CPMI report has been analyzed independently.

Table 3.2.1 Incidents of THB and Sexual Offences in Brazil: 1994-2003 (Absolute Numbers)

Federal States	Domestic Trafficking	International Trafficking	Domestic and International Trafficking	Sexual Offences	Total
Acre	0	3	3	6	9
Rondônia	1	4	5	21	26
Amazonas	4	5	9	8	17
Roraima	3	4	7	26	33
Pará	1	3	4	18	22
Amapá	0	0	0	1	1
Tocantins	0	0	0	2	2
Maranhão	1	0	1	36	37
Piauí	1	0	1	5	6
Ceará	0	1	1	8	9
Rio Grande do Norte	2	1	3	28	31
Paraíba	4	2	6	23	29
Pernambuco	0	2	2	18	20
Alagoas	0	0	0	4	4
Sergipe	0	0	0	5	5
Bahia	0	0	0	14	14
Minas Gerais	4	0	4	31	35
Espírito Santo	1	0	1	7	8
Rio de Janeiro	3	6	9	46	55
São Paulo	1	0	1	37	38
Paraná	1	4	4	26	30
Santa Catarina	2	0	2	15	17
Rio Grande do Sul	0	1	1	25	26
Mato Grosso do Sul	1	3	4	9	13
Mato Grosso	11	8	19	37	56
Goiás	0	1	1	13	14
Brasília	0	0	0	3	3
Total	41	48	89	472	561

Data source: Author's elaboration of the CPMI report's data (2004)

The investigated cases of THB involved victims (all female minors) trafficked either within the territory of Brazil (domestic THB) or from Brazil to foreign destinations (international THB).³⁴ Table 3.2.2 (on the following page) shows the number of corrupt incidents in domestic and international THB.

³⁴ Only three incidents were detected in which victims were trafficked into Brazil from other countries. Of these three incidents, minors had been trafficked from Colombia, Bolivia and Paraguay. These findings support international literature which classify Brazil as primarily a country of origin for victims of trafficking (UNODC, 2006).

Table 3.2.2 Corruption in Domestic and International THB; Brazil: 1994-2003 (Absolute Numbers)

Federal States	THB Incidents Involving Corruption	Domestic THB Incidents Involving Corruption	International THB Incidents Involving Corruption	Total THB Incidents
Acre	3	0	3	3
Rondônia	4	0	4	5
Amazonas	8	3	5	9
Roraima	4	0	4	7
Pará	3	0	3	4
Amapá	0	0	0	0
Tocantins	0	0	0	0
Maranhão	0	0	0	1
Piauí	0	0	0	1
Ceará	1	0	1	1
Rio Grande do Norte	2	1	1	3
Paraíba	4	2	2	6
Pernambuco	2	0	2	2
Alagoas	0	0	0	0
Sergipe	0	0	0	0
Bahia	0	0	0	0
Minas Gerais	1	1	0	4
Espírito Santo	1	1	0	1
Rio de Janeiro	7	1	6	9
São Paulo	1	1	0	1
Paraná	4	0	4	4
Santa Catarina	0	0	0	2
Rio Grande do Sul	1	0	1	1
Mato Grosso do Sul	4	1	3	4
Mato Grosso	12	4	8	19
Goiás	1	0	1	1
DF-Brasília	0	0	0	0
Total	63	15	48	89

Source: Author's elaboration of the CPMI report's data (2004)

The data suggest that corruption is more frequent in international trafficking than in domestic trafficking. In 15 out of 63 cases (24%), corruption was present in domestic trafficking. The other 48 cases (76%) involved corruption in international trafficking. However, this finding must be analysed with cautious because all cases involving international THB are considered to involve at least one form of corrupt behavior. Because minors cannot exit the country without regular documentation proving that they are adults, especially when traveling without someone responsible for them by law or regular authorization, either documents must be falsified or public officials must “look the other way” when minors cross borders. The same inference cannot be done when domestic THB is taken into consideration.

3.2.4 The Role of Public Officials in THB: types of involvement

During the CPMI investigation, many occurrences of THB were detected in which corrupt behavior was directly linked to the phenomenon of THB.³⁵ The involvement of a public official in THB includes behavior such as recruitment, the procurement of necessary official documentation, patent negligence (i.e. “looking the other way”), influence peddling, and the engagement of public officials in the sexual services of trafficked victims.³⁶

The cases of “patent negligence” were selected from those that mentioned “patent negligence,” demonstrating the involvement of public officials without detailing their precise type of involvement. The incidences of “influence peddling” were drawn from those cases in which recruiters/ traffickers acknowledge their “protection” by high-ranking authorities. The engagement of public officials in the sexual services of trafficked minors where those explicitly mentioned in the CPMI data set. Two case files of THB involved public officials (one city deputies and one high-ranking police officer) as the owners of nightclubs where trafficked minors were used to solicit clients. These two incidents were classified as “recruitment.” The other incident of recruitment involved a police officer.

The public officials involved included police officers (military, federal and civil police), city deputies, mayors, federal deputies, persons of influence, judges; and their assistants. The following Table 3.2.3 and Figure 3.2.1 detail the types of involvement of public officials in THB according to the CPMI data.

³⁵ Also found in Hay, 2004.

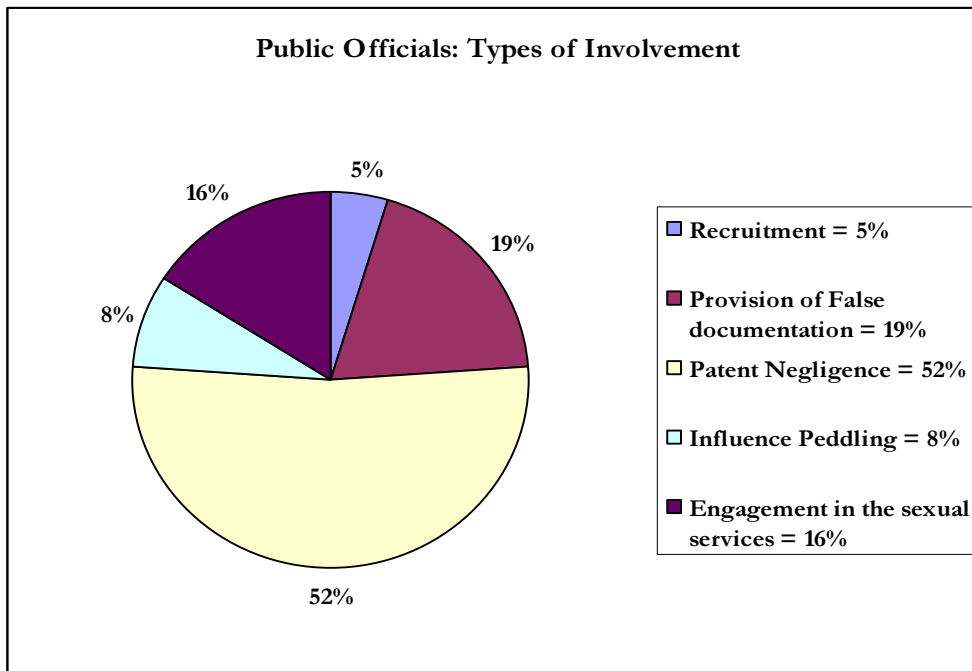
³⁶ As public officials are directly linked to the public welfare and the establishment and implementation of public policies, their involvement in THB, especially their engagement in the services of trafficked victims forces social organizations in Brazil, including NGOs, to tackle these issues without the adequate support of public authorities. “While non-governmental organizations tend to view themselves as secondary in importance to states, their influence is often more important in achieving human rights goals” (Bales, 2005:83).

Table 3.2.3 Involvement of Public Officials in THB in Brazil: 1994-2003 (Absolute Numbers)

Public Officials Involved	Types of Involvement and Number of Incidents
<p>“Public officials” refers either to public servants in general, or (more specifically) police officers (military, federal and civil police), city deputies, mayors, federal deputies, persons of influence, judges; and their assistants.</p>	<p>Recruitment (3 incidents)³⁷ Procurement of necessary official documentation (12 incidents) Patent negligence/ non-observance, and tolerance (33 incidents)³⁸ Influence peddling (5 incidents) Engagement in the sexual services of trafficked victims (10 incidents)</p>

Source: Author’s elaboration of the CPMI report’s data (2004)

Figure 3.2.1 Public Officials involved in THB in Brazil: 1994-2003 (Percentages)



Source: Author’s elaboration of the CPMI report’s data (2004)

³⁷ Recruiter is a “person who works as a middleman between the arranger and the customers of the criminal enterprise.” (Graycar, 1999:12)

³⁸ Schimmel and Pech, 2004

3.2.5 Illustrative Cases of THB-related Corruption³⁹

The cases described below are intended to highlight the mechanism under which corruption causes THB in Brazil, as well as the level of corruption present in case files of both THB and sexual exploitation in the CPPI report. It underlines the ability of public officials to avoid conviction at any price, either by threatening witnesses or leveraging influence over law enforcement agents and court officials (e.g. influence peddling).

Case 1 (Amazon): THB and sexual exploitation⁴⁰

In 2001 a group of five adolescents were recruited to engage in sexual activities with a group of three men: a judge, his assistant, and another court official. They embarked from a port in Manaus, the capital of the Amazon federal state, and docked in Paritins, 420 km away. Throughout the journey, all five adolescents were sexually exploited, a charge subsequently reported to authorities. However, immediately following the initiation a criminal investigation, the minors all agreed to change their stories in exchange for promises of money or other material benefits from the accused. When it became clear that such remuneration would not be forthcoming, the victims retracted their decisions not to testify. Nevertheless, the investigation was set aside due to a lack of evidence.

This case provides a classical example of the direct involvement of high-ranking public officials in THB. Particularly interesting is that it reveals two different elements of the causal interconnectedness of corruption and THB. On one hand, the active recruitment of adolescents by high-ranking public officials for the purpose of THB and sexual exploitation demonstrates a clear disregard for their public responsibilities, an attitudinal position that underscores the potential for official corruption. However, it is the attempt to manipulate the prior testimony of the victims (witness tampering) through bribery that defines the corrupt activity. While the absence of convictions on criminal charges might suggest that these high-ranking officials did not commit a single act of THB and sexual exploitation, the pattern of activities strongly suggests a continued subversion, through corrupt means, of

³⁹ This analysis provides “illustrative inference” (Wood and Christy, 1999:185) on what represents the typical environment of trafficked and exploited youth in Brazil.

⁴⁰ According to Hughes et al. (1999), “Brazil has one of the worst child prostitution problems in the world and a thriving sex tourism industry has developed in more impoverished states like Bahia and Amazonas.”

the investigative process on an evidentiary level that resulted in the eventual dropping of criminal charges against the accused.

Case 2 (Amazon): THB and sexual exploitation

This case involved a modelling agency, which was suspected of being a recruitment access point for international trafficking and sexual exploitation. The agency belonged to a businessman who belonged to an established and highly-respected family in the region and was therefore guaranteed the “protection” of local politicians in the state. As documents reveal, this businessman regularly recruited minors for parties and orgies with politicians, and also organized the international trafficking of victims to Madrid. This case would not have resulted in any investigative process if it had not been for the initiative of the CPMI.⁴¹

In this case, influence peddling was the primary driving force behind THB. The criminal status provided the criminal with the necessary influence to guarantee the collusion of local politicians (corruption); the combination of the two elements (influence and corruption) worked together to foment an ideal environment for the facilitation of international THB. Documents show that the local politicians involved in this case received special favours (the sexual services of trafficked minors) in reward for “looking the other way”; the criminal activity itself (THB) was organized by the businessman. While it is impossible to determine the absolute extent to which THB would not have occurred without corruption as an enabling factor, the evidence strongly indicates that the criminal process (THB) would have been at a much greater risk of law enforcement intervention had corruption been absent.

Case 3 (Amazon): THB and sexual exploitation

The CPMI (2004:74) report describes the case of a nightclub in the centre of Manaus⁴² used by its owner as a venue for sexual exploitation and domestic trafficking. A judge's writ was issued ordering the club to close. Subsequently, one of the police officers who had participated in the closing of the club was transferred in revenge for his participation in the execution of the writ. This case is particularly important as it highlights the ways in which

⁴¹ CPMI, 2004:73. This case was treated by this author as a case of THB-related influence peddling.

⁴² Capital of the Amazon State.

corruption function as a deterrent for proper law enforcement activity (Johnykutty, 2005). It also highlights how “private interests penetrate the institution of the State and bias public policies in their favor” (Buscaglia and Van Dijk, 2003:4).

Case 4 (Roraima): THB and sexual exploitation

A chief police, who was also the owner of a nightclub, recruited minors from the Amazon state to work in her nightclub. She also employed her own off-duty police officers as security staff in her club (CPMI, 2004:206). This case illustrates how corruption at a high level can have a trickle-down effect that permeates an entire system. On the surface, the presence of corruption is unavoidable: the mere fact of a chief of police involving herself in the recruitment and sexual exploitation of minors is enough to stir outrage. The violation of public duty is clear on an individual level as inescapable. However, the fact she employed her own subordinates as a security staff in her club demonstrates how easily high-level corruption can spread across the different levels of public office. Because of her high rank, and the clear power it gave her over her subordinates, the chief of police was able to gear her entire system into a position of direct enablement. As has been noted earlier (cf. chap. II, sec. 2.3), the higher the rank of a public official, the greater the potential for corruption as an enabling factor for THB. The relative rank of a public official describes his or her ability to influence other authorities, with higher-ranking positions favoring influence peddling. This incident highlights how the involvement of public officials in THB jeopardizes attempts to combat this crime and hinder legal procedures.

Case 5 (Goiás): sexual exploitation

This case came to the attention of law enforcement agencies in Goiás, where a mayor was sexually exploiting minors. All victims were under fourteen years of age. In 1997, the mayor was arrested in a motel⁴³ in the company of a recruiter and a fourteen-year-old girl. He was subsequently indicted, tried and convicted on counts of statutory rapes, unlawful sexual practices, and enablement of prostitution. Despite being sentenced to 158 months in prison, he served no time for his crimes. He was subsequently re-elected as mayor of the city and was able to keep his case in court through a seemingly interminable series of appeals. Finally, using a now defunct legal article, he was able to partially avoid the sentence

⁴³ Motels in Brazil, on the contrary to Europe, serves purely as a place for sexual activities.

imposed by his conviction. The article in question stipulated that if the victim of a sex crime married either the offender, or someone else, the offender would have his punishment voided if the victim did not request continuation within 60 days of the marriage. The mayor, knowing this, paid his victims to marry while he used his appeals to delay imprisonment. While there was sufficient evidence of his role in the marriages of his victims, the voiding of his sentence remained uncompromised.⁴⁴

In this case there was a strong suspicion that minors used to be trafficked from other cities and federal states. The engagement of a mayor in the sexual services of trafficked minors demonstrates corruption as a strong enabler, a facilitator and an incentive for THB.

Conclusions

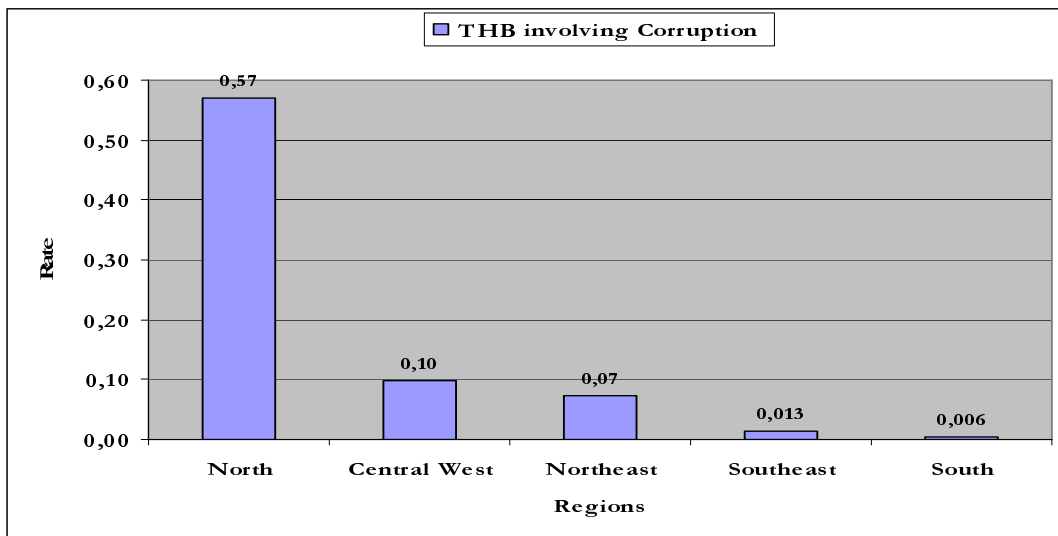
These illustrative cases demonstrate how THB depends on corruption in Brazil. They also show the lack of punishment within the country when public officials are involved in THB and the sexual exploitation of minors. The deterrent effect, in all three of its elements (certainty, celerity, and severity), is practically non-existent. As asserted by Hojman (2004:47), “deterrence does not work [in Latin America] because of incompetence and corruption in the police, judiciary and prison system. Even an indictment does not provide strong hope for a conviction, and conviction itself does not guarantee punishment. As mandated by due process, many judicial appeals are possible. For people of influence who possess the means to either exhaust the entire appeals process, or prolong it until an amenable solution is found, the necessary protections of due process can be unduly manipulated to postpone punishment.

⁴⁴ His executor in all of this was his lawyer. The evidence clearly describes her role in arranging the marriages for the six victims, three marriages a day over a two-day period. Acting as the primary facilitator, she witnessed the ceremonies, provided transport for the victims to the town office, and covered all costs (CPMI, 2004:105).

3.2.6 Analysis of the CPI by Region

Figure 3.2.2 (below) arranges Brazil's geographical regions in descending order according to the number of incidents of THB involving corruption. The calculated rate for each region represents the average rate of all included federal states. A weight factor is used to balance differences in the number of states in each region.⁴⁵

Figure 3.2.2 THB Incidents Involving Corruption per Region in Brazil: 1994- 2003 (Rate per 100,000 Persons)



Source: Author's elaboration of the CPI report's data (2004)

The data show that the North and the Central West regions have the highest rates of THB involving corruption, while the South has the lowest. The North also has the highest rate of THB incidents in general (0.82),⁴⁶ followed by the Central West (0.14), Northeast (0.12), Southeast (0.02) and South (0.01).⁴⁷ The three regions (North, Central West and Northeast) that present the highest rates of THB also have the highest rates of poverty and regional inequalities.⁴⁸

⁴⁵ The rates of all federal states were grouped according to their region. As each region has a different number of federal states, a weight factor was used to balance this difference.

⁴⁶ All decimal values represent rates per 100,000 Persons

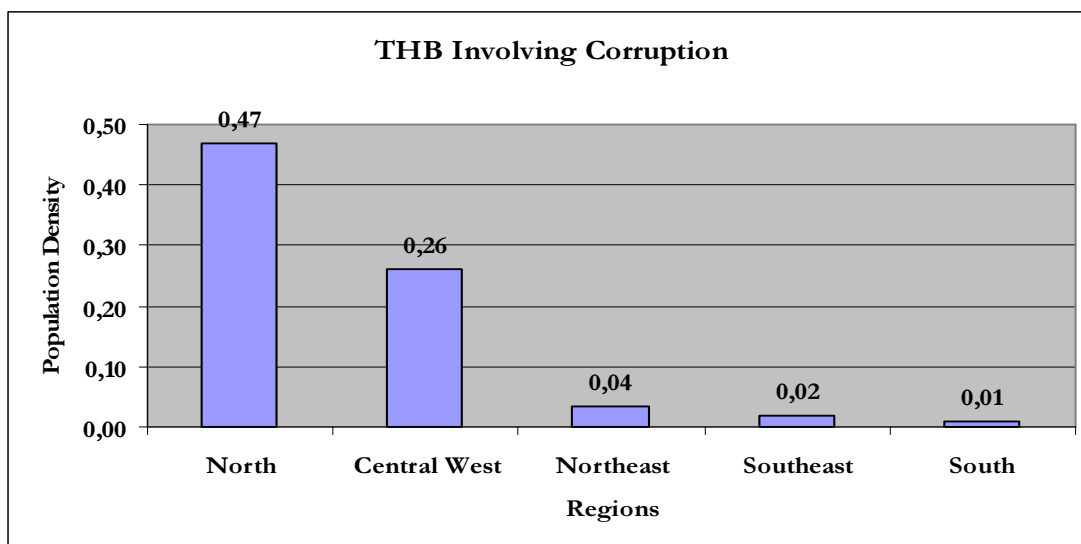
⁴⁷ Domestic literature (PESTRAF, 2002) offers another classification of regions, representing the data according to the number of domestic and international routes rather than the number of occurrences. In this study, the North region once more has the highest number of routes for THB (76), while the South has the lowest (28). Northeast presents 69 routes, Southeast 35, and Central West 33.

⁴⁸ On poverty distribution in Brazil, cf. Petit, 2004.

The above-mentioned regional comparisons of THB rates per 100,000 persons may seem to neglect the fact that Brazilian regions differ quite significantly in terms of density of population and this factor might be in fact itself an explanatory variable for lower incidents of THB in the Southern regions (South and Southeast) which are the most populated ones. In order to eliminate regional population density as a potential rival explanatory factor, an additional calculation was performed.

Figure 3.2.3 (below) demonstrates, however, very clearly, that the regional distribution of THB related corruption in the five Brazilian regions does not change at all, when regional population density is taken into consideration. This result reinforces the previous finding that was based on rates per 100,000 persons as being correct and useful for further comparisons.

Figure 3.2.3 THB Incidents Involving Corruption per Region in Brazil: 1994-2003 (Number of Incidents in relation to Population Density)



Source: Author's elaboration of the CPMI report's data (2004)

Note: The rate per population density has been calculated per km²

3.2.7 Summary

The CPMI findings are factually cogent. They are as follows:

- The CPMI demonstrates that trafficking in and from Brazil is a major phenomenon and all regions are involved or affected by THB.
- THB is strongly correlated with corruption. 71.79% of all occurrences of THB in this report involve corruption.⁴⁹ This finding presents the most direct link on the relationship between THB and corruption.
- THB is strongly dependent on corruption in Brazil. The case files demonstrate a clear causal relationship between both variables. Within THB, the most common types of corrupt behaviour of public officials enabling THB is the patent negligence (52%), followed by the provision of false documents (19%), the engagement by public officials in the sexual services of trafficked victims (16%), and influence peddling (8%).
- Because the CPMI data do not allow for the identification of the points most vulnerable to corruption in either the trafficking chain or the criminal justice chain, qualitative analyses of some individual cases reveal how strongly corruption inhibits investigation, prosecution, and trial and “often precludes successful investigations” (Shelley, 2001:6). The illustrative cases demonstrate the extent of influence peddling and the ability of high-ranking public officials to avoid punishment. As stated by Sousa (2002:270), “once penalized, traffic of influence seems to have ceased to exist. Unfortunately, there is a wide gap between setting penal offences and making their applicability viable and effective.” Moreover, corruption not only subverts the efficacy of law enforcement agencies as well as the criminal justice agents but also corrode trust in governance (SEERIGHTS, *in* Kelly, 2005:253).

⁴⁹ As asserted by Shelley (2003:6), “trafficking does not exist in a vacuum. Without corrupt law enforcement, consular officials, diplomats and lawyers this trade could not exist. Also central to the success of traffickers is the corruption of border guards, police, security sector and transport. Without personnel in the airports and railroad industry turning a blind eye ... this [variant of] organized crime could not proceed.”

- Regional differences exist regarding the level of THB-related corruption. The North, the Northeast and the Central West regions have the highest rates, while the South and the Southeast have the lowest.
- The CPMI findings also highlight the lack of implementation of the rule of law. Because rates of THB-related corruption vary by region, it is necessary to design “tailor-made policies” for every region.⁵⁰
- The CPMI findings conclude that the poorer the minor, the higher the potential for sexual exploitation, and the higher the likelihood that his rights will be disregarded (CPMI: 206).

⁵⁰ See Di Nicola (1999:13)

3.3 FINDINGS FROM THE FEDERAL POLICE: OFFICIAL STATISTICS

3.3.1 Background and Relevance of the Data Set

The Federal Police, official statistics is a set of cross-sectional and longitudinal data into incidents of international trafficking from Brazil. The data were obtained in 2006 from the Federal Police, which are responsible for investigating interstate and international criminal offences, and are the law enforcement agency responsible for preventing and suppressing international THB, narcotics trafficking, and border enforcement.⁵¹

Unlike the CPMI report, which concerns only the THB of female minors, the Federal Police statistics covers the international trafficking of all women regardless of age. Following the cross-sectional principle, this data set covers all Brazilian federal states.

The Federal Police statistics lists the annual number of investigations in each federal state between January 1990, and March 2006. The total number of incidents investigated within this period (480) refers to the number of investigations brought to the attention of prosecutors. It does not, however, include the actual number of cases reported or the number of investigations where a “positive conclusion” such as convictions, was reached.

The data set refers only to cases registered as “under investigation,” which means that in reality, only a fragment of THB offences are reported to the police and “many trafficking cases remain undiscovered” (Laczko, 2005:8).⁵²

⁵¹ Article 144 of the Brazilian Federal Constitution (1988) states that public safety is enforced by Federal Police (national level), Civil Police (state level), and Military Police (state level).

⁵² This criminological variable, which represents the number of case files into international THB, may fail to adequately represent this criminal phenomenon. Serious crimes generally present a small difference between reported or prosecuted crimes and the actual numbers of crimes. THB, conversely, has a large dark figure normally associated with less serious crimes. Thereby, official numbers cannot be trusted. Consequently, any data set does not provide the actual extent of the phenomenon and cannot be considered comprehensive. As such, this data must be analysed and interpreted with cautious. Andrees and Van Der Linden (2005) discuss the selection bias that government agencies face. They mention that government data reflect the institutional activity rather than the actual distribution of victims of trafficking.

This report is initially used to show the magnitude of the international trafficking trade from a law enforcement point of view. Section 3.5 subjects the data set to multiple regression analysis in conjunction with the data of the Municipal Corruption report.

3.3.2 Overall Findings

Table 3.3.1 and Figure 3.3.1 (on the following pages) show the annual number of cases investigated in each federal state as well as the increased trend of THB incidents in Brazil, respectively. While before the 1990's the country might seem to have had fewer incidents of THB, these data rather reflect the lack of awareness of THB among law enforcement. It was not until the 1990's that the Federal Police started to treat THB as a legitimate criminal phenomenon. The increasing number of trafficking cases signals an increased pressure on the Brazilian government from other countries to curb THB from Brazil. This is due, particularly, to initiatives taken by the United States⁵³ following the enactment of the Trafficking Victims Protection Act of 2000 and the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The results of the Federal Police statistics are consistent with the findings of the survey,⁵⁴ in so far as both demonstrate the growing acknowledgement, both within the criminal justice system and law enforcement agencies, that THB is a serious and an increasing phenomenon in Brazil.

Even though the inherent limitations on the data set, we must recognize a growing pattern of THB in Brazil. Since 2000, the number of investigations into THB has increased considerably, with a peak increase of 65 per cent in 2005.⁵⁵ This finding supports the international consensus that “human trafficking is a growing problem in Latin America” (Ribando, 2005:1), a position which was reestablished by both the Fourth report of the

⁵³ E.g. since 2000, the US Agency for International Development (USAID) has participated in the “Programa Sentinel,” a Brazilian program which aim is to combat sexual exploitation. USAID assisted Brazil by donating \$853,000 to the program in 2002 and \$300,000 in 2003 (Danilovitch, 2004). Were it not for the assistance of international organizations, Brazil would probably not have programs for victims of THB and sexual offences.

⁵⁴ Cf. sec. 3.6

⁵⁵ Even Bales, when referring to estimates, acknowledges that “what we do not know is much greater than what we do know, but the pattern is clear: trafficking in persons is extensive and growing” (Bales, 2005: 136).

Dutch National Rapporteur (Korvinus et al., 2005:4), which observes that “a sudden and strikingly number of victims from Brazil were registered in 2003” and the findings of the “Programa Sentinela” that “trafficking in persons and sexual exploitation continue to be pervasive problems in Brazil. Denunciations have almost doubled since the program’s start” (USAID, 2006).

Table 3.3.1 International THB Investigations in Brazil: 1990-2006 (Absolute Numbers)

Federal states	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006 1 st quarter.
Acre	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	1	1
Rondônia	0	0	0	0	0	0	0	0	1	0	0	1	5	0	1	2	0
Amazonas	0	0	0	0	0	0	0	0	1	0	1	1	1	3	3	3	1
Roraima	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	10	2
Pará	0	0	1	1	0	1	1	0	0	1	1	0	1	2	4	3	0
Amapá	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	5	4
Tocantins	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	3	0
Maranhão	0	0	0	0	0	0	0	0	0	0	1	0	1	1	0	2	1
Piauí	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Ceará	0	0	0	0	0	1	0	0	1	0	0	0	0	1	2	0	0
Rio Grande do Norte	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	1
Paraíba	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Pernambuco	0	0	0	0	0	0	0	0	1	1	1	1	3	2	11	2	2
Alagoas	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1
Sergipe	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bahia	0	0	0	0	0	0	0	1	0	0	1	0	0	2	3	7	3
Minas Gerais	0	0	0	0	0	0	1	1	0	1	5	11	3	2	8	7	7
Espírito Santo	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	3	0
Rio de Janeiro	1	3	2	2	4	3	3	0	2	3	2	7	2	7	6	3	4
São Paulo	0	2	0	1	1	1	1	2	0	3	3	3	6	5	9	20	4
Paraná	0	0	0	0	0	0	0	0	1	3	3	2	2	10	5	4	0
Santa Catarina	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0
Rio Grande do Sul	0	0	1	0	1	0	0	2	0	3	0	3	0	2	1	4	1
Mato Grosso do Sul	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	4	1
Mato Grosso	0	0	0	0	0	0	0	0	0	0	0	0	1	2	0	2	0
Goiás	0	0	0	0	0	0	4	1	3	2	12	12	11	13	14	30	2
Distrito Federal	0	0	0	0	0	1	0	0	0	2	3	3	1	2	0	0	0
Total	1	5	4	4	6	8	10	7	11	20	35	48	39	56	72	119	35

Source: Author’s elaboration of the Federal Police data set

Note: The data refer to the period from January 1990, to March 2006. Sergipe was the only federal state not to present any investigation during the period of reference.

Figure 3.3.1 THB Incidents in Brazil: 1990-2005 (Absolute Numbers)



Source: Author's elaboration of the Federal Police data set

Note: Data from calendar year 2006 is not included in this graph as it only covers the period from January to March 2006.

3.3.3 Transparency International (TI) and the Corruption Perception Index (CPI)

The CPI, released annually by TI,⁵⁶ is a composite index of polls based on surveys of attitudes about corruption-related crimes carried out by a variety of independent and reputable institutions.⁵⁷ Considering the difficulty of obtaining hard data on actual levels of

⁵⁶ Transparency International is a leading NGO on corruption issues.

⁵⁷ The surveys used in compiling the CPI ask questions that relate to the misuse of public power for private benefit. Examples of this include, e.g. bribery of public officials, kickbacks in public procurement, embezzlement of public funds. Questions also examined the strength of anti-corruption policies, and cover both administrative and political corruption (TI, Methodology of the Corruption Perception Index: 5-6). The index ranks countries around the world according to their perceived levels of corruption. The ranking ranges from 10.0 ("highly clean") to 0.0 ("highly corrupt") (TI, 2005). The higher a country score on the index, the lower its perceived level of corruption.

During the process of selecting sources, guidelines and criteria are established. To be included in the index, sources must meet the prerequisites of providing a ranking of nations, as well as a unified methodology for all selected countries. Each survey employs its own methodology. However, to be considered by the CPI, a survey conducted in more than one country must employ the same methodology in each country surveyed. Sources must also measure the overall extent of corruption (e.g. frequency and size of bribes), and rather than differentiating between various types of corruption (e.g. administrative, political, petty, grand, etc.), they should measure corruption as a total phenomenon. Each year, a variety of sample designs are employed, the data from which are then standardized to determine a country score.

corruption in any given country, surveys on perceptions is considered a credible means for ranking nations according to their perceived levels of corruption (TI, 2005). As such, the CPI data provide a measurement of corruption based on the perceptions of residents and non-residents in any given country.

Over the years, the CPI has become a valuable tool for statistical comparison with other sources of data. However, this author is fully aware of the limitations of the CPI index (e.g. measuring perceptions instead of real corruption cases, respondents not representing the whole population and the change in methodology over the years). Nevertheless, it is useful, especially as a starting point for further and in-depth statistical analysis, to compare CPI data with the data provided by the Federal Police in order to test the general relationship between both concepts (THB and corruption) longitudinally. Using seven annual indexes of perceived corruption and the total number of investigated THB cases in Brazil during the same period, from 1999 to 2005, this analysis provides an indication that THB and corruption are strongly interrelated.

Table 3.3.2 (on the following page) compares Brazil's scores in the CPI from 1999 to 2005 with the total number of investigations from the same period of the Federal Police data set. Brazil has scored poorly in recent years, "a significant worsening in perceived levels of corruption" (TI, 2006:2).

Year-to-year comparisons of a country's score do not result only from a change in perception of a country's performance but also from changes of both sample and methodology. However, trends in actual perception can nevertheless be identified (TI, 2005). It is essential to note that there is no year-to-year consistency of the CPI assessment as sources change. According to the CPI: "the only reliable way to compare a country's score over time is to go back to individual survey sources, each of which can reflect a change in assessment" (TI, 2006).

The CPI concept assumes that multiple data sources taken into a sample index strengthen the reliability of the score. For a country to be listed, at least three sources must be available to balance out the potential "non-performance" of an individual source, thus reducing the probability of misrepresentation. Since 1998, the CPI has used an average of 9 sources per year to determine Brazil's score (1998:10 sources; 1999:11; 2000:8; 2001:9; 2002:10; 2003:12; 2004:11; 2005:10). The higher the number of sources, the higher the reliability of the score. With at least eight sources every year since 1998, five more than the minimum of three required by the CPI, we can be fairly certain of the accuracy of the score.

Table 3.3.2 TI's CPI scores and Incidents of International THB in Brazil: 1999-2005 (Absolute Numbers)

Calendar Year	Brazil's CPI Scores ⁵⁸	Total Number of Investigations into THB incidents
1999	4.1	20
2000	3.9	35
2001	4.0	48
2002	4.0	39
2003	3.9	56
2004	3.9	72
2005	3.7	119

Source: Author's elaboration of the TI's CPI indexes from 1999 to 2005 and Brazilian Federal Police data set

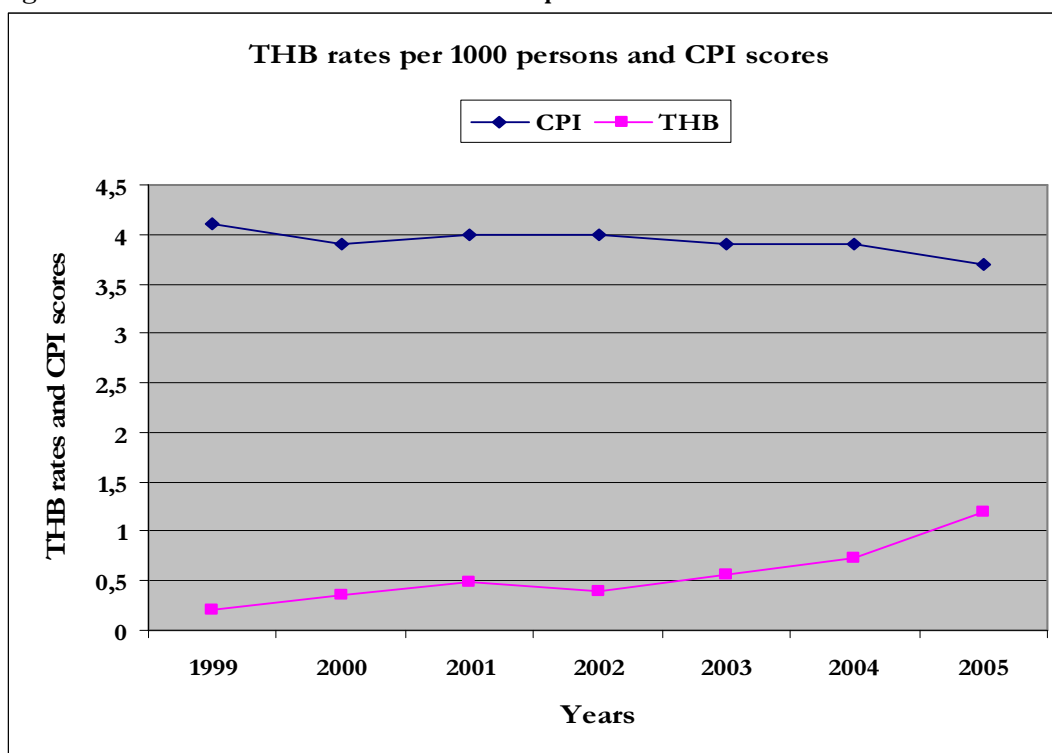
Note: Only data from full calendar years are used.

The yearly CPI scores show a strong negative correlation with the annual number of investigations into THB (the coefficient of the correlation is -.91). The inverse correlation suggests that the number of investigations into THB may be related to a general perception of rampant corruption. Although it is not possible to establish the direction of causation, whichever way causation runs, the public perception of corruption has significantly increased during the same period as have cases of THB according to the Federal Police statistics. This finding is reinforced by the findings of the survey in which respondents perceives both phenomena to be increasing in Brazil.⁵⁹ Once again, it must be stated that this simple correlation does not imply a definite relationship and hence, dependency; this simple analysis does not exclude any rival causal factors that might have influenced both growth patterns. The multiple regression analysis, in section 3.5 will provide stronger answer to this problem. Figure 3.3.2 (on the following page) shows both growth patterns of THB and corruption in comparison.

⁵⁸ Brazil's score in 2006 (not used in this analysis) was even lower than it had been in the precedent years. At 3.3, it dropped 0.4 decimals. Available at [<http://transparency.org>]

⁵⁹ Cf. sec. 3.6

Figure 3.3.2 Growth Pattern of THB and Corruption in Brazil: 1999-2005



Source: Author's elaboration of TI's CPI indexes and Federal Police data set

Note: For comparability reasons, the THB incidents are expressed in Rates per 1,000 Persons instead of the traditionally used number of 100,000 as denominator.

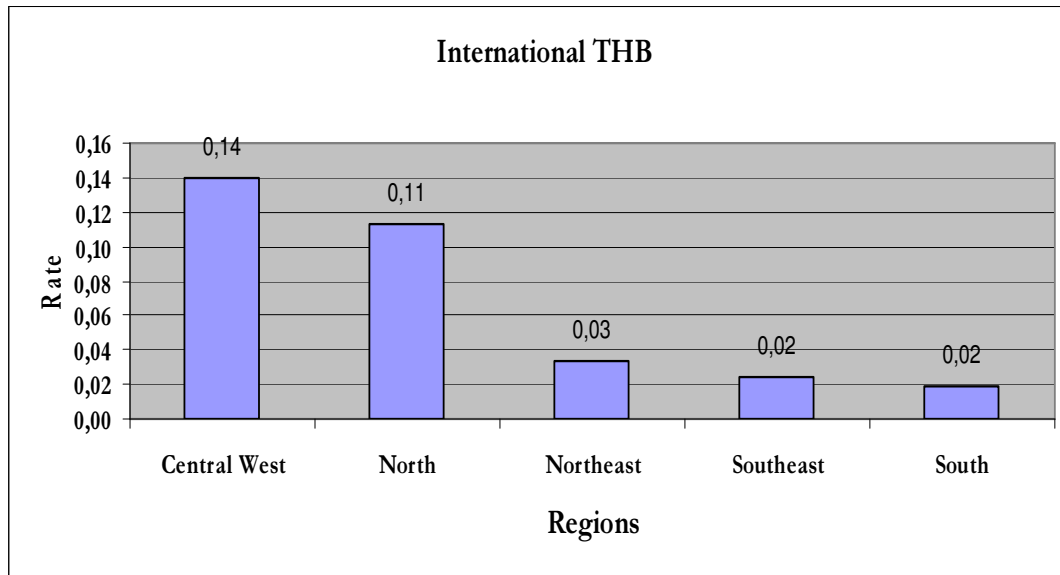
Figure 3.3.2 (above) shows not only the relationship between THB and perception of corruption (CPI index), but also reveals the fact that the interrelationship might be very strong.⁶⁰ This appearance of strength together with the theoretical base that THB and corruption are interrelated phenomena, result in a starting point for later analysis (multiple regression analysis, cf. sec. 3.5).

⁶⁰ This result is not any statistical proof of the strength of the interrelationship between the two concepts, but the appearance of both patterns strongly suggests that the interrelationship exist and is strong.

3.3.4 Regional Analysis

Figure 3.3.3 (below) ranks Brazil's geographical regions in descending order according to the number of THB cases investigated from 1999 to 2005. The calculated rate for each region represents the average rate of all included federal states. A weight factor is used to balance differences in the number of states in each region.

Figure 3.3.3 THB Investigations per Region in Brazil: 1999-2005 (Rate per 100,000 Persons)



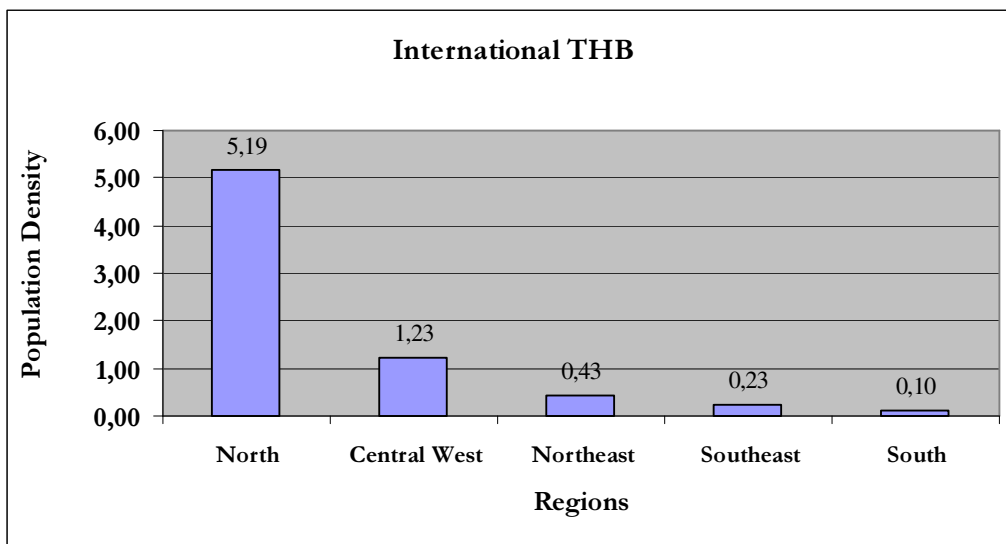
Source: Author's elaboration of the Federal Police data set

According to the Federal Police data, the Central West is the region with the highest number of THB investigations, followed by the North. Conversely, the South Region has the lowest rate. While CPMI report (Figure 3.2.2) places the North at the top of the list with the highest rate of THB, followed by the Central West, the data from the Federal Police statistics classifies the Central West as the region with the highest number of THB investigations, followed by the North. Both reports rank the South at the bottom of the list with the lowest rate. The differences in the top ranking of both reports may be due to regional differences in law enforcement initiatives (a rival causal factor) as strong emphasis on combating THB has been put in Goiás, for example, in the Central West region.⁶¹

⁶¹ From 2002 to 2005, the UN Office against Drug and Trafficking (UNODC, 2005) joined the Ministry of Justice in Brazil in the first project to combat THB. This program focuses on four federal states: Rio de Janeiro, São Paulo, Goiás and Ceará. The first two were selected due to the presence of international airports which serves as exit centers for international THB. The latter two were chosen because they had, at the time, the highest number of trafficked persons. Observing

Similarly to the considerations in the regional analysis of the CPMI data (cf. sec. 3.2.6), population density needs to be eliminated as a potential rival explanatory factor. For this purpose, a slightly different calculation has been done. The result is shown in Figure 3.3.4 (below).

Figure 3.3.4 THB Investigations per Region in Brazil: 1999-2005 (Number of Incidents per Population Density)



Source: Author's elaboration of the Federal Police data set

The result shown in Figure 3.3.4 demonstrates that population density seems to change once again only the rank of the two most vulnerable regions to THB incidents. Taking regional population density into consideration, the North region appears to present the highest level of THB incidents followed by the Central West. The South and the Southern regions remain in the same position

Table 3.3.1 attentively, it is possible to identify a particular increase in the number of trafficked victims from the states of Goiás and São Paulo. Without specific focus on these states, the Federal police statistics, in keeping with the CPMI report, would have likely indicated the North as the region most vulnerable to THB.

3.3.5 Summary

- The data of the Federal Police reveal the increase in rates of THB in Brazil. The findings show that the North, the Central West and Northeast are the regions with the highest number of investigated cases. The data classify the Southeast and South as having the lowest number of investigations into THB.
- Despite marginal differences in the order of ranking regions between the CPMI report and the Federal Police statistics, both place the North, Northeast and Central West at the top of the list and the South and Southern at the bottom, indicating mutual agreement and overall consistency.
- The investigations into THB from 1999 to 2006 are correlated with the scores of Brazil in the CPI. This simple correlation suggests a positive relationship between corruption and THB as interrelated phenomena.

3.4 FINDINGS FROM THE MUNICIPAL CORRUPTION REPORT

3.4.1 Background and Relevance of the Data Set

The Municipal Corruption report is a cross-sectional and longitudinal data, in which multiple incidents of corruption were observed in each federal state during the period between 2003 and 2005. The data show the differences of corrupt behavior in the different regions of Brazil.

This report comes from a federal government anti-corruption program initiated by Brazil's Ministry of Control and Transparency in April 2003. Employing the random auditing of municipal government expenditures, the program had two primary objectives: to use the threat of future audits to discourage public administrators from abusing public funds, and to ensure the transparency of public expending, thereby encouraging an active interest of the general population in fiscal/ financial matters.⁶² The program, which is still active, seeks to inhibit corrupt practices, strengthen institutions, and engage the public in the monitoring and scrutinizing of the government's decision-making process, as well as its allocation of public funds. Even in those regions where no irregularity is encountered, the effect of the process is to instigate stricter controls of public practices, accountability and transparency. By restricting opportunities for corrupt practices, the program seeks to insure the regularity and proper distribution of public funds.⁶³

⁶² For further discussion on investigation and prevention of systematic municipal corruption, cf. Klitgaard et al, 1998.

⁶³ Although at one point corruption was generally considered beneficial and even necessary for development (Huntington, 1968, *in* Abbott and Snidal, 2002:158), in the beginning of the 1980s, development experts began to change their views. By the late 1990s, anti-corruption initiatives dominated the international agenda as major international organizations began adopting anti-corruption policies, especially the United Nations (UN), International Monetary Fund (IMF), the Organization of American States (OAS), the Council of Europe (CE), the European Union (EU) and Organization for International Co-operation and Development (OECD). This was mainly a response to the extreme levels of corruption in African countries, in many of which despots were siphoning off public resources, providing an endless source of conflict and in many cases leading to protracted civil wars (Abbott and Snidal, 2002).

The auditing, which was conducted by the “Controladoria-Geral da União” (CGU),⁶⁴ began in April 2003, with the random selection of one municipality in each region (five municipalities in total). A second lottery was conducted a month later, this time selecting one municipality from every state, excluding the Federal District, bringing the total to 26. Over the following 11 months, seven more lotteries were conducted, each one selecting a sample of 50 municipalities. Nine additional lotteries were carried out between May 2004 and September 2005 (the date of the most recent accounting), using a sample of 60 municipalities representing all the federal states, except the Federal District. In 2003, the lotteries summed seven and comprise 281 cities; in 2004, seven lotteries were carried out in 400 cities and in 2005, four more lotteries were carried out in 240 cities. To meet its objectives of transparency and accountability, the results of the program’s audits were published on the internet and handed over to media organizations.

The data set covers the period from 3 April, 2003, to 27 September, 2005, and provides data from 921 audits. Seven lotteries comprise the data for 2003 and 2004; four lotteries comprise the data for 2005.

The lottery required that municipalities have a population under 450.000 inhabitants to ensure the audits were completed in a timely fashion. To insure fairness, the lotteries, which were held monthly at the “Caixa Econômica Federal”⁶⁵ in Brasília, and were conducted simultaneously with the national lotteries, were supervised by the press as well as representatives of political parties and were open to the public.

Once selected by lottery, a municipality was then audited according to the following process: (1) all federal funds transferred to the municipal government from 2001 onwards were thoroughly audited; (2) a team of 10 to 15 auditors performed an on-site review of the government’s public works projects, regardless of their state of completion, and assessed the quality of public services; (3) all official accounts and documents were reviewed and verified; (4) local community councils and individual community members were interviewed for information regarding inappropriate acts.

⁶⁴ The “Controladoria-Geral da União” (CGU) is the part of the federal executive branch responsible for advising the President on financial matters, along with implementing the government’s anti-corruption program. The Transparency Council is an institution within the CGU whose purpose is to initiate debate and implement administrative transparency programs and strategies for combating corruption and impunity.

⁶⁵ Caixa Econômica Federal is a parastatal financial institution in Brazil.

Each audit took approximately a week, at the end of which all irregularities were reported to the CGU headquarters, then posted in summary on the internet and given to the media. If deemed necessary, reports were also sent to public prosecutors and the municipal legislature for further action.

Among the abuses of the public trust uncovered by auditors during the 2003-2005 period were cases of improper spending, undisclosed bank transfers, illegible record keeping, phantom purchases, unauthorized bank withdraws, unauthorized access of funds, forged expense documentation, non-bid contracting; as well as different kinds of frauds related to procurements, including non-bid contracting, the illegal sale of public lands, simulated payments, improper deviation of resources, and non-existent beneficiaries. It was undetermined whether these were methods used by corrupt officials to siphon off public funds for personal use or to procure favors for others.

In each report, the auditors list the total amount of federal funds transferred to the current government alongside a list identifying each irregularity and, when possible, the specific amount of funds involved. A separate list in the same report detailed any irregularities of the previous government, if uncovered by the audit of the current government.

This data set, which presents reliable evidence, covered all Brazilian federal states, with the exception of the Federal District which is not considered a municipality. Using cross-sectional analysis, the data are compared with the CPMI report and Federal Police statistics via descriptive statistics. For the reason of comparability, the Federal District has been assigned a value of zero (0) in the field listing the number of corruption incidents. Following the descriptive analysis in this section, inferential statistics will be applied using this data set (sec. 3.6) in which four independent variables will be tested against human trafficking as a dependent variable. As an independent set of data, the Municipal Corruption report highlights the strength of the impact of corruption on THB.

3.4.2 Overall Findings

Using descriptive statistics, Table 3.4.1 (on the following page) shows the incidents of corruption in municipalities detected by the auditors over a consecutive three-year period -

time series (2003, 2004, and 2005). The incidents recorded neither distinguish the degree of corruption present (whether petty corruption or large-scale corruption involving public funds), nor provide the position of the public officers in question.

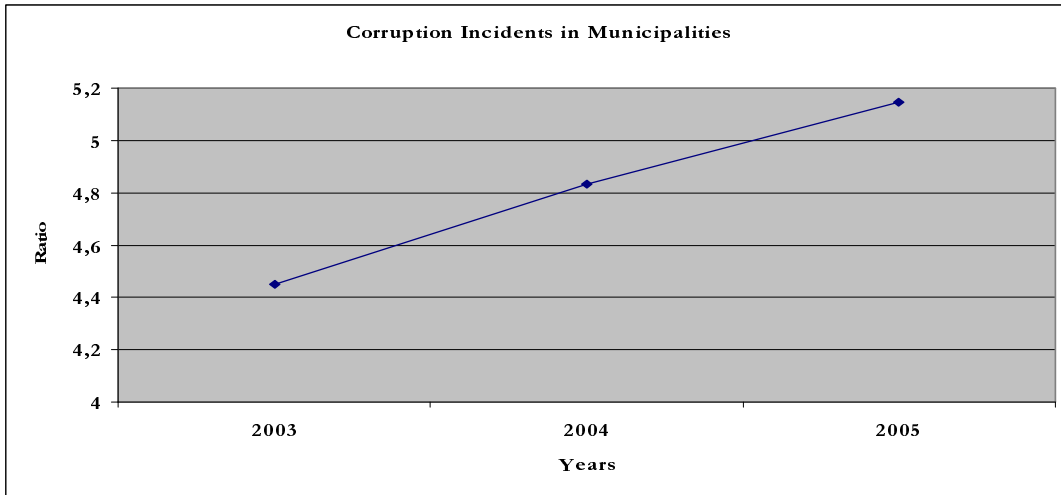
Table 3.4.1 Corruption Incidents in Brazilian Municipalities per Federal State: 2003-2005 (Absolute Numbers)

Federal States	2003	2004	2005	Total
Acre	26	9	7	42
Rondônia	28	12	16	56
Amazonas	35	32	26	93
Roraima	27	11	18	56
Pará	71	75	50	196
Amapá	30	12	7	49
Tocantins	28	72	45	145
Maranhão	55	75	45	175
Piauí	60	83	43	186
Ceará	73	81	56	210
Rio Grande do Norte	55	65	51	171
Paraíba	66	61	45	172
Pernambuco	47	73	44	164
Alagoas	36	33	30	99
Sergipe	28	37	18	83
Bahia	81	176	138	395
Minas Gerais	90	247	131	468
Espírito Santo	53	30	16	99
Rio de Janeiro	31	60	28	119
São Paulo	60	172	107	339
Paraná	35	105	70	210
Santa Catarina	45	88	58	191
Rio Grande do Sul	72	130	80	282
Mato Grosso do Sul	36	43	11	90
Mato Grosso	39	56	46	141
Goiás	44	95	49	188
DF	0	0	0	0
Total	1251	1933	1235	4419

Source: Author's elaboration of data from the "Controladoria Geral da União (CGU) (Federal Government, Brazil)

The data indicates that the overall number of corrupt incidents increased during this period, with the largest recorded increase (54.5%) between 2003 and 2004. Although fewer incidents were recorded when the number of lotteries was reduced in 2005, the number of corruption incidents nevertheless shows a tendency towards growth, as shown in Figure 3.4.1 (on the following page). This finding confirms TI's finding that Brazil's general corruption score has been deteriorating over the last several years (cf. sec.3.3).

Figure 3.4.1 Corruption in Brazilian Municipalities 2003, 2004, 2005

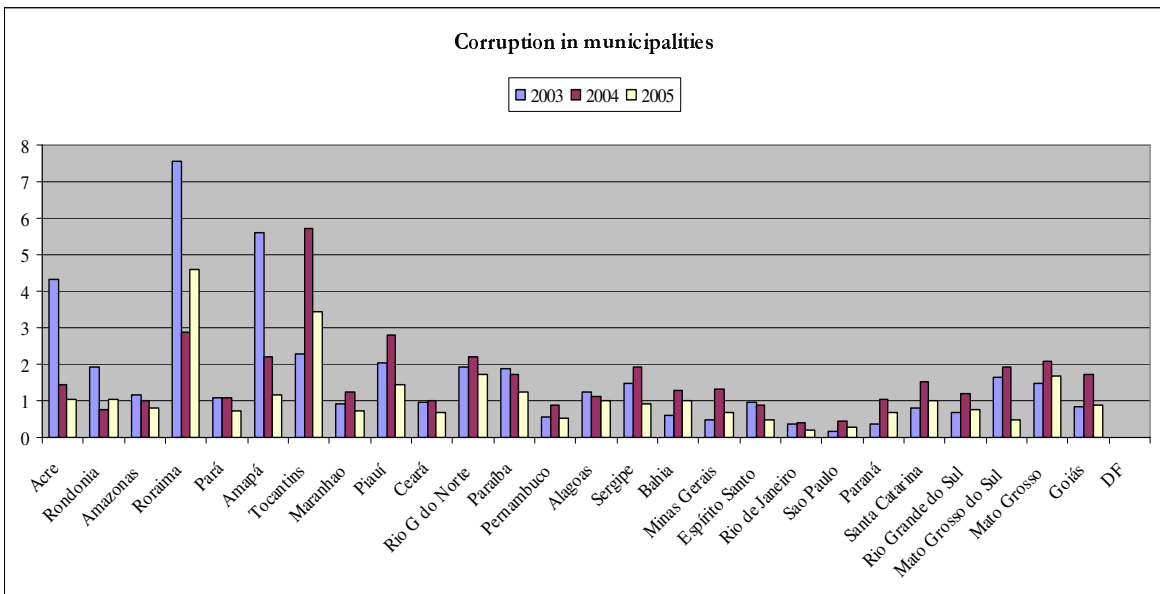


Source: Author’s elaboration of data from the “Controladoria Geral da União (CGU) (Federal Government, Brazil)

Note: The ratio of corruption incidents in municipalities has been calculated by means of dividing the total number of corruption incidents in each year by the number of cities involved in the respective audits.

Figure 3.4.2 (below) graphs the distribution of corruption incidents per federal state in Brazil.

Figure 3.4.2 Corruption Incidents in Brazilian Municipalities per Federal State: 2003-2005 (Rate per 100,000 Persons)

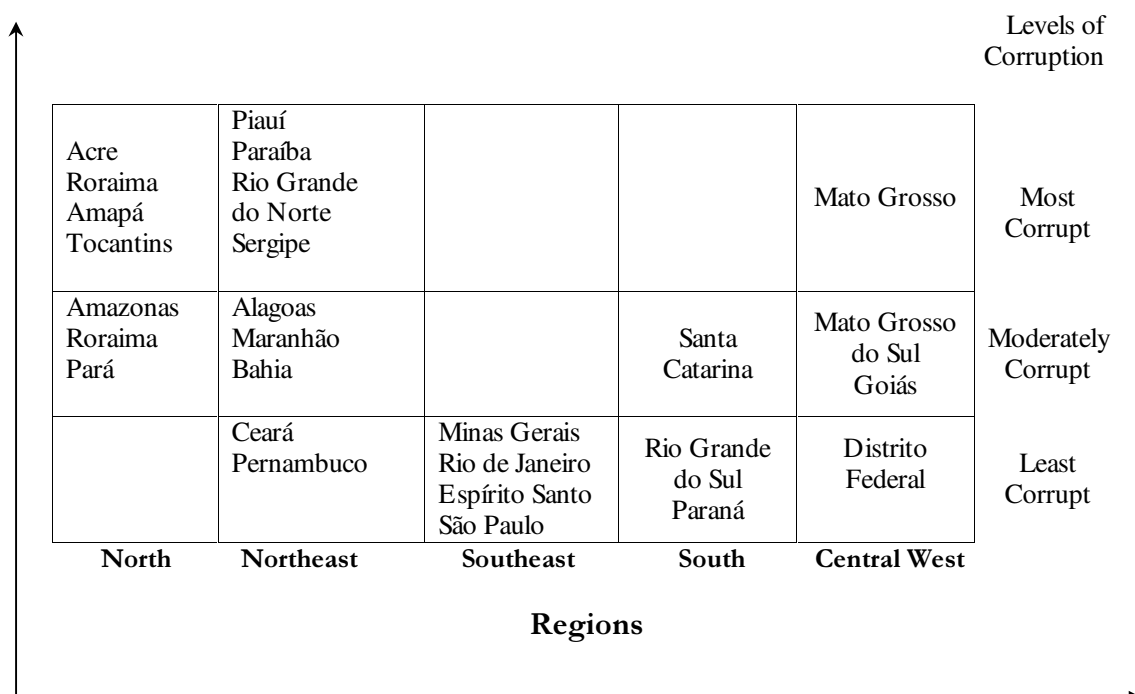


Source: Author’s elaboration of data from the “Controladoria Geral da União (CGU) (Federal Government, Brazil)

The average distribution between 2003 and 2005 shows the Northern federal states as having the highest numbers of incidents of municipal corruption. Roraima, Tocantins, Amapá and Acre lead all other states in relative numbers of incidents. The North is followed by the Northeast and the Central West. The Southeast and South have the lowest rates of incidents of corruption.⁶⁶

The Figure 3.4.3 (below) positions each federal state according to its level of corruption in Brazilian municipalities.

Figure 3.4.3 Regional Distribution of Federal States according to levels of Corruption; Brazil: 2003-2005



Source: Author's elaboration of data from the "Controladoria Geral da União (CGU) (Federal Government, Brazil)

Note: Classification is based on Rate per 100,000 Persons.

Only one federal state from the Central West, Mato Grosso, competes with those from the North and Northeast in relative numbers of incidents. While no states in the South can be

⁶⁶ For further discussion on the cultural dimensions of corruption in Latin American countries, cf. Husted (2002).

classified as highly corrupt, no federal state belonging to the Southeast region can be classified as even moderately corrupt.⁶⁷

The number of incidents of municipal corruption in each federal state (Municipal Corruption report of 2003) correlates with the number of public prosecutors, judges⁶⁸ and police officers, showing that in 2003 incidents of corruption occurred at a higher rate in federal states with higher rates of public prosecutors, judges and police officers.⁶⁹ The same can be said about the calendar year of 2004.⁷⁰ One possible explanation is that public prosecutors and judges are unaware of the “business” of public administrators; administrative processes are so complex that prosecutors and judges, who are normally on the receiving end of investigations, are unable to initiate inquiries on their own into the bureaucratic thicket. Another possible explanation is that corrupt practices are more common in places with higher crime rates (higher populated area with high anonymity), which in turn result in higher numbers of law enforcement and court officials.⁷¹ Buscaglia and Van Dijk (2003), found a positive correlation between the number of police personnel and prosecution services and levels of organized crime.⁷² In their analysis, Brazil is included.

⁶⁷ Treisman (2000:401) found that federal states are more corrupt than unitary ones, “presumably because [of] the competition between autonomous levels of government to extract bribes.”

⁶⁸ Data on public prosecutors and judges were provided by a publication distributed to all public prosecutors in Brazil. The publication is called “Diagnóstico Ministério Público dos Estados” (2006). The data available comprises 2003 and 2004.

⁶⁹ The Municipal Corruption data set, in 2003, positively correlates with the number of public police officers by federal state. The coefficient of the correlation is 0.46. If we apply the simple correlation subtracting the Federal District, which has too many police officers in comparison with other regions, the coefficient of the correlation is even higher: 0.88. One can say that in 2003 higher incidents of corruption occurred in federal states with higher rates of public prosecutors, judges and police officers. The number of police officers comprises the civil police, military police, technical police and fire department. The number of police officers comprises the civil police, military police, technical police and fire department (Secretaria Nacional de Segurança Pública, 2003).

⁷⁰ For 2004, the coefficient is 0.6 for public prosecutors and 0.6 for judges. The correlation between the number of public prosecutors and judges per federal state (including the Federal District) is almost perfectly correlated in 2003 and 2004. The coefficients of the correlation are 0.96 and 0.87, respectively. This is due to the fact that public prosecutors and judges are almost evenly distributed across the federal states.

⁷¹ The Federal Police data set on international THB also demonstrates a positive correlation with the number of prosecutors and judges per federal state.

⁷² The factor used to explain the correlation is crime rate.

3.4.3 Regional Analysis

Using descriptive statistics, Table 3.4.2 (below) places each region in descending order according to the number of incidents of corruption between 2003 and 2005. The calculated rate for each region represents the average rate of all included federal states. A weight factor is used to balance differences in regional numbers of federal states. The data show that the North and the Northeast have the highest rates of corruption, while the South and Southeast have the lowest. This result reflects exactly the same regional pattern as in the case with THB (cf. sec. 3.2.6).

Table 3.4.2 Incidents of Municipal Corruption per Region; Brazil: 2003-2005.

Region	<i>Rate per 100,000 Persons</i>
North	4.48
Northeast	3.89
Central West	0.63
Southeast	0.33
South	0.3

Source: Author's elaboration of data from the "Controladoria Geral da União (CGU) (Federal Government, Brazil)

Since both types of crime (e.g. corruption and THB) appear to have the same regional distribution in Brazil, it is useful to provide some additional explanatory information. Table 3.4.3 (on the following page) compares the level of crime (measured by corruption and THB rates) with the amount of judicial and executive power (measured by number of public prosecutors, judges and police officers) in the same regions during 2003.⁷³ In order to eliminate the possible rival explanatory effect of population density on the results both rates of crime (corruption and THB) and judicial and executive power (prosecutors, judges and policemen) are expressed in relation to population density.

⁷³ In 2004 and 2005 corruption incidents were highest in the Northeast, followed by the North, Central West, South and Southeast.

Table 3.4.3 Corruption Incidents, Public Prosecutors, Judges, Police Officers, and THB per Region in Brazil: 2003.

Number of Incidents/Public Officials in relation to Population Density

Region	Corruption	THB (CPMI)	Judges	Public Prosecutors	Police Officers*
Northeast	16.29	0.04	77.29	75.02	4.172
North	7.54	0.47	18.03	16.68	1.203
Central West	1.42	0.26	7.11	6.21	2053
Southeast	0.84	0.02	6.86	6.13	1008
South	0.67	0.01	6.49	5.93	272

Source: Author's elaboration of data from the "Controladoria Geral da União (CGU) (Federal Government, Brazil); Ministry of Justice/SENASP;⁷⁴ the CPMI report (total number of THB incidents involving corruption)

Note: *"Police Officers" includes all branches of law enforcement: Military Police, Civil Police, forensics and fire department.⁷⁵

The data show that the Northeast, the North and the Central West regions have the highest rates of municipal corruption, as well as the highest rates of trafficking, public prosecutors judges and police officers. Conversely, the South region has the lowest rates on all counts. Although the traditional hypothetical relationship logically holds that the higher the numbers of law enforcement in a given region, the lower the overall level of corruption and THB should be, this data seems to reflect an inverse relationship between the crime rate (for corruption and THB) and the level of executive and judicial power in place to combat it.

The result offers three very different interpretive possibilities. Either the high occurrence of corruption and THB in the northern regions of Brazil triggered the government to increase the numbers of executive and judicial powers to combat these crimes, or the high presence of police officers and judges in the Northern regions allowed for the discovery and disclosure of more cases of corruption and THB than would have normally followed. In this case, the direction of causality cannot be clearly identified without additional qualitative information. A third hypothetical explanation is that the high proportion of public officials in the region generated an atmosphere of susceptibility to corruption that allowed it to be both more easily distributed and concealed within the system. However, in light of other findings from Brazil's Northern regions, it is this author's belief that other

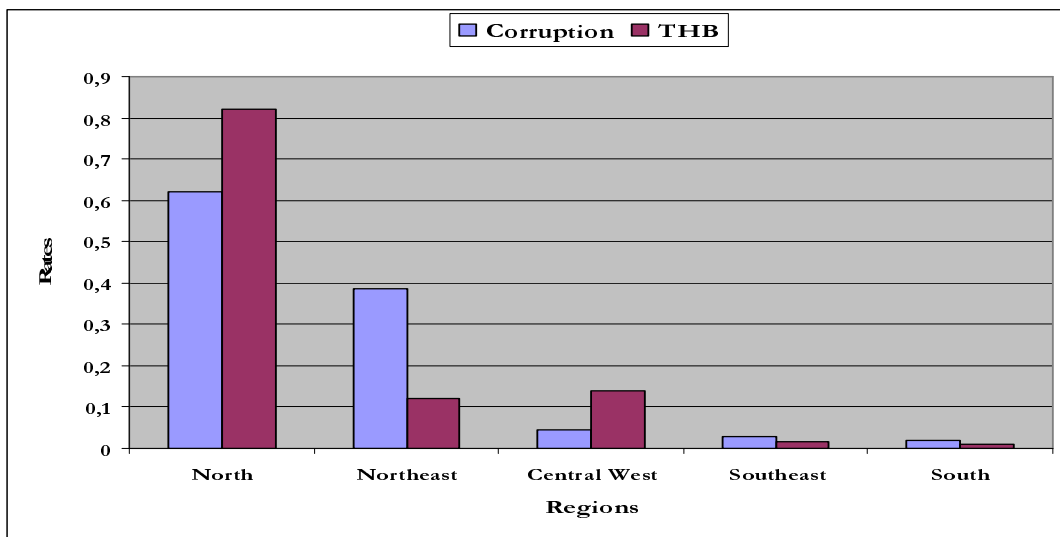
⁷⁴ Available at [http://www.mj.gov.br/senasp/estatisticas/efetivo/estat_efetivos1.htm]

⁷⁵ Using only the total number of the Military Police and Civil Police has no impact on the classification of regions.

factors, such as the geographical placement of these border regions, which favors international trafficking, results in a high level of criminality that makes officials in these regions more susceptible to corruption. As a result, the rate and degree of corruption of public officials is higher in the northern regions and central west than in the South.”

Figure 3.4.6 (below) highlights the regional correlation between municipal corruption and THB incidents.

Figure 3.4.6 Corruption in Municipalities and THB (CPMI) per Regions in Brazil (Rate per 100,000 Persons)



Source: Author’s elaboration of data from the the “Controladoria Geral da União (CGU) (Federal Government, Brazil)

Note: Municipal corruption report (2003) and total THB incidents from the CPMI report (1994-2003)

Regions with higher rates of corruption in municipalities are also the regions with higher rates of incidents on THB. Both reports (Municipal Corruption and CPMI) place the North as the most vulnerable region to THB and corruption, while the South is identified as having the lowest number of incidents of THB and municipal corruption. This finding once more emphasizes the interrelationship of THB and corruption in Brazil, reaffirming the research hypothesis of this study.

After three years of auditing, the North, Northeast and Central West ranked highest in corruption incidents, confirming the findings of the CPMI report and the Federal Police statistics. The data of the CPMI report place the North, Northeast and Central West as the regions most vulnerable to THB and THB-related corruption. The North in both reports

(CPMI and Corruption in Municipalities) remains the region with the highest rates of THB and municipal corruption.

While the CPMI ranks the North highest, the Federal Police statistics show that the Central West is the region most vulnerable to THB (international THB). This may be due to the fact that in both regions extensive official programs have been undertaken to raise awareness of THB providing a causal factor for the difference.⁷⁶ Nonetheless, the Federal Police place the North and Northeast regions as the second and third in number of THB incidents, with minimal differences between the top three.

All three reports (the CPMI, Federal Police, and Municipal Corruption) show that the South and the Southeast are the regions least vulnerable to both THB and corruption.

3.4.4 Summary

This data set of the Municipal Corruption report is extremely important. It shows not only the perceived level of municipal corruption in each federal state but also presents an objective measure of corrupt practices of public officials in a cross-sectional comparison. As direct measures of corruption are rather scarce in anti-corruption research, the results of this data set have an added scientific value. The results already presented are as follows:

- Corruption in municipalities is a growing phenomenon (Figure 3.4.1), reflecting Brazil's deteriorating score in TI during the same period (2003-2005).⁷⁷
- The figures of the Municipal Corruption report correlate with those of the CPMI report and the findings of the Federal Police official statistics, which identify the Northern regions as the most vulnerable, and the southern regions as the least vulnerable to THB and THB-related corruption, emphasizing the strong connection between THB and corruption in Brazil.

⁷⁶ Disproportionate emphasis was placed in specific federal states (Goiás, São Paulo, Rio de Janeiro and Ceará), and this emphasis may have had an impact on the findings (rival causal factor).

⁷⁷ Cf. sec. 3.3

3.5 ADVANCED STATISTICAL ANALYSIS: THE DEPENDENCE OF THB ON CORRUPTION IN BRAZIL

So far, all empirical findings of the previously discussed data sources have been analyzed using descriptive statistical methods, providing simple correlations between the different variables. The results were presented mainly in terms of rates and percentages.

These data were also positively correlated to sufficiently demonstrate the interrelationship between THB and corruption. Qualitative analysis of the CPMI data revealed, in addition, the causal effect of corruption on THB. This simple analysis allows identifying the direction of the relationship between THB and corruption and demonstrating the strength of the dependence of THB on corruption in a heuristic manner.

However, simple correlation between variables does not reveal the truth about the relationship between them. Two variables may appear correlated due to the fact that a third hidden variable to which the investigated variables are interrelated may influence the relationship masking the results. In order to identify the correct relationship between THB and corruption it is necessary to fix or partial out the effect of other relevant variables by conducting multiple regression analysis.

To formulate the predictive potential of corruption's influence on THB (dependency), multiple regression was conducted using two different (independent) data sets (Federal Police statistics and Municipal Corruption report). The concepts of THB and corruption were operationalized into variables directly measuring incidents of THB and corruption. This allows for the application of more advanced statistical methods, such as multiple correlation and multiple regression analysis in order to stipulate a positive causal effect of one variable on another (predictive effect), while simultaneously controlling for the effects of other potential predictors and their interrelationship (multiple inter-correlations).

Although in social sciences no result can be absolutely (100%) certain or valid, as rival causal factors (situational variables) may always be present and exert influence, the statistical findings achieved by this thesis nevertheless present the most reliable and strongest results on 1) the linkage between THB (outcome variable) and corruption (explanatory variable) and 2) the strength of their interrelationship.

3.5.1 Relationship between THB and Corruption: strength and predictability

The major question is what could be a predictor of THB in Brazil. The classical predictors for THB are considered to be poverty, unemployment, official corruption, and illiteracy.⁷⁸ The variable to be explained in the regression equation is THB for the purpose of sexual exploitation. The explanatory variables (causal factors), based on scientific literature⁷⁹ are:

- Household income⁸⁰
- Gini coefficient⁸¹
- Illiteracy Rate per 100,000 Persons⁸²
- Municipal Corruption incidents

Poverty is measured by household income and considered to be one of the main drivers of THB (Bales, 2005). Gini coefficient, demonstrating the unequal distribution of income among the population, can also be expected to be predictor of unbalanced societies, where serious crimes, such as THB for the purpose of sexual exploitation, occur. The illiteracy rate represents the educational weaknesses of the federal states within Brazil; moreover, it demonstrates the failure of the state to provide basic services for the population. It can be expected that illiterate minors are much more vulnerable to be trapped into the traffickers' acquisition campaigns and become victims of trafficking rather than educated people that have the necessary educational background. All explanatory variables (except corruption and THB) represent figures from all Brazilian federal states and were taken from a government website.⁸³ The data on THB were drawn from the

⁷⁸ CPMI, 2004; PESTRAF 2002; UN Protocol to Suppress, Prevent and Punish Trafficking in Persons, Article 9; 4.

⁷⁹ Bales, 2005; Hughes, 1999; Hojman, 2004:47; Morris, 2004; UN Commission on Human Rights, Integration of the Human Rights of Women and the Gender Perspective (2000).

⁸⁰ The variable "household income," refers to the calculated average income of all persons sharing a single residence.

⁸¹ The variable coefficient "Gini" measures the degree of inequality in the distribution of persons relative to per capita household income. Its value ranges from 0, when there is no inequality (the salary of all persons have the same value), to 1, when inequality is at its highest. "Brazil is one of the world's most unequal countries. In 2001, whereas the top 10 per cent of households controlled 47.2 per cent of the nationwide household per capita income, the bottom 40 per cent accounted for just 8.5 per cent" (Hinton, 2005:81).

⁸² The variable used for illiteracy measures the illiteracy of all persons 15 years of age or older.

⁸³ The variables used in the multiple regression (household income, Gini coefficient and illiteracy rate (15+ years of age) were drawn from the Brazilian Institute of Applied Economic Research, IPEA. Available at [<http://www.ipeadata.gov.br/ipeaweb.dll/ipeadata?10117671>]

Federal Police statistics of THB incidents and the data on corruption from the Municipal Corruption report.

Potential predictors such as poverty (measured by poverty rate), infrastructure (measured by the extent of paved roads and number of exit points), population density and regional economic success (measured by federal state income) were all tested without showing any significant effect on THB and were therefore excluded from further analysis. Other economic variables such as GDP or GNP per capita measuring the wealth/ poverty of each federal state were not available for all federal states in the period of investigation and therefore, unable to be used.

Following the main hypothesis that THB for the purpose of sexual exploitation depends on corruption in Brazil, a positive partial causal effect of corruption on THB is expected.

The regression function is as follows:

$$lr_thb = \beta_0 + \beta_1 lcor_mun + \beta_2 lhincome + \beta_3 lgini + \beta_4 lg_ilit15 + \beta_5 lpop_totpo + \beta_6 d2004 + \beta_7 d2005$$

whereas:

lr_thb = logarithmic trafficking variable (dependent variable)

β_0 = constant

β_{1-7} = partial coefficients

$lcor_mun$ = logarithmic corruption incidents variable

$lhincome$ = logarithmic income variable

$lgini$ = logarithmic Gini variable

lg_ilit15 = logarithmic illiteracy rate (15 years of age or more) variable

$lpop_totpo$ = logarithmic total population variable

$d2004, d2005$ = dummy variables

The regression model uses combined cross-sectional and time-series data from three consecutive years, 2003-2005.⁸⁴ Each variable was sequenced by federal state (27 federal states) and by year. As a result, 81 observations⁸⁵ were obtained. Logarithmic

⁸⁴ The statistical software STATA was used to run the regression.

⁸⁵ Observation is the number of observed frequencies. Each federal state is observed 3 times.

transformation was then applied in order to reduce multi-co-linearity. Two time dummy variables and one constant variable were used to control for time variations.

$$d2004_{it} = \begin{cases} 1 & \text{if } t = 2004 \\ 0 & \text{otherwise} \end{cases}$$

$$d2005_{it} = \begin{cases} 1 & \text{if } t = 2005 \\ 0 & \text{otherwise} \end{cases}$$

The constant stood for 2003 and the two time dummies for 2004 and 2005.

Based on the model, a random and fixed effect were estimated. In order to test whether the fixed or random effects model should be used, the classical Hausman specification test was applied. Since no significant correlation between unobserved person-specific random effects and the regressors could be found the Hausman specification test suggests the appropriateness of the random effect model (Yaffee, 2003; Hausman, 1978).

The results are as follows:

Multiple Regression

```
lg_ilit15 = General population: illiteracy rate 15 years of age or more
cor_mun = incidents of corruption in municipalities
lpop_totpop = Population/total population
d2004 = dummy variable for year 2004
d2005 = dummy variable for year 2005
cons = constant for year 2003
```

```
Number of obs      =           81
Number of groups   =           27
Obs per group: min =           3
                  Avg  =          3.0
                  Max  =           3
```

```
Wald chi2 (8)      = 135.21
Prob > chi 2      = 0.0000
```

	Coef.	Robust Std. Err.	z	P> z	[95% Conf. Interval]	
lcor_mun	1.078055	.2345989	4.60	0.000	.6182493	1.53786
lhincome	-.2413271	.9565328	-0.25	0.801	-2.116097	1.633443
lgini	8.267898	3.458304	2.39	0.017	1.489747	15.04605
lg_ilit15	-.3980403	.6520112	-0.61	0.542	-1.675959	.8798782
lpop_totpop	.0040013	.0474309	0.08	0.933	-.0889616	.0969641
d2004	.0416262	.3789521	0.11	0.913	-.7011063	.7843587
d2005	.2015261	.3891073	0.52	0.605	-.5611102	.9641625
_cons	5.189809	7.82794	0.66	0.507	-10.15267	20.53229

Two variables proved to be predicting and potentially causing THB: corruption and Gini coefficient.⁸⁶ The other two variables (household income and illiteracy rate) proved to be insignificant.

Multiple regression demonstrated that the coefficient of corruption is statistically significant at any reasonable level ($p \leq 0.01$) and has the expected positive sign. In other words, the higher the number of incidents of corruption, the higher the number of incidents of THB. At first sight, it seems that the Gini coefficient is also a statistically significant predictor at any reasonable level. However, the value of Gini coefficient is very high (8.27). One possible explanation for this is the fact that the Gini coefficient is a compound variable which means that it is itself dependent on several different factors, one influencing the other. This internal interdependency may have had a negative impact on the outcome of the multiple regression. This can be seen in the lower level of the statistical significance of Gini coefficient which is half the level of corruption (z value of 2.39 versus 4.60). The other remaining variables (household income and illiteracy rate) had the expected sign, but were not significant direct predictors of THB. They were introduced as explanatory variables based on scientific literature (PESTRAF 2002; Bales, 2005; Hughes, 1999; Hojman, 2004; Ades and Di Tella, 1997).

The relationship between corruption and THB appears to be linear (estimated parameter is 1.08), indicating that a one per cent increase in corrupt practices will lead to an increase of 1.08% in occurrences of THB. This result underlines the major hypothesis of this thesis that THB strongly depends on corruption in Brazil, reinforcing the results drawn from existing scientific literature (Bales, 2005).

⁸⁶ The levels of inequality in Latin America are such that the ratio between “incomes in the top quintile and in the lowest quintile (Q5/ Q1) in a Western European country is about 5 or 6, but in Latin America this ratio is never less than 10, and in some cases it may be as high as 30” (Hojman, 2004:34). Also found in Ferranti et al., 2003. For further discussion of the relationship between inequality and corruption cf. Jon-Sung and Khagram (2005).

3.5.2 The Impact of Corruption on THB

The World Bank (2003) identifies corruption “as among the greatest obstacles to economic and social development,” undermining development by “distorting the rule of law and weakening the institutional foundation on which economic growth depends. The harmful effects of corruption⁸⁷ are especially severe on the poor, who are hardest hit by economic decline, are most reliant on the provision of public services, and are least capable of paying the extra costs associated with bribery, fraud, and the misappropriation of economic privileges.”⁸⁸ Most studies (Davis and Ruhe, 2003; Mauro, 1985; Tanzi, 1998) recognize the negative impact of corruption on society.⁸⁹ Mauro (1985) demonstrates that countries with high rates of corruption have less GDP directed to investment resulting in slower growth rates.

Multiple regression in this thesis establishes that corruption is a strong predictor of THB. The result implies that corruption generates the means for THB via its social consequences. According to the international literature presented, corrupt public officials, especially those elected, contribute to the general societal conditions identified as comprising the root causes of THB.⁹⁰ Corruption often manifests itself publicly as an overall failure of social services, often resulting from withdrawn government involvement in the welfare of its populace, and can lead to a general acceptance of sub-standard conditions as norms. In such an environment, where employment and economic opportunities are scarce,

⁸⁷ The impact of the negligence of public officials with regard to the public welfare ranges from a lack of functioning government services to social instability, lower public welfare, class inequality, underdevelopment, lack of equal opportunity, economic impoverishment, unequal treatment under the law, and is often caused by “misallocation of resources that disrupts economic development, distortion of public policy and the degrading of integrity of the business system” (Davis and Ruhe, 2003:2). Corrupt practices demonstrate the shift in focus on the need of a state toward “delivering the fundamental services to society – health, education, economic development, public safety, etc (Doig and Marquette, 2005:211). If “governance is defined as the manner in which power is exercised in the management of a country’s economic and social resources for development” corrupt practices goes beyond legality and “sound development management” (World Bank definition of governance *in* Marquette, 2001:399).

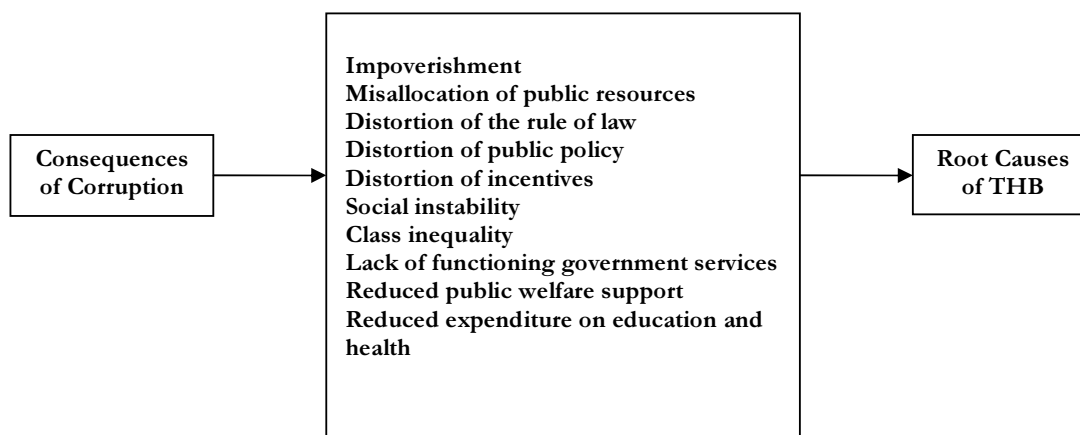
⁸⁸ Available at: [<http://www1.worldbank.org/publicsector/anticorrupt/>]

⁸⁹ Montinola and Jackman (2002) found that in recent democracies, as is the case of Brazil, corruption is higher than in dictatorships; countries with complete democratization experience lower levels of corruption. Also found in Sung (2004). For further discussion in controlling corruption in democracies, cf. Philp (2001).

⁹⁰ UN Protocol to Prevent, Prevent and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime establishes in Article 9 (4) that States Parties shall take or strengthen measures to alleviate the factors that make persons vulnerable to THB, such as poverty, underdevelopment and lack of equal opportunities.

organized crime often fills the void left by government, providing the illusion of “services” and gainful opportunities while exploiting the vulnerabilities of the people dependent on them. Buscaglia and Van Dijk (2003) provide cogent analysis of the capacity of organized crime to take advantage of poor socio-economic conditions within a country. Figure 3.5.1 (below) illustrates the indirect impact of corruption on THB. The consequences of corrupt practices are, at the same time, the root causes of THB.

Figure 3.5.1 Consequences of Corruption⁹¹ and the Root Causes of THB



Source: International literature (e.g. Davis and Ruhe, 2003; Buscaglia and Van Dijk, 2003; Mauro, 1985; Tanzi, 1998; Glaeser and Saks, 2004; Gatti et al. 2003; Morris, 2004; Abbott and Snidal, 2002; Ades and Di Tella, 1997). Author’s elaboration

The Multiple regression analysis establishes that to combat THB, Brazil must also tackle corruption. Effective anti-corruption measures are likely to have a demonstrable impact on actual levels of THB among federal states in every region in Brazil. According to the findings from the multiple regression one can infer that when corruption rates fall, THB rates are expected to drop accordingly. By lowering the overall rate of corruption and strengthening the integrity of public officials will automatically reduce the incidences of THB.

⁹¹ “Corruption is a significant drain on the resources of health delivery systems... depriving the most vulnerable populations of desperately needed resources...From 1998-1990 an estimation of 40% of resources being lost to corrupt practices by Brazilian health providers” (Breuning et al. 1999:16).

3.6 FINDINGS FROM THE SURVEY ON CRIMINAL JUSTICE AGENTS' PERCEPTIONS TOWARDS THE RELATIONSHIP BETWEEN THB AND CORRUPTION IN BRAZIL

3.6.1 Survey Background

To bolster the findings of previous quantitative analyzes, an additional data gathering strategy (survey) was employed.

The survey was employed to provide data on the perceptions of corruption among law enforcement and court officials (including members of the Civil Police, Federal Police, public prosecutors, and judges), as well as from employees of relevant government institutions and NGOs, following the model of Transparency International. Because each respondent was deemed to possess in-depth knowledge of criminal phenomena through his/ her professional context, the questions interrogated the respondent's knowledge and opinions of the present state of THB and corruption in Brazil.

As defined by Hagan (2003:111), "social surveys are means of data gathering in which a segment of the population reports their attitudes and/ or behaviour." They are also "powerful tools for obtaining quantitative data for both descriptive and inferential studies" (Hagan, 2003:111), and have been used in Criminology and in Criminal Justice Systems to measure criminal phenomena, as well as perceptions about the severity of crime (Hagan, 2003:112). As such, this method helps enhance the understanding of how law enforcement assesses the degree to which corruption acts as a determinant of THB. In the section of the research survey concerning the interrelationship between trafficking and corruption, no question explicitly asked the respondent to state the direction of causality. However, taken as a whole the questions implied such a direction. The findings show that throughout the trafficking process, corruption is inevitably present as an issue which all levels of law enforcement must be aware of as well as prepared for. It is fair to say that without the involvement of public officials, THB would be much less prevalent.

3.6.2 Characteristics of the Survey and its Methodology

The survey was conducted in the form of a self-administered questionnaire which was administered over e-mail. The advantages of the self-administered questionnaire, as noted by Corbetta (2003:146), are its low costs, the fact that it can be filled in at any time, and the elimination of the interviewer's bias.⁹² Another advantage is that through e-mail, the questionnaire can be sent to a population that is difficult to reach due to distance, especially those who cannot be directly interviewed.

The theoretical procedure (sample design), and its implementation, as well as the collection of data and analysis of results were done by this author. All responses were received between June, 2006, and November, 2006.

Designed to be simple and straightforward,⁹³ the questionnaire conformed to Corbetta's (2003:146) stipulation that a "self-administered questionnaire must be as brief, concise and simple as possible."⁹⁴ Some of its questions were derived from the PACO Networking approach (chap. II) which proved to be an efficient way of identifying corruption in the trafficking chain. As observed by Sudman and Bradburn (*in* Corbetta, 2003:125), "copying questions from other questionnaires is not plagiarism. On the contrary, from the scientific viewpoint, it is recommended practice, in that it enables knowledge to be accumulated and comparisons to be made." The PACO Networking did not result in a questionnaire presented by the member nations; however, its guidelines have been used by other researchers (i.e. Richards, 2004:158-159; Schimmel and Pech, 2004:13) investigating corruption as a trafficking issue.

After the questionnaire was submitted to the pool of potential respondents, reminders were sent via e-mail and telephone.⁹⁵

⁹² Cf. Fox et al., 2003

⁹³ Specific socio-demographic data, for example, were requested at the beginning of the questionnaire. Respondents were asked to provide their names, job positions, federal state in which they were employed, including the number of years in their current positions.

⁹⁴ Corbetta (2003: 137) further advises that "questionnaires must not be too complex; both questions and instructions must be simple (e.g. filter questions such as 'if you answer 'yes,' go on to the next question; if 'no,' go to question 25,' etc. should be avoided)."

⁹⁵ For a discussion on whether personal contacts "have a derogatory effect on the quality of the results obtained in using mail surveys," cf. Rada (2005).

The questions addressed the opinions, evaluations, judgements and sensitivity to criminal phenomena in general,⁹⁶ and were designed to access the perceived interrelationship between THB-related corruption among respondents and to determine how well-informed and/ or interested the professional was in specific criminal phenomena.⁹⁷

Because of the nature of law enforcement work in Brazil (from the continuous exchange of ideas and knowledge to the rotational structure of most positions), most professionals, even those not currently involved in investigations and/ or prosecutions of corruption and THB, can be expected to have an essential awareness of these issues.

For most of the questions, the respondents were presented with a range of answer choices (multiple choice), then asked to choose the most appropriate. Although the use of multiple choice questionnaires has invited disagreement among scholars (most notably Cicourel), this method was determined to be the most suitable in this circumstance.⁹⁸ There are several reasons.

Firstly, because the criminal phenomena under consideration are not highly personal in nature. As such, of primary importance was the respondents' perceptions and awareness of facts rather than their knowledge of either its "meaning" or its behavioural causes. Thus, it was determined that the process of classification of the respondents' thoughts and perceptions would be more effectively demonstrated by the respondents themselves rather than by the researcher in the coding process. Allowing respondents to provide open answers in their own words would also inhibit precise classification.

Secondly, all respondents possessed advanced professional or post-graduate degrees which ensured their ability to understand the terms and concepts used in the questionnaire. These terms and concepts hold common currency and allow for general agreement as to their definitions or interpretive meanings. Additionally, the questions, as structured, were without ambiguity and did not require too much interpretation. As such, the use of fixed-

⁹⁶ As stated by Heidenheimer (2004:101), "since hard data such as corruption convictions were difficult to gather and compare, ingenious minds turned towards utilizing selected opinion and perceptual data." Cf. Thurstone, 1928.

⁹⁷ For a discussion on translating concepts into questions cf. Saris and Gallhofer (2004).

⁹⁸ Cicourel argues that "the questionnaire with fixed-choice response categories precludes the possibility of obtaining unanticipated definitions of the situation which reveal the subject's private thoughts and feelings" (*in* Corbetta, 2003).

choice response categories allowed this researcher to directly compare the respondents' answers and to subsequently quantify the data.

Thirdly, before the questionnaire was submitted to the population of prosecutors and the sample of other professionals, a sub sample was selected from the same category of respondents to fill out and evaluate the questions' substance, acceptability and effectiveness.⁹⁹ This was done to ensure that all relevant options were included in the selection of an answer to each question. No significant problems were identified.

Lastly, a comment space was provided at the end of the questionnaire for respondents to add any additional information they might have had.¹⁰⁰ However, few respondents elected to use this opportunity to provide further information.

Although some of the questions pursued subjective data, the majority of questions called for respondents' professional judgement and evaluation of the issue, classified according to the most suitable choice provided. Additionally, when a question requested concrete data, such as the percentage of a phenomenon's occurrence, the answer choices provided the full range of numeric values (from 0% to 100%).

Three follow-up telephone interviews with public prosecutors who had previously participated in the survey were completed one month after the arrival of their respective responses.

The primary aim was to assess the "extent to which respondents report similar answers to the same question when repeatedly asked" (Farral and Ditton, 1999).¹⁰¹ As the interview questions involved the percentages of cases that had been either investigated, brought to trial, prosecuted or resulted in convictions, respondents were asked whether their answers had been based on prior knowledge or were the results of subsequent research. All three replied that they had given answers after a period of thought, ultimately expressing their

⁹⁹ A pre-test version was sent to a sub sample of 5 professionals.

¹⁰⁰ Garcia et al. (2004) describes a variety of ways in which free-text comments can be used.

¹⁰¹ It was not necessary to address the interpretation issue as the responders rarely demonstrated difficulties related to interpretation. Respondents who expressed either a lack of understanding or provided contradictory responses were excluded from consideration.

personal opinions without concern for statistical evidence, in keeping with the general tendency to disregard the value of hard data in Brazil.

The secondary aim of the follow-up interviews was to assess the design of these questions in particular. Respondents were asked whether the questions related to percentages were properly presented, or if they had difficulties choosing responses and how relevant they considered these questions to be from the point of view of criminal justice system. All three viewed these questions as relevant only to statistical interests, and not of practical value. The responses to the follow-up interviews were consistent with those of the survey.

The questionnaire is composed of 30 questions divided into five parts. The first one is related to trafficking itself. The second part deals with corruption independently from trafficking. The third part is related to the relationship between trafficking and corruption. The fourth part focuses on sexual exploitation involving public officials, and the last part deals with the efficiency of the Brazilian criminal justice system. All questions and answers were standardized and nominal, ordinal and interval variables were used.

The answer rate was 10.8%. However, considering that some of the questionnaires were dismissed, the rate of validity represents 7.9%. The response rate is representative of all Brazilian regions.¹⁰² Prosecutors represent all regions; the judge represents the Southeast region; Federal Police represents the Northeast, Southeast and South; the remaining respondents represent the North, Northeast and Southeast regions.

3.6.3 Characteristics of the Sample

Out of a potential pool of approximately 1000 state employees, 109 experts actually responded to the questionnaire. This result presents a response rate of 10.8%. 89.2% of the population was not available for observation.¹⁰³ Of those 109, however, 36 respondents were subsequently dismissed as ineligible due to contradictions in their responses, leaving the final number of respondents at 73. The sample of respondents is composed of 59

¹⁰² The federal states that didn't participate in answering were: Rio Grande do Norte, Paraíba, Piauí (Northeast region) and Acre, Rondônia, Amazonas, Amapá (North region). The heavy workload of public prosecutors in some federal states, such as Rio Grande do Norte, provided a measure of explanation for the lack of responses.

¹⁰³ For a discussion on incorporating the unobserved part of a population into an analysis cf. Rudas (2005).

criminal prosecutors, 10 federal police officers, two members of government institutions, one expert of a NGO and one judge.¹⁰⁴

Because the sample pool was limited mostly to public prosecutors and police officers, the sample survey does not represent a complete reflection of the phenomena of trafficking and corruption. A more expansive survey would have needed a sample pool of respondents engaged in all aspects of these phenomena, including traffickers, enablers and the victims themselves. However, because surveying victims and traffickers would be a challenge, as they are part of a 'hidden population,' "it is almost impossible to establish a sampling frame and draw a representative sample of the population" (Laczko, 2005:5). The sample used in the present study represents the perspectives of a selected group with informed knowledge of the crime, but outside its sphere of influence. As such, the sample shows the perceptions of a group of professionals who neither participated in nor directly observed the commission of these crimes. Instead, their perception was derived from critical analysis of investigations, interrogations, evidentiary procedures, victim's statements, as well as evidence disclosed during trials. In addition to respondents' general expertise in matters relating to criminal phenomena almost half (47%) had worked directly with cases of THB.

Criminal prosecutors were chosen because they are responsible for the analysis of all formal investigations, as well as the initiation of trials. Another reason for sampling them was partly based on their accessibility. Unlike judges, who must maintain the appearance of an absolute lack of bias, prosecutors are under no such constraints. Likewise, prosecutors serve as an interface between the public and judicial branch. As such, they are the ones most likely to be sensitive to the criminal phenomena under investigation.

Because each federal state has its own institution of prosecutors, the questionnaire was sent to all of them, state by state. This was possible because all of them have web sites, some providing the prosecutors' personal e-mails as well.¹⁰⁵

¹⁰⁴ The initial idea was to also send the questionnaire to judges from each federal state. However, the idea was withdrawn due to difficulty in contacting them.

¹⁰⁵ It is assumed that the e-mailed questionnaire was received by all Brazilian prosecutors in every state, even those not currently working on criminal cases. Because prosecutors in Brazil typically represent the state in criminal cases and specific interests in civil cases, the questionnaire was e-mailed either directly to public prosecutors or to their administrative offices for dissemination, regardless of whether or not they were currently working in the criminal justice system. It was assumed, based on the rotational nature of a Brazilian prosecutor's assignments, that every respondent would have had prior experience in criminal cases and therefore, would possess relevant

Eight out of ten police officers were chosen through snowball sampling.¹⁰⁶ The other two respondents were selected through direct contact by this author/ researcher.¹⁰⁷ The purpose for having chosen them was due to their roles in the investigations of international trafficking.

Two out of three respondents were from governmental-related departments and chosen through snowball sampling.¹⁰⁸ The other one is an expert from an NGO,¹⁰⁹ selected through internet and telephone contact. The reason why these professionals were chosen was due to their work in the defence of victims of violent crimes, as well as their involvement in combating THB and giving support to trafficked women. Therefore, they have direct contact with victims and have a deep knowledge of their situations and life stories. The judge was chosen due to personal contact with this researcher and the judicial branch.

3.6.4 Complications Identified During Analysis

Three main problems were identified during the analysis of the responses. The first concerned the presence of non-attitudes. Many of the respondents assigned “I do not know” in response to some of the questions. The term “non-attitude” was coined by Philip Converse to describe respondents’ lack of opinions (*in* Corbetta, 2003:124).

As Corbetta observes, “It is likely that some subjects have never thought seriously about some of the issues raised, and therefore do not have an opinion about them (2003:124).”¹¹⁰

perceptions of the thesis subject. When potential respondents could not be reached by e-mail, a subsequent e-mail was sent to the headquarters of the selected institutions, requesting that the survey be distributed internally. However, despite this precaution, it is necessary to note the possibility of coverage error.

¹⁰⁶ Snowball sampling is a subcategory of purposive sampling. For a better understanding in applied research, cf. Farquharson (2003).

¹⁰⁷ These contacts were made in a one-week course (São Paulo, December, 2003), focused on trafficking in women, with the incentive of United Nations Office (UNODC) in Brasília and the Brazilian Ministry of Justice.

¹⁰⁸ The contact through the internet was made through the site called “Núcleo de Atendimento às Vítimas de Crimes Violentos,” Belo Horizonte-MG, Secretaria de Direitos Humanos.

¹⁰⁹ The NGO is called “República de Emaús,” a human rights NGO in Pará.

¹¹⁰ In some cases, respondents were not able to choose among a given set of answers, especially those dealing with percentages, and left all fields blank. The pattern of non-attitude responses (“missing” data) was far from random and reflects both the lack of data in Brazil and the lack of

Because the questionnaire was conducted over e-mail, respondents had sufficient time to consider their answers. Since the respondents were not under pressure, as in a person-to-person interview, their opinions were not formed on the spot (Corbetta, 2003:124). This problem, however, does not warrant dismissal.¹¹¹

The second problem involved contradictory responses. The most significant of these occurred when respondents answered that corruption was not linked to THB, and then subsequently indicated those points in the trafficking and criminal justice chain which they saw as being the most vulnerable to corruption. The contradiction in this case concerns both a lack of recognition of inherent linkage, on one hand, and ability to specify the linking points on the other.

In order to clarify this discrepancy, the questionnaire was returned to the respondents with the request that they review the instructions and reconsider those answers. In the end, of the 45 questionnaires resubmitted only 9 recognized their contradictions and clarified their responses. As a result, 36 questionnaires were eliminated from further consideration.

The third problem related to the part that dealt with the efficiency of the criminal justice system in Brazil. Several questions were aimed at gathering data about the inefficiency of the judicial apparatus. However, due to the lack of enough responses, the data could not be grouped into categories, which could have led to more precise analysis. Nonetheless, an attempt was made to compare the perceived percentages of cases that were investigated, prosecuted and tried, and finally led to conviction.¹¹²

awareness among professionals of the importance of data gathering and analysis (Franses et al., 1999).

¹¹¹ Grounds for dismissal included contradictory responses, incomplete responses and undue bias, such as a perception not based on the premise of the law's legitimacy; i.e. the belief that illegal activity is excusable. One respondent's questionnaire was dismissed from evaluation because he claimed no corruption takes place when a policeman involved in THB is off duty.

¹¹² Cf. Tables 3.6.10, 3.6.11 and 3.6.12

3.6.5 Findings Related to THB

THB as an Increasing Phenomenon in Brazil

On the questionnaire, 81% of respondents endorsed the perception that THB is an increasing phenomenon in Brazil. This result is consistent with the trend observed in the data of the Federal Police statistics (cf. sec. 3.3). Regarding the seriousness of THB, 90% of respondents considered it to be a very serious crime, with 85% endorsing stronger response from law enforcement.

Domestic and International Trafficking as Interconnected Phenomena

Domestic and international trafficking in Brazil are strongly connected criminal phenomena. For traffickers, the domestic market is the first step towards the international market. For victims, however, the domestic market is not necessarily a pre-requisite for involvement in international trafficking (Figueiredo and Hazeu, 2006). The following findings show the extent to which domestic and international trafficking are perceived to be interconnected, as well as the perceived strengths of their interconnectedness.

Table 3.6.1 Interrelationship between Domestic and International Trafficking in Brazil (2006)

Absolute Numbers and Percentages of Respondents

Interrelationship	Percentage	Total N
Yes	79	58
No	21	15
Total	100	73

Source: Author's elaboration of survey respondent's data

Note: Figures may not add to total shown due to rounding.

All five regions are represented, with respondents drawn from 19 federal states.

79% of respondents perceived domestic THB and international THB to be interrelated. This finding corresponds with the finding of the CPMI report in which 21% of international THB incidents were also characterized as incidents of domestic THB.

Table 3.6.2 Strength of the Interrelationship between Domestic and International Trafficking in Brazil (2006)

Absolute Numbers and Percentages of Respondents

	Percentages	Total N
Weak	8	6
Medium	33	24
Strong	40	29
Not answered	19	14
Total	100	73

Source: Author's elaboration of survey respondent's data

Note: Figures may not add to total shown due to rounding.

All five regions are represented, with respondents drawn from 19 federal states.

When asked about this interrelationship, 79% of respondents considered domestic and international trafficking to be interconnected; moreover, 73% considered their interrelationship to be either medium or strong (33% and 40%, respectively). Because Brazil is not thought of as a recipient country (UNODC, 2006), this result suggests that domestic THB, when connected to international THB, likely precedes international trafficking in Brazil. One reason for this could be that traffickers need to prepare victims for international trafficking by testing their potential in domestic territory first as the internal market continuously requires new “products.” As such, traffickers must always be on the look out for potential victims; and, due to the globalization, “sex markets have few borders or limits (Cordero and Facio, 2001, *in* Kelly, 2002).” The most likely reason for such an interconnection is economical; traffickers who are already engaged in domestic trafficking expect to gain higher proceeds from the international market. As such, domestic trafficking is a logical gateway for international trafficking.

3.6.6 Findings Related to Corruption

64% of the respondents considered corruption to be an increasing phenomenon in Brazil. This finding is consistent with Transparency International's Corruption Perception Index (TI's CPI) over the last 7 years.¹¹³ While the majority of respondents (64%) found corruption more likely to occur in the public sector, a small minority (5%) still saw the potential for corruption in the private sector.

¹¹³ Cf. chap. III, sec. 3.3

3.6.7 Findings Related to the Relationship between THB and Corruption

General Findings

The relationship was measured by questioning whether or not respondents considered corruption and THB to be correlated. The answers were measured through a nominal variable, of “yes”/ “no.” Table 3.6.3 (below) shows the percentages of “yes” to “no” answers.

Table 3.6.3 Correlation between THB and Corruption in Brazil (2006)

<i>Absolute Numbers and Percentages of Respondents</i>		
	Percentages	Total N
Yes	89.04	65
No	11.95	8

Source: Author’s elaboration of survey respondent’s data

Note: Figures may not add to total shown due to rounding.

All five regions are represented, with respondents drawn from 19 federal states.

The result supports the hypothesis that corruption is perceived as being correlated to trafficking.¹¹⁴ As stated at the beginning of this section, THB would be less prevalent without corruption. This finding is consistent with the Brazilian report on migration and human trafficking to Suriname and the Netherlands (Figueiredo and Hazeu, 2006:6), as well as with the CPI report (cf. sec. 3.2). The follow-up question asked respondents about the perceived strength of the relationship between THB and corruption.

Table 3.6.4 Strength of the Correlation between THB and Corruption in Brazil (2006)

<i>Absolute Numbers and Percentages of Respondents</i>		
	Percentages	Total N
Weak	10.95	8
Medium	38.35	28
Strong	36.98	27
Not answered	13.69	10
Total	100	73

Source: Author’s elaboration of survey respondent’s data

Note: Figures may not add to total shown due to rounding.

All five regions are represented, with respondents drawn from 19 federal states.

¹¹⁴ One of the respondents even mentioned that trafficking cannot occur without corruption.

The majority of respondents found the interrelationship between corruption and trafficking to be either medium (38%) or strong (37%), resulting in a total of 75% of all respondents assigning the relationship as having a medium-strong level. The percentage of respondents who found the relationship to be weak (10.95%) numbered less than the percentages who declined to answer the question.

Regional Findings

The finding related to the link between THB and corruption is grouped in this section according to the respondents' regions of employment. Because almost 90% of the respondents perceived THB and corruption to be correlated, there was no significant difference between regions, as shown below:

Table 3.6.5 Region of Employment and Percentage of Survey Respondents who Perceived THB and Corruption to be Correlated in Brazil (2006)

Region	Percentages
North	100%
Central West	100%
Southeast	91%
South	89%
Northeast	80%

Source: Author's elaboration of survey respondent's data

Note: Figures may not add to total shown due to rounding.

All five regions are represented, with respondents drawn from 19 federal states.

Respondents from the North and Central West regions are more convinced about the interrelationship between THB and corruption. This finding is confirmed by the data from the Federal Police statistics of 2004 and 2005, which classified these regions as the two most susceptible to THB.¹¹⁵

¹¹⁵ The ranking of regions in descending order according to the relative number of THB cases by population per federal state are: North, Central West, Northeast, Southeast and South.

3.6.8 Findings Related to the Trafficking Chain

Domestic Trafficking

Nominal variables were used to determine the points in the trafficking chain perceived as being the most vulnerable to corruption. The phase of preparation of documentation was assigned by respondents as a high risk for corruption in both domestic and international trafficking. However, respondents generally found greater susceptibility in the control and exploitation phase of the domestic trafficking chain, while the logistics phase was seen as most vulnerable in the international trafficking chain. Table 3.6.6 (below) shows the most vulnerable points for corruption in the domestic trafficking chain in absolute numbers and percentages.

Table 3.6.6 Most Vulnerable Points for Corruption in the Domestic Trafficking Chain in Brazil (2006)

	<i>Absolute Numbers and Percentages of Respondents</i>	
	Percentages	Total N
1) Recruitment	13.69	10
2) Preparation of documents	26.02	19
3) Logistics	8.21	6
4) Control and exploitation of the trafficked victim	28.76	21
5) Unable to answer	23.28	17
Total	100	73

Source: Author's elaboration of survey respondent's data

Note: Figures may not add to total shown due to rounding.

All five regions are represented, with respondents drawn from 19 federal states.

In the domestic trafficking chain, the preparation of documents and control of trafficked victims were the two most frequently selected points of risk (26% and 29%, respectively). The percentage of non-attitude responses was also quite high (23%), which suggests that even when respondents claimed to be aware of the correlation between corruption and THB many were reluctant to pinpoint the most vulnerable points. Consequently, the conclusion can be made that there has been a non-systematic attempt to either register or coordinate responses to various types of crimes inextricably linked with trafficking. Failing to obtain concrete information, government offices demonstrate the weakness of the

information-gathering process, as well as the absence of a systematic method for registering Brazilian judicial procedures.

International Trafficking

Table 3.6.7 Most Vulnerable Points for Corruption in the International Trafficking Chain in Brazil (2006)

<i>Absolute Numbers and Percentages of Respondents</i>		
	Percentages	Total N
1) Recruitment	10.95	8
2) Preparation of documents	23.28	17
3) Logistics	38.35	28
4) Unable to answer	20.54	15
5) Double answer ¹¹⁶	4.10	3
6) Not answered	2.73	2
Total	100	73

Source: Author's elaboration of survey respondent's data

Note: Figures may not add to total shown due to rounding.

All five regions are represented, with respondents drawn from 19 federal states.

As Table 3.6.7 (above) shows, the greatest number of respondents assigned “logistics” as the most vulnerable point in the international trafficking chain. Respondents found the preparation of documentation phase to be the second highest (23%), while 23% gave non-attitude responses or did not answer at all. Control and exploitation of trafficked victims was not considered due to the fact that Brazil is generally the country of origin rather than the destination for the trafficked victims. As such, no comparative analyses could be completed for this factor between the domestic and international trafficking chains. Within the international trafficking chain the logistics phase was likely ranked highest as a point of vulnerability due to the involvement of border control officers and the higher necessity of their participation. In terms of perception, if not in fact, we can conclude that corruption is a major factor in the trafficking of victims across national boundaries.

¹¹⁶ 2.73% of respondents assigned two answers to this question: the preparation of documentation and logistics.

3.6.9 Findings Related to the Criminal Justice Chain

Domestic Trafficking

Table 3.6.8 Domestic Trafficking in Brazil: most vulnerable points for corruption in the criminal justice chain (2006)

Absolute Numbers and Percentages of Respondents

	Percentages	Total N
1) Drafting and adoption of legislation	0	0
2) Crime prevention measures	9.59	7
3) Preliminary investigations and investigations into related crimes	49.32	36
4) Prosecution, conviction, enforcement of sanctions	9.59	7
5) Unable to answer	28.77	21
6) Double answer	1.37	1
7) Not answered	1.37	1
Total	100	73

Source: Author's elaboration of survey respondent's data

Note: Figures may not add to total shown due to rounding.

All five regions are represented, with respondents drawn from 19 federal states.

Regarding domestic trafficking, preliminary investigations, as well as investigations into specific offences, were assigned as the most vulnerable to corruption. The enactment of legislation was not perceived by respondents as a potential point of corruption in the criminal justice chain, perhaps due to a lack of direct participation in the legislative process. Likewise, the phase of prosecution and trial was also not highly perceived as vulnerable, perhaps due to the respondents' personal sense of integrity.

International Trafficking

Table 3.6.9 International Trafficking from Brazil: most vulnerable points for corruption in the criminal justice chain (2006)

Absolute Numbers and Percentages of Respondents

	Percentages	Total N
1) Enactment of legislation	1.37	1
2) Crime prevention measures	12.33	9
3) Preliminary investigations and investigations into related crimes	46.58	34
4) Prosecution, conviction, enforcement of sanctions	9.59	7
5) Unable to answer	28.77	21
6) Not answered	1.37	1
Total	100	73

Source: Author's elaboration of survey respondent's data

Note: Figures may not add to total shown due to rounding.

All five regions are represented, with respondents drawn from 19 federal states.

Similar findings appear in international THB. Respondents assigned the preliminary investigation and investigation into related crimes as being the most vulnerable for corruption in the criminal justice chain (47%), followed by crime prevention measures (12%). Again, almost one third (30%) of respondents were either unable to answer or did not answer at all. This shows that criminal justice agents in Brazil are either not aware of the importance of the problem or are indifferent demonstrating the weakness of the criminal justice system in general.

No questions directly addressed the “search and seizure of proceeds” or the “confiscation of proceeds”¹¹⁷ for the reason that “trafficking is not a major profit source for trafficking groups in Latin America as is the drug trade” (Shelley, 2003). Due to the fact that trafficking differs from country to country, this author adjusted the questions to better fit the reality of the situation in Brazil.

¹¹⁷ Expressions employed by PACO Networking, 2002

3.6.10 Perceptions of the Efficiency of the Criminal Justice System

Three sets of questions dealt with the respondents' degree of awareness to the effectiveness and efficiency of the criminal justice system as a whole. The first set related to the involvement of public officials in THB; the second set with the involvement of public officials in sexual exploitation; and the third set dealt with general cases of THB independently of official involvement. The first two sets asked respondents to indicate the percentages of cases they knew of which had: involved public officials; been formally investigated; been brought to trial; resulted in convictions. The last set dealt with cases that were investigated, prosecuted and convicted. Separate percentages were requested for each of the above three.

The high percentage of respondents who provided non-attitude responses to each of these questions indicates that there is both an endemic lack of awareness in the criminal justice system of law enforcement data, as well as an absence of concrete and integrated analysis which the respondents could have referred to.

In reality, few cases are investigated and fewer still go to trial. The Criminal Justice System is completely ill equipped to deal efficiently with serious crimes like THB, especially when they involve corruption. This conclusion is supported by the findings of both the questionnaire and the CPPI report (cf. sec. 3.2).

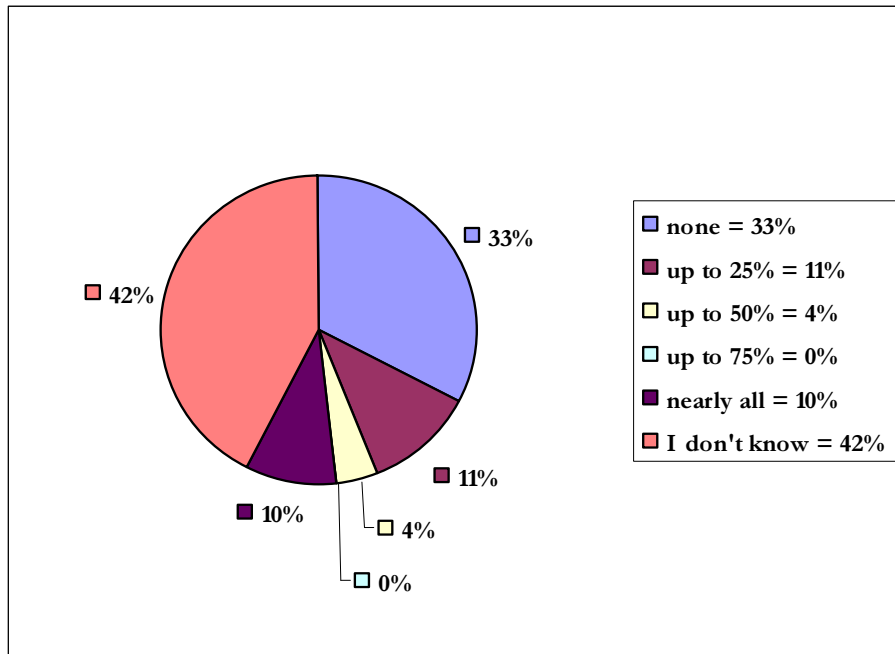
Public Officials, THB and the Criminal Justice System

The first set of questions detailed in this section concerned the perceived percentages of public officials who were investigated, prosecuted, or convicted for their involvement in THB.

Perceived Involvement (Figure 3.6.1)

In response to the question of perceived involvement by public officials in THB, 33% of respondents answered in the negative, while 10% indicated their belief that public officials were always present in cases of THB. The largest block of respondents, however, provided non-attitude responses (42%), selecting either “I don’t know” or leaving all fields blank. For simplicity reasons, all non-attitude responses are grouped together.

Figure 3.6.1 Involvement of Public Officials in THB in Brazil (2006)



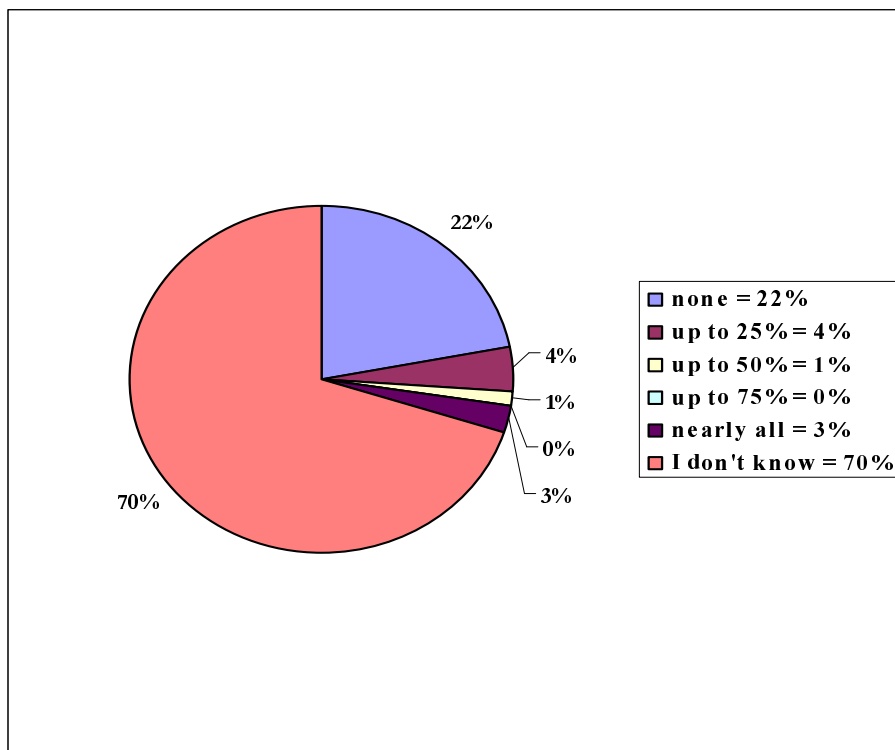
Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Investigations (Figure 3.6.2)

From the above results, respondents were asked to estimate the percentage of those public officials involved in THB who were subsequently investigated. 22% estimated that of the cases involving public officials none were investigated while only 3% estimate that all were investigated. The largest block (70%) provided non-attitude responses, indicating a substantial lack of awareness.

Figure 3.6.2 Percentage of Public Officials Investigated for Involvement in THB in Brazil (2006)



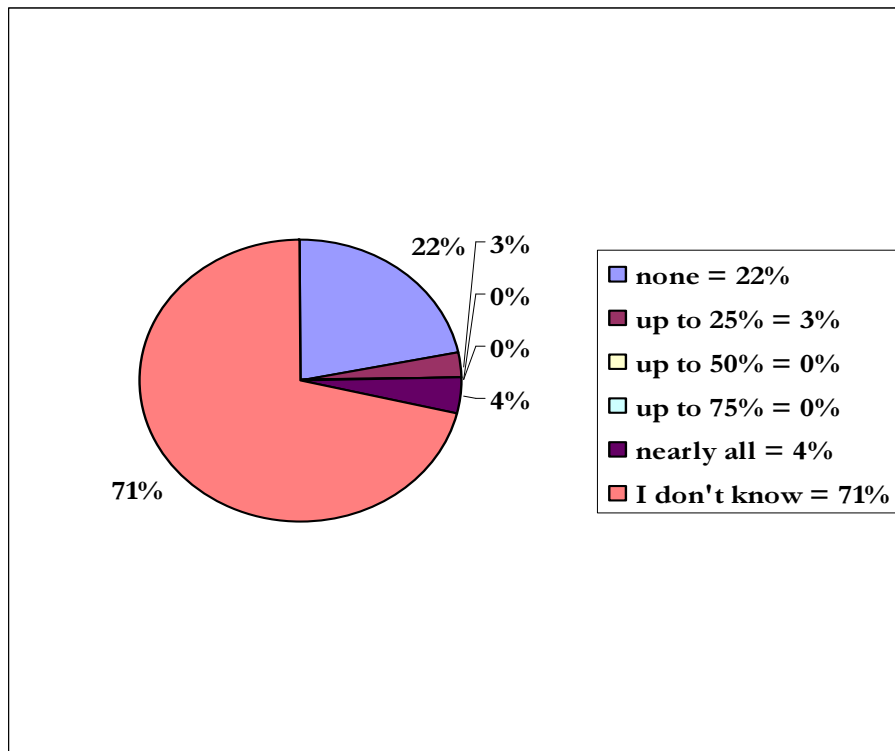
Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Prosecution and Trial (Figure 3.6.3)

Of those cases investigated, respondents were asked to estimate the percentage they believed had been prosecuted and tried. While 4% estimated that nearly every cases investigated had resulted in a trial, 22% estimated that none had. However, as with the responses to the previous questions, the largest block (71%) provided non-attitude responses.

Figure 3.6.3 Percentages of Public Officials Prosecuted for THB in Brazil (2006)



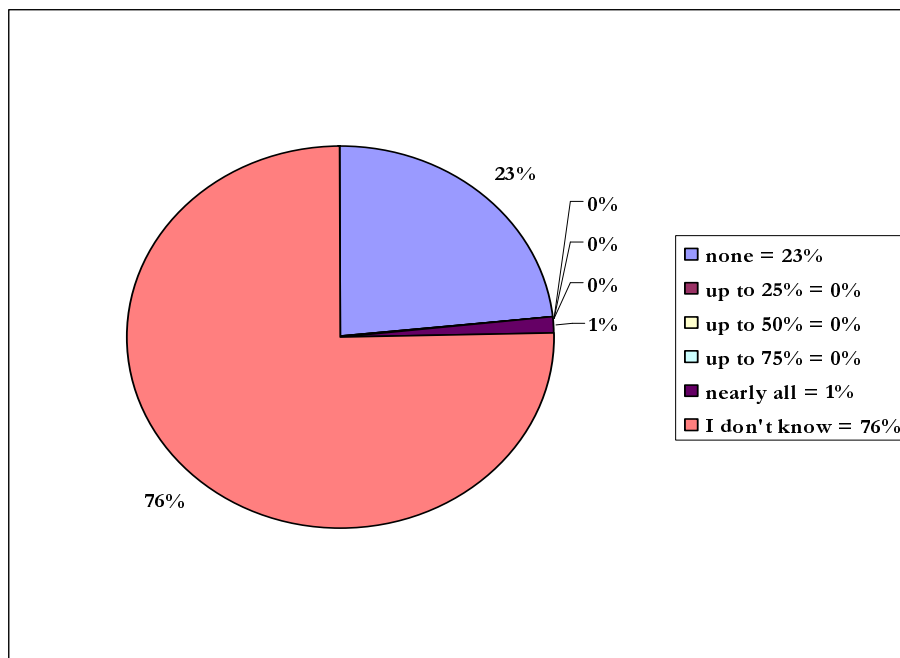
Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Conviction (Figure 3.6.4)

Of the percentage of cases prosecuted and sent to trial, respondents were asked to estimate the percentage they believed had led to convictions. As with previous questions, the largest block (75%) once again provided non-attitude responses, while nearly a quarter of respondents believed none of the prosecutions were successful. A meagre 1%, however, believed they had.

Figure 3.6.4 Percentages of Public Officials Convicted for THB in Brazil (2006)



Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

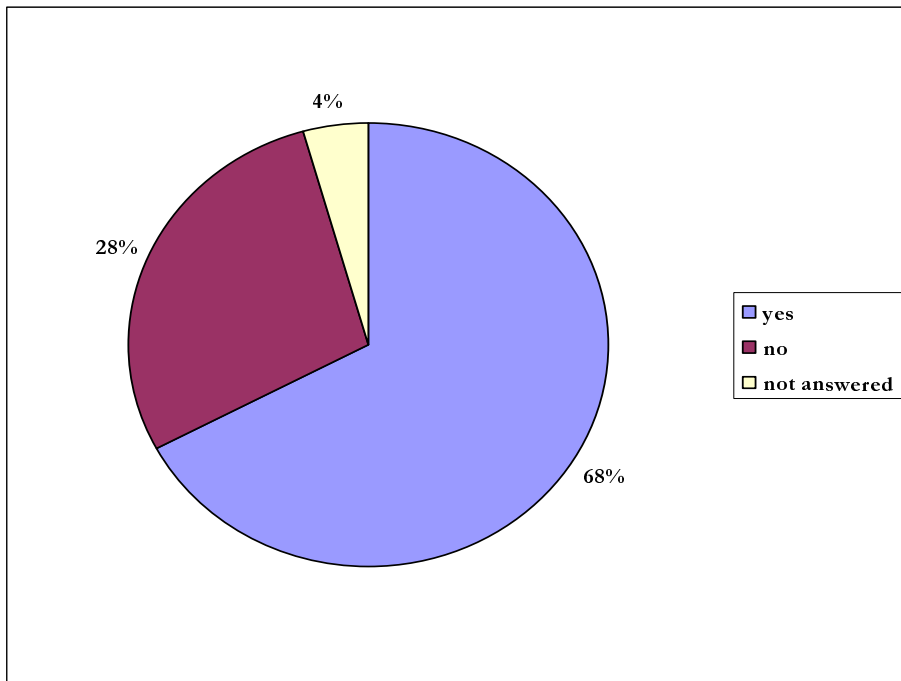
Public officials, Sexual Exploitation and the Criminal Justice System

Following the same method, a second set of questions dealt with the involvement of public officials in the sexual exploitation of minors. This subject is particularly important because sexual exploitation is the final stage of THB. Therefore, sexual exploitation is the end of the line for both domestic and international trafficking, and is inextricably linked to them. The following findings confirm the consistency of the research hypothesis.

Perceived Involvement (Figure 3.6.5)

Respondents were asked to indicate whether they thought public officials were involved in the sexual exploitation of minors. A dichotomous nominal variable (“yes”/ “no”) was used to measure response. The positive response rate was high, as shown in the Figure 3.6.5 (below).

Figure 3.6.5 Public Official Involved in the Sexual Exploitation of Minors in Brazil (2006)



Source: Author’s elaboration of survey respondent’s data

Note: All five regions are represented, with respondents drawn from 19 federal states.

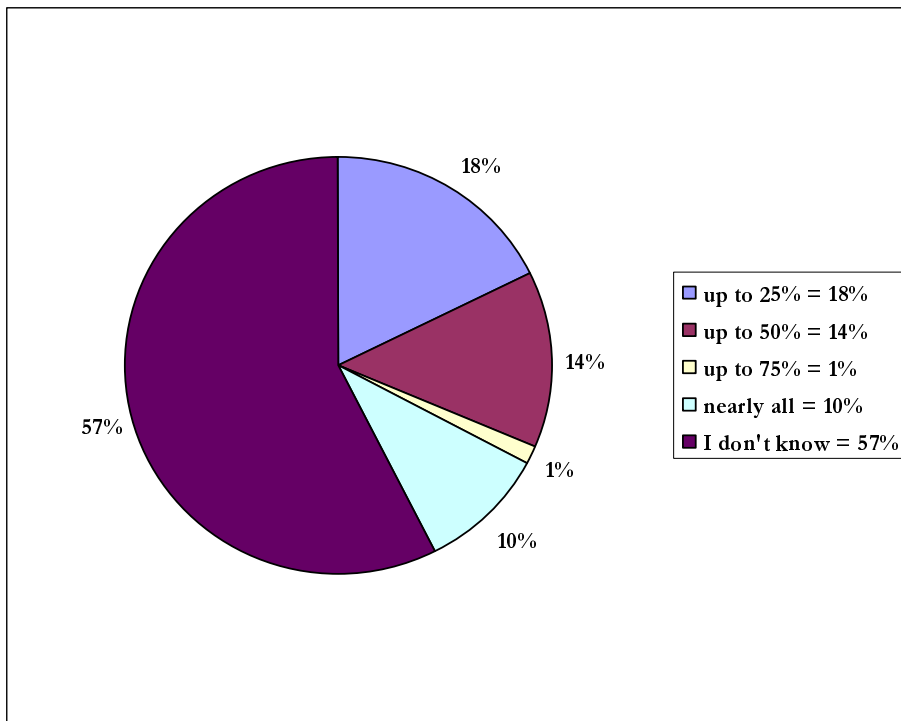
The largest block of respondents (68%) perceived public officials to be involved in the sexual exploitation of minors in Brazil. 28% answered in the negative, while 4% provided non-attitude response. The authorities involved, as cited by respondents are as follows: public officials who works in the administrative branch; politicians such as mayors, city deputies, state deputies, federal deputies and their assistants; judges, prosecutors and their assistants; civil, military and federal police officers, no matter what rank/ degree/ position they occupy. This finding reflects the data gathered by the CPMI report. The number of sexual exploitation cases involving public officials is quite high: 68%.

Perceived Involvement in Percentages (Figure 3.6.6)

When asked about the percentage of cases where public officials were involved, the respondents showed a resistance to answer. While in the previous question the absence of answers was only 4%, here 57% of the respondents provided non-attitude answers. However, 10% indicated a belief that public officials were involved in almost all cases of sexual exploitation, while others estimated their participation in lower percentages.

Even when aware of the involvement of public officials in the sexual exploitation of minors, as shown in Figure 3.6.5, there is a probability that some of the respondents were not involved with this subject and were thus cautious to provide an answer.

Figure 3.6.6 Percentages of Public Officials Involved in the Sexual Exploitation of Minors in Brazil (2006)



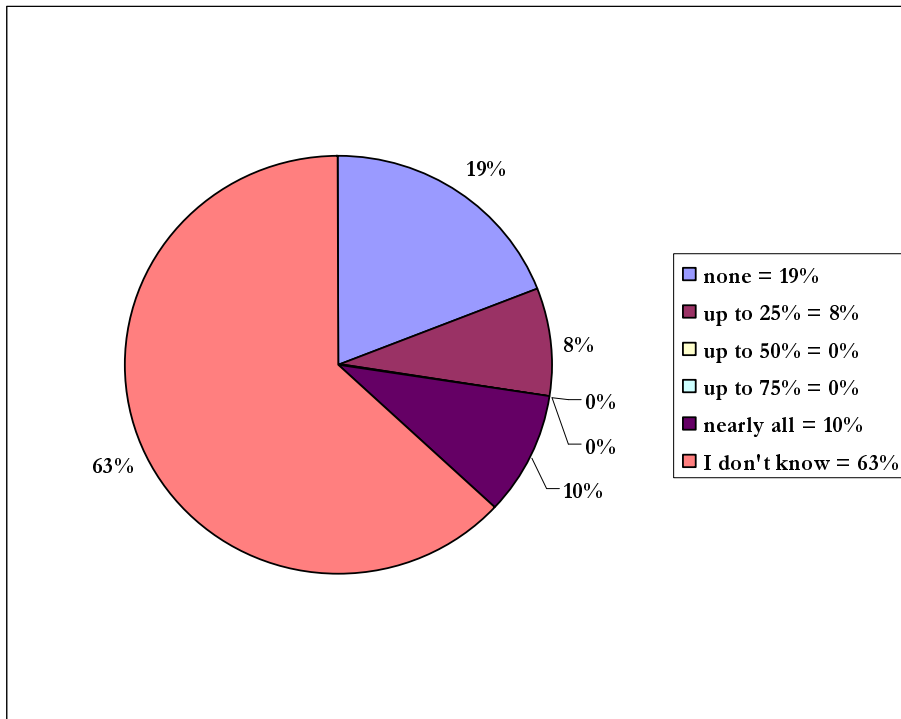
Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Investigations (Figure 3.6.7)

From the above results, respondents were asked to estimate the percentage of those public officials involved in sexual exploitation who were subsequently investigated. While 10% estimated that nearly all were subsequently investigated, 19% estimated that none of the public officials were investigated.

Figure 3.6.7 Percentages of Public Officials Investigated for Involvement in the Sexual Exploitation of Minors in Brazil (2006)



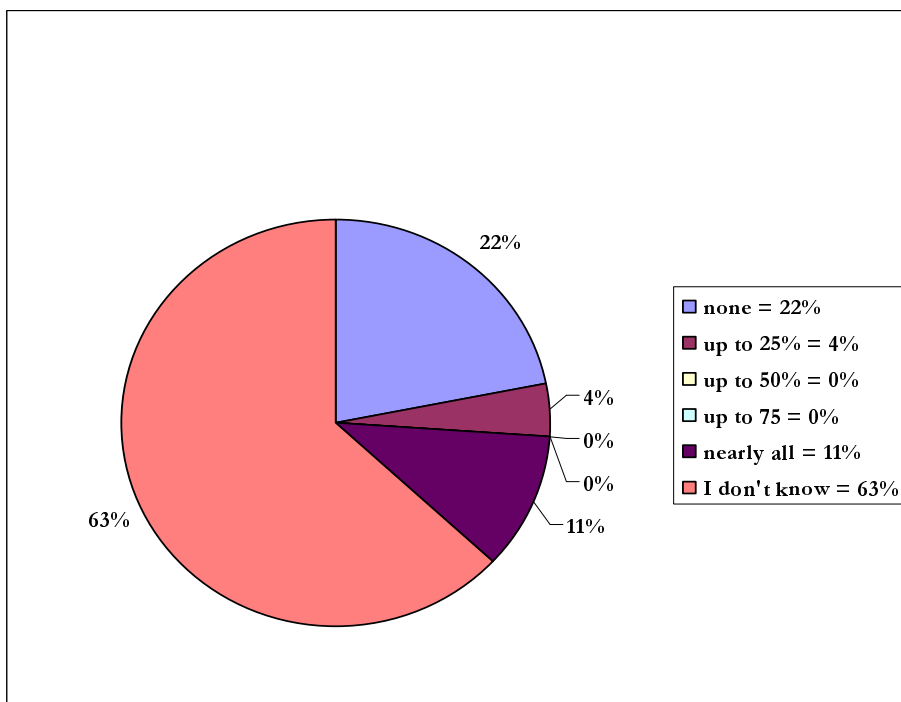
Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Prosecution and Trial (Figure 3.6.8)

Of those cases investigated, respondents were asked to estimate the percentage they believed had been prosecuted and tried. While 11% estimated that nearly every case investigated had resulted in a trial, 22% estimated that none had. However, as with the responses to the previous questions, the largest block (63%) provided non-attitude responses.

Figure 3.6.8 Percentages of Public Officials Prosecuted for Involvement in the Sexual Exploitation of Minors in Brazil (2006)



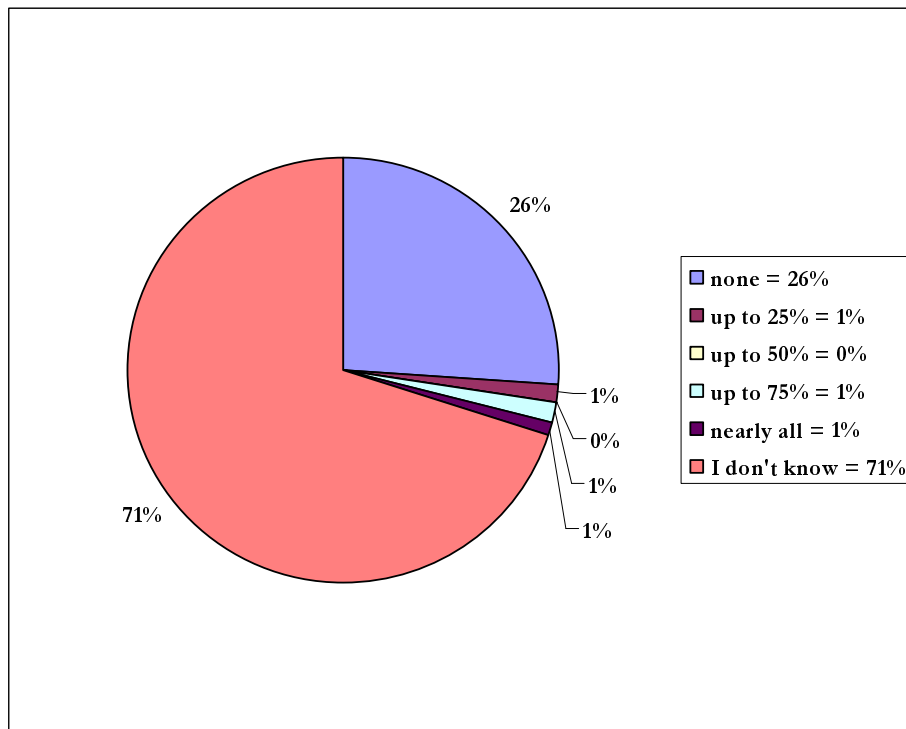
Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Conviction (Figure 3.6.9)

Following the sequence of investigation-trial-conviction, respondents were asked about the percentage of those prosecuted who were convicted. While 1% estimated that nearly every case prosecuted had resulted in a conviction, 26% estimated that none had. However, the largest block (71%) provided non-attitude response.

Figure 3.6.9 Percentages of Public Officials Convicted for Involvement in the Sexual Exploitation of Minors in Brazil (2006)



Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

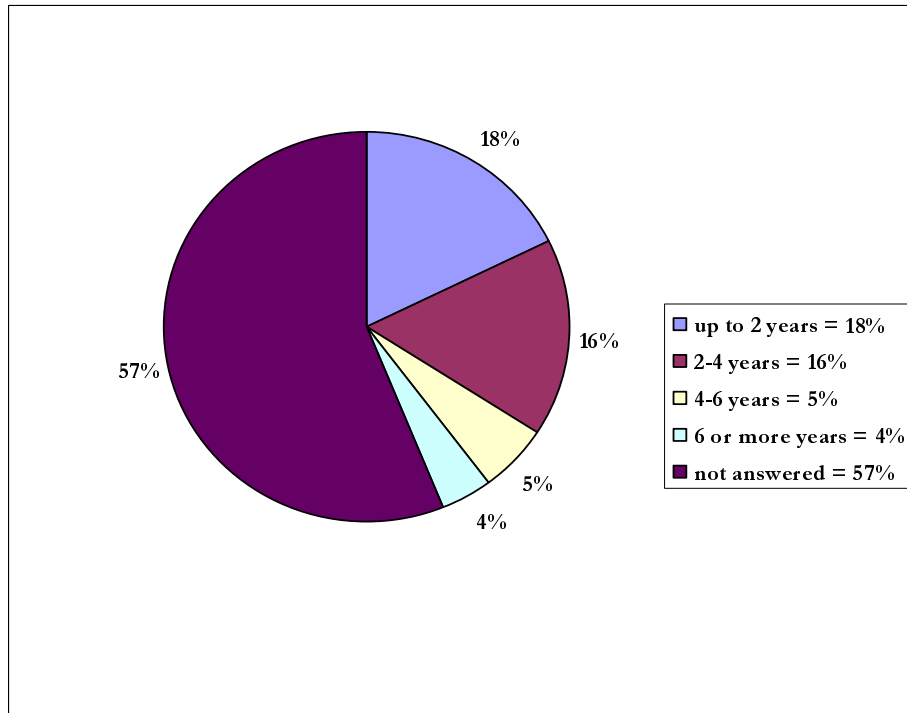
THB and the Efficiency of the Criminal Justice System

The first set of questions detailed in this section concerned the average duration of an investigation of THB, as well as the percentage of THB cases that were investigated and subsequently led to prosecution, trial and conviction.

Duration of a THB Investigation (Figure 3.6.10)

The pie chart below shows the percentages of the estimated duration of an investigation on THB. Once again, the largest block of respondents (56%) provided non-attitude responses.

Figure 3.6.10 Percentages of the Estimated Duration of THB Investigative Procedures in Brazil (2006)



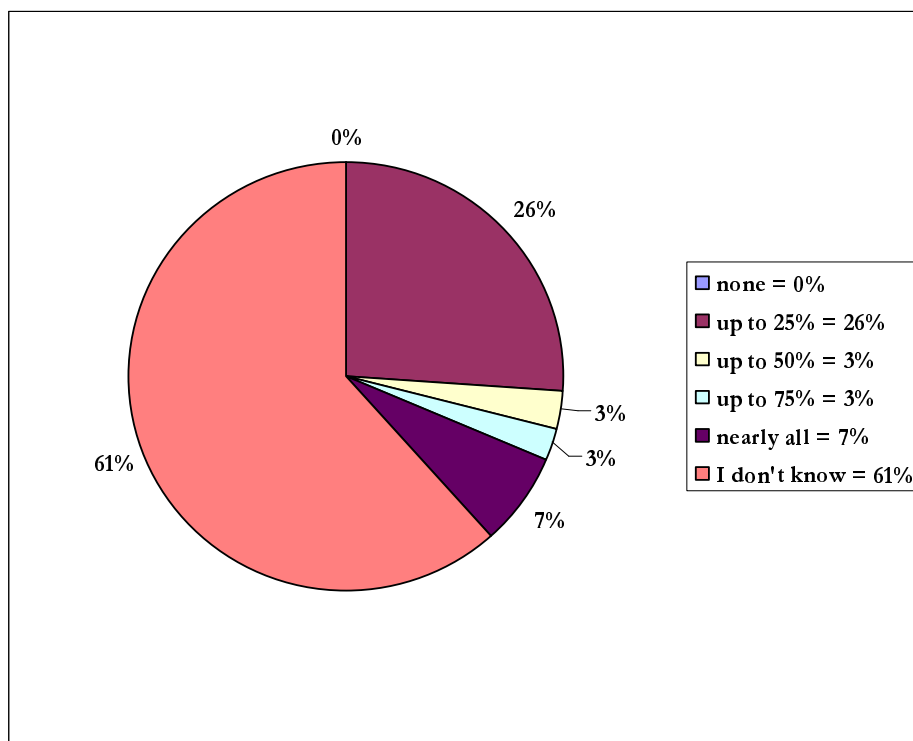
Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Percentage of THB Investigated Cases in General (Figure 3.6.11)

Respondents were asked about their perception on the percentages of cases that occurred and were brought to the attention of the relevant authorities in order to be investigated. 26% indicated their belief that 25% of all cases were subjected to investigations, while 6% of the respondents indicated between 25 to 75% of the cases were investigated. An optimist group (7%) believed that almost all cases that occurred were investigated. The largest group (61%) gave non-attitude towards the question.

Figure 3.6.11 Number of THB Cases that were Subject to Investigation in Brazil (2006)



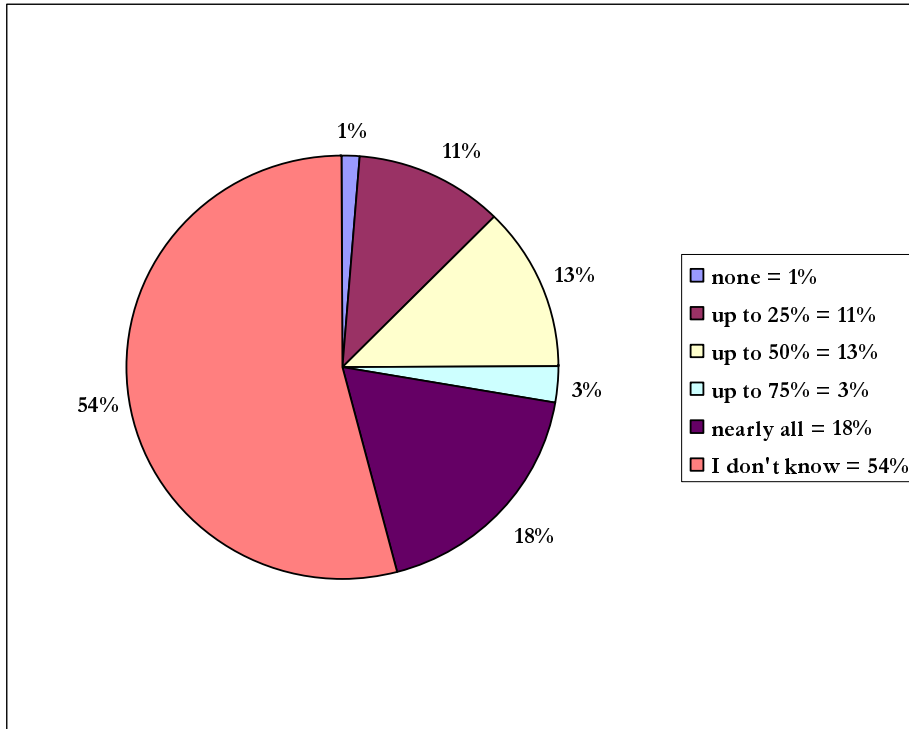
Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Percentage of THB Cases that Result in an Indictment (Figure 3.6.12)

Of those cases investigated, respondents were asked to estimate the percentage they believed result in trial. While 18% estimated that nearly all cases investigated result in a trial, 1% believed that none did. The largest block (54 %) provided non-attitude response.

Figure 3.6.12 Number of THB Cases that Result in an Indictment in Brazil (2006)



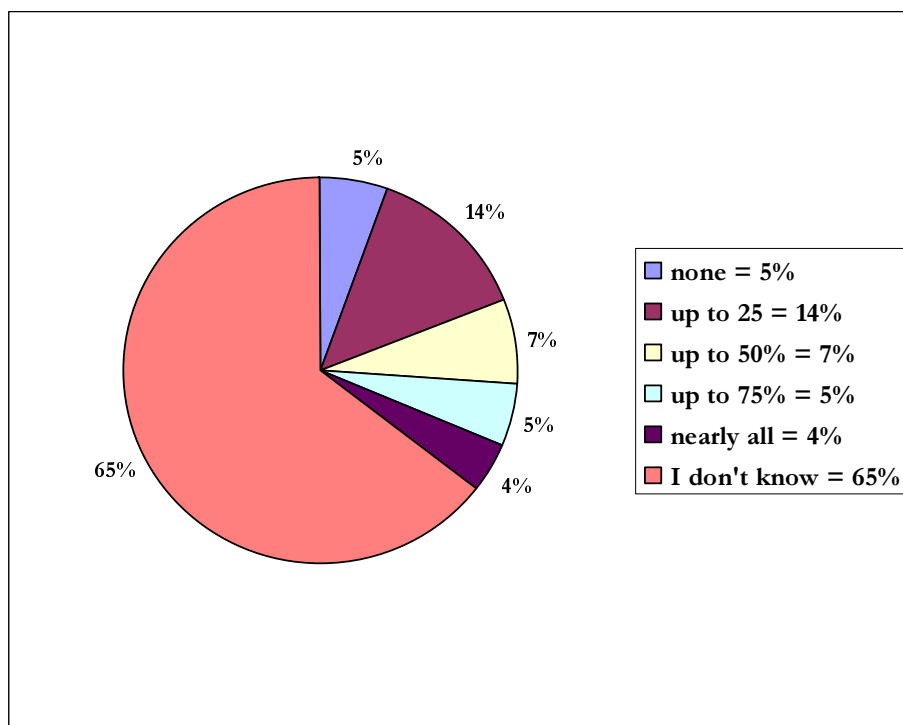
Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Percentage of THB Cases that Result in a Conviction (Figure 3.6.13)

Once again, in the same set of questions, respondents were asked the percentage of those prosecuted who were convicted. 64% of all respondents were completely unaware of the issue, providing non-attitude response. While 4% believed that nearly all who were prosecuted were also convicted, 5% believed that none of the prosecuted was convicted.

Figure 3.6.13 Number of THB Cases that Result in Conviction in Brazil (2006)



Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

According to the Trafficking in Persons Report (2006) the "Government of Brazil made marginal progress in bringing traffickers to justice during the reporting period [2005]. There was only one reported prosecution in Brazil that resulted in a conviction at the national level for a trafficking-related crime during the reporting period - a decrease from three convictions obtained in 2004."¹¹⁸

¹¹⁸ In 2004, Brazilian courts handed down only three international THB convictions (Trafficking in Persons Report, 2005).

Tables 3.6.10, 3.6.11 and 3.6.12 (on the following page) aggregate respondents' perceptions of the percentages of public officials involved in THB and sexual exploitation, as well as the efficiency of the criminal justice system. The results suggest the dismal view held by country experts of the Brazilian criminal justice system's inability to investigate, prosecute and convict public officials and traffickers for trafficking crimes and sexual exploitation. Moreover, the significant perceived differences in the number of crimes investigated and those resulting in convictions suggest the negative view held by country experts of the impact of public officials on legal procedures and law enforcement in Brazil, supporting the data provided in the CPMI report (illustrative cases). This finding suggests a serious weakness in the Brazilian judicial system. More notable, however, is the high percentage of non-attitude responses, which underscores the impact poor record keeping has on the general knowledge of country experts. Without a reliable system of data collection and verification, even those in the best position to speak from a position of knowledge are at a loss to postulate sound opinions or, at a minimum, provide educated guesses.

Table 3.6.10 Percentage of Public Officials Involved, Investigated, Prosecuted and Convicted for Involvement in THB in Brazil (2006)

Involvement in THB	Under Investigation	Under Prosecution and Trial	Convicted
33% none	22% none	22% none	23% none
25% yes, to an extent	8% yes, to an extent	7% yes, to an extent	1% yes
42% non-attitude response	70% non-attitude response	71% non-attitude response	76% non-attitude response

Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Table 3.6.11 Percentage of Public Officials Investigated, Prosecuted and Convicted for Involvement in the Sexual Exploitation of Minors in Brazil (2006)

Involvement in Sexual Exploitation	Under Investigation	Under Prosecution and Trial	Convicted
-	19% none were investigated	22% none were prosecuted	26% none were convicted
43% yes, to an extent	18% yes, to an extent	15% yes, to an extent	3% yes, to an extent
57% non-attitude response	63% non-attitude response	63% non-attitude response	71% non-attitude response

Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

Table 3.6.12 Percentage of THB Cases in General that are Subjected to Investigation, Prosecution and Conviction in Brazil (2006)

General cases under Investigation	Investigations Led to Indictment and Trial	Cases Lead to Conviction
25% none	1% none	5% none
13% yes, to an extent	45% yes, to an extent	30% yes, to an extent
61% non-attitude response	54% non-attitude response	65% non-attitude response

Source: Author's elaboration of survey respondent's data

Note: All five regions are represented, with respondents drawn from 19 federal states.

3.6.11 Summary

The conclusions to be drawn from the findings of the questionnaire are various. Many concern the need for a thorough re-evaluation of the Brazilian criminal justice system's essential methods and attitudes, while others reinforce the findings of previous studies. All of these taken together support the main hypothesis of this thesis. The findings are summarized as follows:

- Although the findings of the survey do not establish a causal relationship between corruption and THB, it confirms the main hypothesis and international literature that both criminal phenomena is correlated, and are increasing in Brazil. 81% of respondents perceive THB to be increasing and 61% perceives corruption to be an increasing phenomenon, which reinforces the conclusion of other findings (Federal Police statistics and the corruption in Brazil's municipalities report).
- Public officials are likely participants in crimes involving the sexual exploitation of minors, which reinforces the data provided by the CPMI report (cf. sec. 3.2). Due to the strength of the connection between THB and sexual exploitation, it is difficult to combat THB when the participants include law makers, law enforcers, and others charged with protecting societal rights. When those authorities are mayors, city deputies, state deputies, federal deputies, judges and prosecutors, it becomes clear that THB is not only a moral but a public order issue (Kelly, 2002).
- Domestic trafficking is connected with international trafficking, which is further supported by international literature: "internal trafficking has also been largely ignored, but there are mounting indications that it has strong links with cross-border trade in women (Hughes, 2000)." This finding reinforces the findings of the CPMI report as it shows that in 48 incidents of international THB, domestic THB was also present (21%).

This finding supports the findings of the Federal Police data set (cf. sec. 3.3) which correlates the data set with TI's CPI index suggesting the increasing of both THB and corruption.

- In order to develop precise and immediate measures to combat both THB and corruption, it is necessary to locate the points, in both the trafficking and the criminal justice chains, where corruption and THB intersect. While the most vulnerable points have been described by scientific literature in other countries (PACO Networking, 2002; Bales, 2005), no such analytical work has been done in Brazil, since “the information gathered is partial or even inaccurate, intervention will not be effective [and] one of the key elements in any successful counter-trafficking strategy has to be law enforcement targeting all levels of the system: recruitment, transportation, false documentation, sexual exploitation and corruption (Kelly, 2002).” Worse still, because law enforcement agents in Brazil must work without proper access to complete and consistent data, they are forced to view criminal phenomena in a non-complex manner and target their responses on case-by-case bases, without a larger sense of context.

The purpose of this questionnaire was in part to provide a scientific document which describes those points of vulnerability for Brazil. Based on the responses, it is generally perceived that the most vulnerable points for corruption in the Brazilian trafficking chain are those concerning the “control and exploitation of victims” and the “preparation of documents.” This finding stands in contrast to international trafficking, for which “logistics” was identified as the most vulnerable point.

- In the criminal justice chain, the point of “preliminary investigation and investigation into related crimes” was perceived as the most vulnerable in both the domestic and international trafficking chains.
- The findings demonstrate a general failure of criminal justice agencies to investigate, prosecute and convict public officials involved in trafficking, sexual exploitation, as well as the traffickers themselves. Tables 3.6.10, 3.6.11 and 3.6.12 show significant disparity between the number of investigations initiated and the number of convictions reached. It provides strong circumstantial evidence of the negative perception that public officials have on legal procedures and law enforcement in Brazil, and the detriment to the rule of law. This finding supports the data provided by the CPMI report (illustrative cases).