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Digging into the Mining Subculture: The Dynamics of Trafficking in Persons in the Artisanal and Small-Scale Gold Mining of Peru's Madre de Dios

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Introduction

There has been a considerable international concern over the expansion of trafficking in persons in the supply chain of commodities, including gold. A fifth of gold extraction worldwide is provided by artisanal and small-scale gold mining (ASGM), which is often outside government oversight and international compliance schemes. Although ASGM contributes to economic development and provides jobs to the poor, the lack of government control and regulation of this sector makes it socially destabilizing and welcomes crimes such as trafficking in persons.

Over the last decade, the nexus between trafficking in persons and the supply chain has captured the attention of the United Nations (UN), the Organization for Security and Co-operation in Europe (OSCE), and other international organizations. The topic has been included in the UN's Sustainable Development Goals (SDGs) set in 2015 as blueprint to achieve a better and more sustainable future. The central importance

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of decent work for all in achieving sustainable development is emphasized by the Sustainable Development Goal 8 (SDG 8), which aims to “promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all” (SDGs, n.d.).

Trafficking in persons has also gathered significant scholarly attention, though the literature has overwhelmingly concentrated on international trafficking of women for sexual exploitation (Andrees & Linden, 2005; Cockbain, Bowers, & Dimitrova, 2018; Laczko & Godziak, 2005), with only a small body of scholarship on trafficked men and boys. The abuse and extreme occupational hazards suffered by trafficked male victims, however, cannot be disregarded. Occupational health and safety interventions are urgently needed to protect male workers, particularly undocumented migrant laborers among them, working in high-risk, under-regulated, and labor-intensive sectors, such as ASGM. Having been ratified by 175 States Parties, the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (henceforth, the Trafficking Protocol), supplementing the United Nations Convention Against Transnational Organized Crime (UNTOC), standardized the concept of human trafficking worldwide, creating a common legal understanding of the crime, incorporating both sex and labor exploitation of both men and women, boys and girls, and children, set forth in Article 3:

Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

The Trafficking Protocol also broke down the key elements of the trafficking process, namely (a) the *activity* by which the victim is recruited and transported (recruitment, transportation, transfer, harboring, receipt, etc.); (b) *means* by which he or she is controlled,

forced into the specific form of exploitation (violence, threat of violence, coercion, abduction, fraud, deception, abuse of power or position of vulnerability, etc.); and (c) *purpose* which involves exploitation (sexual exploitation, force labor, slavery, involuntary servitude, organ removal, etc.). Since its inception, this definition has been used as a cornerstone of legislative amendments and policy reform designed to prevent, respond, and punish trafficking in persons.

This chapter focuses on the analysis of labor exploitation of unskilled and semi-skilled mine workers, including adolescents and children, laboring at informal and illegal gold mining sites to no avail in remote areas of Madre de Dios in the Peruvian Amazon. This chapter makes use of the term “worker” and “workforce” to refer to unskilled and semi-skilled miners, which comprise the majority of the labor, force in informal gold mining in Madre de Dios. These terms have been chosen to distinguish victimized mine workers from those who own the means of production and/or those who have started the formalization process with the Peruvian authorities.

The analysis presented in the chapter is informed by two analytical frameworks: one on the role of *ethnic diasporas*, which is used for shedding light on the recruitment of victims in exploitative labor; and the other on a *mining subculture*, which is used to explain one of the key aspects of how the exploitation of mine workers is prolonged.

The qualitative analysis offered in the chapter is informed by Antonela Arhin’s approach to exploited workers’ recruitment, which, she argues, is based on ethnic diasporas (Arhin, 2016). In her analysis of over 70 court cases focusing on the trafficking of adults and children for labor exploitation filed between 2004 and 2014, she confirmed that traffickers often rely on diaspora networks in the recruitment, transportation, and exploitation of the victims. She emphasizes the strong ties between the nationalities of traffickers and victims, as well as traffickers, intermediaries, and collaborators. Arhin (ibid.) found that most traffickers prefer to recruit co-ethnics and that the first stage of the trafficking process, the *activity*, as defined by the Trafficking Protocol, is determined by what she calls the “affective economy of co-ethnic identification” (p. 82), which refers to particular cultural and socioeconomic settings of shared

ethnicities of groups that have common ethnic and national traits, identities, and affinities. These findings echo the results of previous studies on the topic, such as Jackie Turner and Liz Kelly, who argued that traffickers tend to recruit co-ethnics to “minimize costs and maximize profits,” in the same way that other victims fall into deceptive situations after trusting community members and friends (Turner & Kelly, 2009). This trend is demonstrated in informal gold mining in Madre de Dios (Cortés-McPherson, 2019), where the workforce is recruited using local diasporas. Hence, the beginning of the trafficking process is ethnically and culturally determined.

Since the 1990s, anthropologists working in sub-Saharan Africa discovered that artisanal miners expressed a particular form of masculinity, which had a strong influence on the way they behaved both in their workplace and during their spare time (Cuvelier, 2014). Some scholars have written about miners going through a male *initiation ritual* into a particular *habitus*—a term borrowed from renowned sociologist, anthropologist, and philosopher Pierre Bourdieu (1984). The latter should be understood as a “system of dispositions” and “the physical embodiment of cultural capital,” such as ingrained habits, moral positions, as well as consumption patterns and leisure activities. *Habitus* is formed through socialization and is informed by the individual’s cultural milieu and personal history (e.g., ethnicity or profession) (Grätz, 2004; Walsh, 2003; Werthmann, 2008). For example, Andrew Walsh described a sapphire-mining town in Madagascar, where young mine workers earn little and consume “daringly” to sate immediate desires (Walsh, 2003). In a similar vein, Jeroen Cuvelier’s (2017) research on the mining subculture in Katanga, the Democratic Republic of the Congo (DRC), sheds light on the functions of a “moral economy where money, migration, and masculinity shape work relations” and social interaction (Cuvelier, 2017, p. 204). The “conspicuous consumption of money,” writes Cuvelier, is one of the central pillars of the mining subculture that makes “credit and debt dominate life on the mines” (ibid.)

While Arhin’s perspective is of helpful in framing the *activity*, the first element of human trafficking, expressed in the recruitment and transportation of victims, and Walsh’s and Cuvelier’s studies elucidate the *means*, the second element, which facilitates the understanding of how

miners are captured and retained in exploitative conditions. Once in the mining camp, informal miners are controlled and retained by *soft coercion* brought about by a parallel illegal entertainment industry that encompasses the sexual exploitation of women and girls, and heavy alcohol consumption. Whereas the victims of human trafficking are commonly exploited through direct coercive means, such as physical violence or deception, there are numerous forms of coercion that prevent victims from leaving their exploitative situation. This chapter argues that the particular subculture in gold mining camps of Madre de Dios embraced the noncoercive, “soft” means to control male workers, whereby they find themselves dragged into “daring consumption” (Walsh, 2003) and a “life of excess” (Cuvelier, 2017). In doing so, they spend recklessly on alcohol and sex, digging themselves into a debt and thus perpetuating their own exploitation by creditors. Importantly, this particular mining subculture encourages the sexual exploitation of girls and young women. This chapter demonstrates that fake job offers lure women from all over Peru and neighboring countries into working in *prostibares*—bars that also offer sexual services—in the mining camps of Madre de Dios, making the entire gold mining region a hub for organized crime and trafficking in persons. It is in this geographical space that two parallel irregular economies—one based on labor exploitation and the other based on the sex trade—feed on each other.

In line with this argument, the chapter first analyzes the complexity of informal gold mining in general and the extent to which the exploitation of labor and the sex trafficking industry has penetrated informal mining in the Madre de Dios region in particular. After that, it describes specific aspects of the Peruvian context, focusing on the role that ethno diasporas, the consumption of alcohol by miners, and the illicit sex trade play in perpetuating the exploitation of unskilled miners and the trafficking of girls and young women. The chapter concludes with a short review of the anti-trafficking legislation and policy in Peru, in light of the interplay between labor exploitation and the illicit sex trade.

The chapter builds upon previous research conducted by the author (e.g., Cortés-McPherson, 2019), including fieldwork carried out in the Madre de Dios region in 2013 and 2018 as part of her doctoral studies at the University of Deusto, Spain. The findings also derive

from the data collected from interviews with miners, representatives of nongovernmental organizations (NGOs) and local authorities, among other relevant stakeholders, which were conducted in Madre de Dios and Lima during the author's employment at the International Organization for Migration (IOM) in a capacity of trafficking in persons focal point for the Andean Region.

Major Patterns of the Exploitation of Workers in Informal Mining

On January 7, 2014, *The Wall Street Journal* published an article entitled “How Companies Face Up to Human Trafficking Risk,” commencing with a reference to the use of forced labor within Apple's iPhone 5 supply chain and followed with a statement warning that “few things are worse for a company or an industry than to be associated with human trafficking or slave labor” (DiPietro, 2014, n.p.). There are about 40 million victims of modern slavery today (ILO, 2017), and the volume of trafficking for forced labor has grown across all industries (UNODC, 2016, 2018). It comes as no surprise that trafficking in persons for both labor and sex is of concern to businesses. As Siobhan McGrath and Samantha Watson (2018) put it, trafficking in persons plays an important role in contemporary global economic dynamics and consumer relations (McGrath & Watson, 2018).

With almost three quarters of the Earth's gold deposits already exhausted, global gold production has doubled over the last 50 years, soaring from approximately 1500 tons per year to almost 3000 tons annually (Rossi, 2016). In less than a decade (2003–2011), the price of the precious metal increased by 417%, stimulating the expansion of ASGM to a fifth of the global output—equal to an estimate of 400 tons (USAID, 2017). Defined as “low-tech, labor-intensive mineral exploration and processing” (Hilson & McQuilken, 2014, p. 104), the ASGM sector employs between 14 million and 30 million people, and contributes to the alleviation of poverty in gold-rich developing countries (Buxton, 2013; Labonne, 2014). However, the lack of government oversight and the persistently high prices for gold globally, has occasioned the

unrestrained expansion of mining camps, creating severe environmental and social problems, including the trafficking of persons for labor and sex.

However, the most recent data from the United Nations Office on Drugs and Crime (UNODC, 2018), indicates that the share of victims of trafficking for forced labor has remained stable at about 34% (compared to 59% for trafficking related to sexual exploitation, and 7% for trafficking related to other illicit activities). In its 2016 Global Report on Trafficking in Persons, the UNODC (2016) noted that over the last 10 years, the profile of victims has considerably changed: the ratio of forced labor (four out of every 10) and the number of trafficked male victims have increased from 13% in 2004 to a total of 21% in 2014. The most recent Global Report on Trafficking in Persons (2018) notes that more than half of the victims of trafficking for forced labor are men. The crime is also increasingly perceived as a domestic phenomenon, 42% of victims are trafficked inside their own countries (UNODC, 2016). Importantly, the 2016 report suggests that “traffickers and their victims often come from the same place, speak the same language or have the same ethnic background. Such commonalities help traffickers generate trust to carry out the trafficking crime” (ibid., p. 6). Another important aspect of the bond between traffickers and victims is that family ties play an important role in the perpetration of victimization. The 2016 report extrapolates that family ties are sometimes abused in situations when “relatives entrusted with the care of a family member ... break their promise and profit from the family member’s exploitation” (ibid., p. 10). Today, criminal justice practitioners globally become more aware of the diversity among victims and a large pool of the trafficking means, yet the policies of some countries, as this chapter will demonstrate, are often behind the changes.

McGrath (2013) examined trafficking in persons patterns within the global production networks (GPNs), focusing on the exploitation dynamics of sugarcane workers in Brazil. Her study serves as a testament to the fact that labor trafficking is part of the current global economic system that reproduces oppressive and degrading employment. To the GPN school of thought represented by McGrath, among other scholars (Barrientos, Kothari, & Phillips, 2013; LeBaron & Howard,

2015; Phillips, 2016), the fact that labor may be “voluntary” at the point of entry does not mean that the work relation would be consensual at a later stage. In this case, the person’s prior consent to work for an employer is considered irrelevant—the employer becomes a trafficker and the employee is turned into a victim of trafficking. The notions of “consent” and “voluntariness” are questioned within this paradigm, which postulates that workers’ vulnerabilities and lack of options explain why they agree to exploitative arrangements. These views are shared by advocates of a *global value chain framework* that focuses on the negative impact that global economics is having on labor standards (Crane, LeBaron, Allain, & Behbahani, 2019).

Unskilled miners are easy prey for traffickers. With a focus on the South African industrial gold mines, Sarah Steele highlighted the fine line that separates poor working conditions from trafficking in persons (Steele, 2013). She pointed out that there is a general assumption that abusive working conditions might constitute a violation of labor rights but not necessarily trafficking. Workers’ vulnerability and lack of viable alternative options are disregarded as an explanation to accept abusive labor practices, but, as Steele (2013) clarifies, “if an employer exploits the worker’s lack of alternatives, this could constitute abuse of power or a position of vulnerability, thereby fulfilling all three conditions (activity/means/exploitation) of the crime” (p. 668).

Adolescents and children are also an integral part of the mining workforce. In her key work on modern slavery, Alison Brysk expresses her concern over the expansion of child labor in the informal mining industry:

Some 20% and 30% of the world’s gold comes from artisanal mines through Africa, South America, and Asia [and] of the two million children who work in goldmines worldwide, many are forced, often through debt bondage, to do back-breaking work in hazardous conditions ... Child laborers in gold mines face a number of dangers in: West Africa, children rub mercury into their hands before sifting soil through their fingers. In South America, children reportedly wash gold while standing in waist-deep water contaminated by mercury. Prolonged mercury exposure causes retardation, blindness, kidney damage, and tremors. (Brysk, 2012, p. 80)

Within the ASGM literature, the use of children in mining has been approached in the context of the subsistence livelihoods of families whose members, including children, resort to informal mining to escape poverty (Hilson, 2008; Maconachie, 2011). Children undertake dangerous work, often in hazardous conditions, which exposes them to extreme health and safety risks (ILO, 2015). Deprived of formal education and their habitual living environment, child victims of labor exploitation face serious difficulties to integrate successfully into society outside of the mining camps (Hilson, 2008).

Children are known to have been involved in services related to mining, including work in shops, restaurants, and motorcycle and tire repair. Exploitative practices in activities indirectly related to ASGM also include exploitation of women in sexual services. Very little attention has thus far been directed to the trafficking of men into extractive industries (particularly ASGM, most of which is either informal or illegal), and the role of mining camps as sex trafficking hubs. The urgent need for artisanal miners, however, creates distinct migratory patterns that also create a demand for sex workers, which in turn propels the trafficking of girls and young women to satisfy the demand in mining settlements (Hidrón & Koepke, 2014). “Criminal gangs, realizing the profits to be made from the sex industry around mines,” are known to have turned to forcing, coercing, or deceiving women and girls into the sex trade (Steele, 2013, p. 666). As a result, there emerges “a toxic combination of vulnerable men and women,” whose appalling exploitation tarnishes the reputation of artisanal mining and undermines its potential to create viable livelihoods for local communities (ibid.).

Exploitation of Male Workers in Peru’s Artisanal and Small-Scale Gold Mining

Peru is the largest gold producer in Latin America, and sixth in the world with a registered volume of 166 tons in 2016, approximately 20% of which comes from ASGM operations (Torres Cuzcano, 2015). ASGM takes place in all 25 regions of the country, but in Madre de Dios ASGM comprises almost 80% of this volume, with an estimate of 20 tons per

year. In 2018, based on a study of satellite images taken between 1985 and 2017, the Center for Amazonian Scientific Innovation (Centro de Innovación Científica Amazónica, CINCIA) reported that in the last 34 years, ASGM has caused deforestation of over 95,000 hectares of rain forest in Madre de Dios (CINCIA, 2018). In addition to human trafficking, this sector has also been associated with organized crime, such as drug trafficking (Ambrus, 2016; GI-TOC, 2016, 2017; Verité, 2016).

It was not until 2010 that the Peruvian government reacted to the problem of ASGM. It enacted the Executive Order (No. 012–2010) designed to formalize informal gold mining and eradicate illegal mining sites located in protected areas and waterways. The government tried to toughen illegal mining laws, by means such as declaring ASGM an organized crime activity, and has offered incentives to illegal miners so they will register their activity. These legislative and policy initiatives involved 30 governmental agencies and included over 70 laws, primarily meant to promote mainstream formalization and eradicate illegal sites located in natural reserves or bodies of water.

The United States Department of State has repeatedly reported on the existence of male labor trafficking in the Peruvian ASGM in its *Trafficking in Persons Reports*. In February 2017, Peru signed a memorandum of understanding (MoU) with the United States, to reduce illegal gold mining and associated crimes, including trafficking in persons. The same year, the United States committed USD 5 million to fight child trafficking in Peru (US Embassy in Peru, 2017). In its 2018 report, the US Department of Labor listed Peru as one of the three countries¹ where gold is produced using forced labor by children and adults (US Department of Labor, 2018), while Verité (2016), an NGO dedicated to fighting against trafficking in persons, found evidence of widespread exploitation of miners for forced labor. In 2011, Gulnara Shahinian, the United Nations Special Rapporteur on Contemporary Forms of Slavery, visited Madre de Dios and recommended that the Peruvian government provide better safeguards to the mining workforce, many of which, she claimed, were living and working in slavery-like conditions (Shahinian,

¹The other two countries are Burkina Faso and the Democratic Republic of Congo (DRC).

2011). For years, international humanitarian organizations have documented human trafficking cases associated with ASGM (Barrantes, 2014; CHS Alternativo, 2012; Global Witness, 2012; Mujica, 2014; Novak & Namias, 2009; Ojo Público, 2019; Salazar & Castro, 2018).

It is impossible to measure the extent of trafficking in persons in Madre de Dios. The area has attracted between 30,000 and 50,000 unskilled mine workers, most of whom are subjected to some degree of exploitation. The unskilled workforce of miners includes different categories of workers, such as *macheteros* (cutters) who clear trees before gold mining operations can be started, *carreteros* (carters) who transport rocks and clean soil, *buzos* (divers) who dive with hoses hooked to water pumps used to collect gold-bearing particles of sand (Verité, 2013). These workers spend hours submerged in pools of water contaminated with fuel, mercury, and other toxics (Picture 13.1).

Other types of semi-skilled workers are truck operators, as well as *maraqueros* who operate the pumps, mix mercury with water in order to cause the microscopic gold particles to condense into globules, and then sort through the mercury-covered particles with their bare hands to pick out the gold (ibid.).

In 2009, the IOM published the first report on the subject, providing testimonies that illustrated how miners were deceived and coerced (Novak & Namias, 2009). According to the IOM, they were recruited with the promise of being paid every three months, but their salaries were never paid. The following testimony reveals a dynamic that applies to the current state of affairs:

We arrived, the patron Don Quispe (the boss) told us that they will pay us after every 90 days of work, and that for each 30 days, they will pay PEN 500 (approx. USD 148) so, after 90 days, we would had received PEN 1,500 (approx. USD 444). We were excited. We had never thought of earning so much money and for that reason we were very happy. We started working. After the 90 days, when we asked for our payment, the *chacal*² told us that the patron was coming over during the weekend. With that hope, we continued working. When the patron came, we asked

²The term *chacal* (jackal or wolf) is used to refer to middlemen in charge of operations, who are known for rendering brutal violence against their victims.



Picture 13.1 A *Buzo* diving in a search of gold (Photo credit Carmen Barrantes)

him to pay us, he said that he was going to pay the following week. Two weeks after the agreed 90 days had passed, we started to complain and demand our payment. Every time that we went to ask for our money, the *chacal* threw us away, and if we insisted, he threatened with beating us up. (ibid., p. 51) [Excerpt translated from Spanish by the author.]

In 2014, the International Labour Organization (ILO) conducted a survey in the neighboring region of Cusco, from where most mineworkers are recruited (Sanz, 2015). The survey used the ILO's

forced labor indicators³ to measure the extent of the problem. It found that 25% of the workers were deceived about the tasks they would perform once employed. Many were threatened with having their payment seized (13%), had their IDs confiscated (13%), or were locked down (2%). A quarter of the surveyed men had to pay back living expenses or cover the damage caused to equipment. Many miners were paid late (29%), or were not paid at all.

83% of miners working every single day in the mines (31%), some working 24-hour shifts (12%), were directly exposed to hazardous work conditions (e.g., explosions, landslides, exposure to mercury, and other toxic substances), had to work without basic safety equipment (e.g., boots, helmets, gloves, or masks), and had no health coverage. The survey also revealed that mining camps often had no access to drinking water, or the drinking water provided was too expensive. Under such circumstances, mine workers used to resort to consuming untreated water from the river or the pools created while digging for gold. Freedom of movement was also restricted. For 33% of mine workers, leaving the mining camp was also impossible due to the remoteness of the site, high costs of the scarce and dangerous forms of travel, or the absolute lack of transportation infrastructure. Almost half of them (43%) said that they were under surveillance by mine owners and their middlemen all the time while they worked and that they had restricted communication with their families.

The testimony by the United Nations Special Rapporteur on Contemporary Forms of Slavery (Shahinian, 2011) describes the trafficking process in detail:

Men and adolescents are often recruited through deception, being offered working conditions and workers' rights that are subsequently not complied with in practice. Often, the workers receive advance payments in cash or goods during their first three months of work, which are

³The ILO's indicators have been categorized in the following way: (1) deception about the nature and condition of the work; (2) confiscation of identity papers or travel documents; (3) physical violence; (4) forced overtime; (5) limited freedom of movement or communication; and (6) withholding or delay of wages, or no freedom to resign in accordance with legal requirements (Sanz, 2015).

then deducted from the salary, using a mechanism of overestimating the goods provided and underestimating the quantity and quality of the gold handed over, so that the worker is indebted to his “patron,” a situation similar to the *enganche* system seen in the logging sector. They work long hours in very dangerous conditions, are exposed to toxic substances (such as mercury) and to serious diseases (such as malaria). Workers are poorly fed and have no form of labour protection or health and social security coverage. (p. 10)

Although the involvement of children in ASGM has been decreasing, the Special Rapporteur noted that around 20% of the miners in Madre de Dios ASGM were between 11 and 18 years old (*ibid.*). No different from adults, children were at risk of serious physical injury and harm to one’s health. They breathed contaminated air and were exposed to polluted soil and water.

Internal Migration and Recruiting from Ethnic Diasporas

Although some sources originally reported on the involvement of professional human trafficking networks in the recruitment of mine workers in Madre de Dios, research based on field trips suggests the recruitment of mine workers is largely, though not exclusively, carried out by networks within familial circles and small local communities (Goldstein, 2014; Mujica & Cavagnoud, 2011; Verité, 2013). It echoes Arhin’s (2016) thesis on the *affective economy* of co-ethnic identification grounded on shared family, ethnic, and national identities, and affinities between the traffickers and their victims. Indeed, mine workers are not recruited by criminal syndicates but are enrolled by friends and family members in what workers perceive to be seasonal work. At the recruitment stage, they initially see their informal employment in gold mines as temporary and are willing to take the risk that the job may entail. In his research, Teodoro Sanz confirmed that 10% of the victimized miners were recruited by a family member, and 5% were forced to accept jobs in ASGM (Sanz, 2015).

The following testimonies support this point, exposing the interactions between victims, traffickers (*patrons*), recruiters (*uncles*), and intermediaries (*chacals/cooks*):

My uncle⁴ brought us in a truck to the town of Mazuko. We (me and two older brothers) were left with a woman. I was taken with him along the river, to the town of Laberinto. I was very scared of the river because I did not know how to swim. In Laberinto he left me with another man. He told him: “Here he is, give me the money.” He told me that I should stay with that man to work. He, *el patron* (the boss) was from the city of Cusco. The man gave my uncle the money. I don’t know how much. My uncle told me that if I do not listen, they would throw me to the river... I stayed there for five years. My uncle came from time to time, I believe every three months, to see if I was working and was given money. He came but said nothing to me. He just looked at me from afar. Martha (the cook) told me that I had been sold to the patron. I did not understand anything. (Novak & Namias, 2009, p. 51) [Excerpt translated from Spanish by the author.]

When I finished helping in the kitchen, the *chacal* sent me to wash gold in the shaft. I didn’t want to go, but Martha (the cook) helped me. She told the *chacal* that I was too young to be in the mine and that he should help. In that place they beat workers up with sticks when they do not work, and they throw stones at them to make them work harder. They also hit the cook’s son. I did not play because I was scared to be beaten up... During that time, I was very scared. They hit hard those that did not want to work or did not follow orders. One day they almost killed a worker. His name was Leo. They said that he had stolen two grams of gold, but he said it was not true. They threw him in the well and almost drowned him. They kept beating him up with a stick, they kicked him hard. They left him badly wounded. (ibid., p. 55) [Excerpt translated from Spanish by the author.]

According to the 2014 census, 80% of the miners that run an operation in Madre de Dios were internal migrants, and 50% of those came from the neighboring region of Cusco, Southeastern Peru, which is

⁴The term *uncle* in Peru does not always relate to a blood relationship.

the place of origin of the largest majority of the workforce in ASGM in Madre de Dios. They are Quechua⁵ speakers, brought into artisanal mining through family and community members. In the remote Quechua-speaking mountain regions, traffickers are able to trick parents into sending children with them. In doing so, they abuse the *padrino system*, “whereby wealthy land owners or distant wealthy relatives would offer to shelter, feed, and educate a child of a poverty-stricken family in exchange for that child’s domestic labor” (Laser-Maira, Huey, Castro, Ehrlich, & Nicotera, 2018, p. 34). Poverty and cultural isolation make these communities particularly vulnerable to deception, and many of them are recruited to work in the mines by family members or acquaintances following the co-ethnic identification pattern.

With regards to poverty, the ILO reported (Sanz, 2015) that the monthly income of the Peruvian highlands, mainly in Cusco, was PEN 243 (approx. USD 70) per family in 2014. During the five years prior to the survey, 77% of those households had been affected by severe problems (drought, freezing, floods, illnesses, accidents, etc.), and many of them were burdened with loans they could not pay back (31%). About 2% of these individuals studied did not have any means of identification. With low levels of education and socioeconomic status, *indocumentados* do not have a National Identity Document (Documento Nacional de Identidad, DNI), which means that they cannot have any formal employment in Peru or elsewhere (Wells, 2014). “In other cases, the *indocumentados* are criminals, or people suspected of having committed a crime, who are running from the law and seeking refuge in the lawless environment of the mining camps. *Indocumentados* may thus be vulnerable to labor exploitation and/or individuals who prey on others as human traffickers, robbers, armed guards, or bouncers at brothels” (Verité, 2013, p. 38). Some of these individuals were threatened by mine owners that they would surrender them to the police if they revolted against the conditions of their employment, which were clearly exploitative (*ibid.*).

⁵The Quechuan languages are an indigenous language family spoken by the Quechua peoples inhabiting the Peruvian Andes.

As in the case of miners recruited from ethno-diasporas, such as the Quechua peoples, a very similar pattern of recruitment is used for bringing young women and girls into the sex trade to satisfy the demand for sex in the mining camps. In their research, Jaris Mujica and Régine Cavagnoud (2011) research found that the girls exploited in *prostibares* for sex were related to the owners of the restaurants who acted as their godmothers or aunts (Mujica & Cavagnoud, 2011). Through their cultural perspective, they protected their relatives, with exploitation being part of the custodial relationship and tutelage. Mujica and Cavagnoud (2011) concluded that, in the Pucallpa Port, sexual exploitation was a complementary economy to the beverage industry. Moreover, traffickers were not part of transnational networks, but local business owners that run their small restaurants and bars through family ties. In order to increase their profits, they included sexual services in their business portfolios. In her work on the sexual exploitation of women in Madre de Dios, Ruth Goldstein discovered that many of the sex workers had arrived at the mining enclave through sisters, cousins, aunts, and friends (Goldstein, 2014). She also noted that the *madams*, female masterminds of human trafficking networks, and their 250 sex workers shared co-ethnic bonds that brought about solidarity ties between them (ibid.). A Verité report concluded that human trafficking in the Peruvian ASGM is mostly carried out by family networks (Verité, 2013, p. 21).

***Prostibares*: Alcohol and Sex as a Means of Indirect Coercion**

In the heart of the Peruvian Amazon, precious commodities, such as timber or gold, are smuggled through the Pucallpa Port located on the banks of the Ucayali River, on a daily basis. It is plagued with *prostibares*—hybrids between bars and brothels that operate without licenses in the mining camps and the settlements adjacent to them.⁶ *El*

⁶It should be noted here that prostitution between adults (18 years of age and older) is legal for women and men. Commercial sex services can only be rendered if the providers are registered with municipal authorities and carry a health certificate. Brothels require a license to operate.

Papillón, Miss Sagitario, El California, El Embassy are some of the evocative names given to *prostibares*. There used to be about 400 *prostibares* in Madre de Dios in 2015, in each, between 5 and 25 women, many of whom were adolescents (Yori, 2015).

Women at *prostibares* are tasked to encourage the customers to order more drinks and are forced to drink with the miners to increase the profit of this parallel irregular beverage industry. They also have to provide sexual services if requested. *Prostibares* have become pivotal spaces where masculinity is exacerbated through alcohol consumption and sexual predation of adolescents and young women. As the night falls, the enticing lights and pictures of sexually provocative women make *prostibares* an attractive destination in the mining camps.

Instead of violence, which is a common means of coercion in cases of forced labor, debt bondage seems to be most commonly used against mine workers in Madre de Dios. Miners are unable to break the trafficking cycle because their prolific consumption of alcohol and sex makes them addicted, indebted and forced to borrow from middlemen, and thus trapped in the mining camp. Not only do miners typically have to work without pay for 90-days, supposedly because of recruitment and travel expenses, but they also accrue debts for alcohol and sex services in addition to food and lodging. Some miners work unpaid for periods that far exceed the 90-days just to complete the contract and leave because of the artificially created monetary bondage.

If traditionally, trafficked victims are exploited through coercive means, the ASGM subculture has integrated noncoercive, “soft” methods for coercing and retaining a workforce. They are susceptible to falling into the trap of alcohol addiction as a way to evade the hardship of a slave-like life. Adjacent to this, women, who are recruited from the Peruvian highlands following the same pattern, find themselves in a system that exploits them. Journalist Rosario Yori spent time undercover in Madre de Dios mining camps and visited some of the *prostibares*. In her writing, she shared Mariela’s story:

Mariela says that she just turned 18 in January. (“I’m a Capricorn,” she also says with certain pride.) She has chubby cheeks, straight dark hair, and an easy, childish smile. While she is talking to us, the waiter comes

and hands her a piece of paper, a *ficha* (token), which Mariela keeps on her bra. For every drink she has with the customers, she gets a *ficha* from the owner, which she later cashes. The customers drink light beer, but the girls are only allowed to drink water, small glasses of wine, or dark beer. The drinks for the girls cost 20 soles. Only ten (USD 3) go to the girls. (Yori, 2015)

The sex trade is a parallel economy to ASGM. In 2019, the investigative platform *Ojo Público* (Salazar & Castro, 2018) analyzed over 50 notebooks seized in military operations carried out between 2016 and 2017 in the Delta 1 and La Pampa mining sites in the Madre de Dios region. Based on the notebooks, they discovered a link between the clandestine sale of beer and the trafficking in girls and young women in La Pampa. In their careful analysis of *prostibares'* revenues, they revealed that women had to drink an incredible amount of alcohol—between 15 and 24 bottles of beer every day—and sell a minimum of PEN 240 (approx. USD 70) worth of alcohol from which they received PEN 48 (approx. USD 4.15). In another investigation, the Peruvian journalist, Gabriel Arriarán, studied a notebook of one of such bar, *The Embassy*. He learned that in just a little over two weeks, the bar made a gross income of almost PEN 50,000 (approx. USD 15,000), 75% of which came to the sale of beer. Up to 15% of the revenue was made by providing commercial sexual services (Frontera Pirata, 2018).

The illicit sex trade is at the core of what Cuvelier (2017) calls a “lifestyle of excess” characterized by a mining subculture where money, migration, and masculinity are celebrated through the exploitation of women. Mineworkers fall into debt bondage, where they are encouraged to spend what they earn wastefully just to prolong their exploitation. In this subculture, mine workers' exploitative labor is deeply intertwined with the sexual exploitation of women. These two forms of human trafficking feed on each other, blurring the boundary between mine workers, as victims of labor exploitation on the one hand, and mine workers as consumers of illicit commercial sex, thus promoting the sexual exploitation of women, on the other.

Peru's Steps Toward Bringing an End to Human Trafficking

Peru has made decisive legislative and policy-level steps toward the elimination of trafficking. It has signed and ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol), along with other relevant international treaties, including the following ILO Conventions: The Forced Labor Convention (No. 29), the Abolition of the Forced Labor Convention (No. 105), and the Worst Forms of Child Labor Convention (No. 182). The Peruvian government also increased the penalties for crimes related to human trafficking. Article 153 of the Peruvian Penal Code prohibits all forms of trafficking in persons, with penalties up to 15 years of imprisonment. In January 2017, the Peruvian government, in its Legislative Decree No. 1232, amended the penal code with the introduction of the slavery offense (art. 153–C) and forced labor (art. 168–B) as other criminalized forms of human exploitation, prescribing sentences of more than 25 years in cases with aggravating circumstances, such victim's death while in an exploitative situation.

In addition to the legislative amendments, Peru has a comprehensive plan to bring an end to human trafficking: the National Plan to Fight Human Trafficking 2017–2021 (Plan Nacional contra la Trata de Personas, Plan Nacional 2017–2021). However, the limited budget for its implementation, mostly oriented to law enforcement measures (Montoya Vivanco, 2017), made the fulfillment of many anti-trafficking goals impossible. The cut in the anti-trafficking budget was particularly felt in the realms of victim protection and assistance to the rescued victims. For instance, between 2016 and 2017, the Peruvian police rescued 481 female victims of labor and sexual exploitation in *prostibares* from the Madre de Dios region. They were sent back to their places of origin without adequate legal, social, or psychological assistance. In her research, Barrantes (2016) exposed how the rescued women were often revictimized by the authorities, who placed them into appalling conditions at rescue centers where women were confined against their will. Many of the rescued women decided that trafficking, although exploitative, gave them a place to sleep and some money. Thus many of them

considered going back to the mining camps because of the lack of a viable alternative (Salazar & Castro, 2018).

As in many other countries, the Peruvian anti-human trafficking policy followed a security approach centered on fighting sexual trafficking of women being trafficked by international networks. With the time, and through key research such as the one carried out by Mujica and Cavagnoud (2011), it was generally accepted in the country that human trafficking was a predominantly domestic issue that complemented local economies, such as ASGM prominent in Madre de Dios. Yet the government policies, as for the allocation of resources mainly to law enforcement measures, failed to reflect this change.

In 2010, the Madre de Dios government supplemented the national policy for bringing an end to human trafficking with its own regional strategy to fight human trafficking that was updated in 2018. Following the principles and objectives set forth in the Plan Nacional 2017–2021, the Regional Plan Against Human Trafficking in Madre de Dios 2018–2021 (Plan Regional contra la Trata de Personas de Madre de Dios 2018–2021) included broad measures to harmonize the anti-human trafficking policy with the national attempts to formalize ASGM. However, this did not translate in tangible results due to the failure to direct financial and technical resources to the implementation of this strategy. It is anticipated that the enforcement of laws against crimes facilitating sex trafficking, such as illegal mining, could also help decrease the demand for illicit commercial sex services.

In May 2018, police and prosecutors conducted a raid in the mining town of La Pampa—allegedly the biggest illegal gold mining camp in the Amazon—that led to the arrest of seven suspected traffickers. In February 2019, the government launched a large-scale operation, called “Operation Mercury,” to expel illegal miners from La Pampa, particularly the Tambopata National Reserve, where mining is strictly prohibited. In this long-term operation scheduled to last until mid-2021 at the very least, a mixed force of the police officers and soldiers was deployed: among the more than 1500 criminal justice sector officials involved in the operation, there were 20 police and 10 prosecutors from anti-trafficking units (ibid.).

In the raids carried out to destroy illegal operations and the makeshift settlements in La Pampa, law enforcement officials expected to rescue hundreds of women, but they only found 120, 63 of which were minors. After being rescued, these women did not receive appropriate support and protection, and many chose to move to other mining camps. This is the unfortunate outcome of the underfunded and incomplete policy, whereby the government of Peru carried out rescue operations without providing sufficient victim assistance programs. Among other policy gaps is that rescuing exploited male workers seems to have never become a priority. In the ASGM camps of the Amazon rainforest, male mine workers are often seen as the cause of social unrest, sexual exploitation, and environmental damage, rather than victims of labor exploitation. The Plan Nacional 2017–2021 contemplates all forms of exploitation, but it is mostly focused on problems related to the trafficking of women for sexual exploitation. The interpretation of human trafficking as a security problem primarily related to the sexual exploitation of women by human trafficking networks—as featured in several emblematic cases of Peruvian women trafficked to Japan, the United States, and several European countries—does not reflect the present reality.

Conclusion

The chapter examines the dynamics of exploitation within the ASGM workforce as part of the new geography of gold mining in the current global production system. Through the analysis of ASGM in the Peruvian Amazon, it exposes the emergence of a mining subculture where the workforce is exploited, not only through common coercive means, but also through noncoercive ones. This subculture is characterized by male workers trapped in a world of alcohol consumption and sexual predation, bringing harm to girls and young women, while putting themselves in debt to the point of no return. These exploited workers find comfort in *prostibares* (unlicensed bars/brothels), which become a pivotal part of the mining subculture, where money, migration, and masculinity shape working relations and encourage miners to spend what they earn, thus perpetuating the exploitation cycle.

In the ASGM sector, a new moral economy has emerged, characterized by the complexity of the interactions of different actors and the development of parallel irregular industries. Women are trafficked with the dual purpose of sustaining a booming illicit alcohol industry and to offer sex to miners. That said, and as it has been demonstrated for other parts of the Peruvian Amazon, the sexual services provided in *prostibares* are part of local economies based on selling alcohol, instead of lucrative businesses run by transnational crime networks, which we usually think of in relation to human trafficking. These subeconomies have become part of the ASGM landscape and are pivotal venues where the subculture takes shape. As such, artisanal mining in Madre de Dios is not just a male-dominated profession, it is a male-dominated, masculine or “machismo” subculture that promotes the exploitation of girls and young women.

Despite the fact that Peru’s government officials refer to the human trafficking in Madre de Dios mining sites as a major issue, trafficking is still mainly perceived to be a form of sexual exploitation of women which were ought to be “rescued” while carrying out military operations aimed at eradicating illegal gold mines. The exploitation of male workers in ASGM has not been seen as a serious problem that requires both prevention, intervention (rescue), and victim assistance programs. The exploitation of men working in ASGM is deeply intertwined with the sexual exploitation of women. These are the two illegal economies that feed on each other, perpetuating the exploitation cycle. Any successful strategy to bring an end to human trafficking in Peru must take this complexity into account.

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