



**Uncharted Migration: OAS Rapid Assessment Report of
Trafficking in Persons from the Dominican Republic into Puerto
Rico**

April 2006

This report is a rapid assessment on the likelihood of trafficking into Puerto Rico via its water border with the Dominican Republic.

Project Beneficiaries: Trafficking Victims from Latin America and the Caribbean.

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Executive Summary:

This OAS Rapid Assessment is a first examination of human trafficking in the context of migration bound for Puerto Rico. This report was researched in the summer of 2005. It is based on the field work of an OAS researcher, interviews with government officials and civil society representatives, a review of the existing literature and the very limited statistical information that together provide more insights on trafficking in persons in this region of the Caribbean. Very little official or unofficial information about trafficking in Persons in Puerto Rico has been researched or published. While there is still much to learn about the situation, this Rapid Assessment concludes that conditions obtain that indicate that there is likely human trafficking to some degree taking place in Puerto Rico. This finding was most recently borne out by the January 2006 raid in Puerto Rico, in the municipality of Dorado, in which U.S. Federal authorities entered the property of the shrimp company Eureka Marine Products with the suspicion that undocumented laborers were held there in inhuman conditions. This operation yielded the detention of thirty undocumented laborers.

Not surprisingly, Dominicans dominate the grouping of those foreign nationals in Puerto Rico who are vulnerable to human trafficking. This Rapid Assessment concludes that the economic factors¹ that compel many Dominicans to migrate clandestinely to Puerto Rico put them at risk of being exploited by traffickers. This fits an established pattern with regard to Dominican migrants, many of whom are known to be trafficking victims in other regions. Other nationalities who may be victims of trafficking in Puerto Rico are Haitians and Chinese. It is reasonable to conclude that for many migrants – and for traffickers –

¹ See Annex I

Puerto Rico is a convenient side-door entrance for gaining access to the North American mainland. Officials have found to date few Dominican victims of human trafficking in the continental United States, but this is part of the trend that the U.S. has found far fewer human trafficking victims than it estimates enter the country. It appears to underscore the need for greater vigilance in finding trafficking victims, particularly in the context of clandestine migration. Puerto Rico, as an Associated Free State (Estado Libre Asociado) that is a territory of the United States, is subject to U.S. Federal law and international instruments that bind the United States.

In Puerto Rico, most government officials are likewise only slowly recognizing the factors that may point to human trafficking. Government officials in Puerto Rico – particularly those working on migration matters – are understandably challenged by the fact that many of the illegal migrants they intercept are only in the movement phase of the trafficking process. Most appear to them as simply clandestinely smuggled migrants – and not future victims of debt labor or forced prostitution. In this regard there is a need for more awareness of the trafficking in persons phenomenon in general and the Eureka case is a positive step in that regard.

Officials in Puerto Rico keep few to no statistics on human trafficking. Some data are kept, generally in the context of interceptions and deportations, but they provide only limited insights on trafficking. Most notable, perhaps, is the number of foreign women detained in prostitution by Puerto Rican officials – in the year 2003, a total of 1,819 detentions were made; in 2004, the figure was 1,566. These data represent a considerable increase over previous years. While these data are not kept by nationality, the popular perception is that the vast majority of the persons detained are Dominicans and out of legal

status, making them particularly vulnerable to be controlled by traffickers. Additionally, there is a high volume of Dominican migration to Puerto Rico and it is plausible that Puerto Rico functions as a transit country for Dominican victims of trafficking.

The OAS recommends that local and Federal officials work with civil society to provide a wider understanding of human trafficking. A great need is to work more closely with the migrant communities in Puerto Rico to gain better insights on work patterns and how pay offs are made to those who organize clandestine migration. We also urge that further training and research be carried out in an effort to better quantify the dimensions of Dominicans and other nationals migrating to and through Puerto Rico.

Introduction

This is a Rapid Assessment of human trafficking into Puerto Rico based on a review of the academic literature, original field research, and interviews with competent government and NGO officials. This report attempts to place in better context what is known about human trafficking in the context of Puerto Rico and to make some modest recommendations on how better to address the situation and improve the information collection. The lack of any real analysis on human trafficking in the Puerto Rican context is the main motivation for this Rapid Assessment, which we hope will lead to more detailed study.

Our analysis is carried out through the prism of examining clandestine migration and prostitution in Puerto Rico. Much of this activity has strong links to Hispaniola – the Dominican Republic and Haiti – a major region of human trafficking, although the trafficking links per se to Puerto Rico have not been studied. This project begins to attempt to analyze and understand possible human trafficking into Puerto Rico, not only from Hispaniola, but also from other areas such as Cuba,² as well as from out-of-region areas, such as from the People’s Republic of China. OAS preliminary research indicates that human trafficking occurring within migration into Puerto Rico has been understudied in part because of a lack of understanding of the phenomenon on the part of local Puerto Rican and U.S. officials charged with dealing with migration, labor, and prostitution. Another reason for the existing gap is the lack of resources available to both the Puerto Rican Government and U.S. authorities. Preliminary information also indicates that these

² The influx of Cubans into the region has seen a substantial increase in Puerto Rico and the U.S. Virgin Islands; however, the evidence on the trafficking of Cuban nationals is unclear at the present. Nonetheless, they should be looked at for future study. Lysa Graham, “More Cuban migrants arriving in U.S Virgin Islands” *The Miami Herald*, 26 July 2002; Omayra Sosa Pascual, “Evoluciona la estrategia del viajero que sale desde Cuba” *El Nuevo Dia*, 20 March 2006.

officials are confronted with growing numbers of undocumented migrants who make it more difficult for them to take on the subtle analysis that identifying trafficking victims often requires.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons of 2000 defines Trafficking in Persons in Article 3 as follows:

For the purposes of this Protocol:

(a) “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;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) “Child” shall mean any person under eighteen years of age.

As a U.S. territory, Puerto Rico is under the jurisdiction of U.S. Federal law, which sanctions the crime of trafficking in persons. Thus Puerto Rico is subject to existing anti-trafficking legislation approved by the Congress of the United States. Moreover, Puerto Rico is subject to the same international instruments as the United States, such as Protocol to Prevent, Suppress, and Punish Trafficking in Persons. However, this issue has yet to receive specific attention in Puerto Rico as no concrete studies designed to gauge the likelihood of trafficking in persons have been undertaken.

The “Victims of Trafficking and Violence Protection Act of 2000” defines victims as follows:

“(13) VICTIM OF A SEVERE FORM OF TRAFFICKING.—The term “victim of a severe form of trafficking” means a person subject to an act or practice described in paragraph (8).

(14) VICTIM OF TRAFFICKING.—The term “victim of trafficking” means a person subjected to an act or practice described in paragraph (8) or (9).”

Paragraphs 8 and 9 establish that:

“(8) SEVERE FORMS OF TRAFFICKING IN PERSONS.—The term “severe” forms of trafficking in persons” means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(9) SEX TRAFFICKING.—The term “sex trafficking” means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.”

Much the same way that the U.S.-Mexican border is an area of major human smuggling activity, in which there are significant cases of human trafficking, evidence gained in this Rapid Assessment suggests the Puerto Rican “water” border, on a smaller scale, is susceptible to the same dynamic. The nationalities who are most likely victims of trafficking exploitation in this clandestine migration are largely Dominicans, followed by other Caribbean clandestine migrants and some out-of-region migrants, mainly PRC nationals. Many of these migrants appear to be bound for the continental United States.

The first goal of this Rapid Assessment is to analyze the factors that influence to what extent human trafficking is occurring in this region. Secondly, it looks at the existing information and data in a way that points to conditions of human trafficking; it makes reasonable extrapolations. The report concludes that human trafficking factors are present that solidly indicate that Puerto Rico is a significant human trafficking destination and a likely area of transit.

Puerto Rico – A Unique Status in the Caribbean

Puerto Rico has been part of the United States since the year 1898 and is presently a “Free Associated State” that enjoys political autonomy, but Puerto Ricans are U.S. citizens and movement from Puerto Rico to the continental U.S. is uncontrolled domestic travel. Entry into Puerto Rico is entry into the U.S. The island nation has benefited economically from its association with the U.S., and Puerto Ricans enjoy a level of economic development and stability that far exceeds that of neighboring Caribbean countries.

Puerto Rico			
<u>Average Income – 1999^{3]}</u>			
	Homes	Families	Individuals
Thousands of dollars	14,412	16,543	8,185
Table 1			

This disparity in economic and political stability has contributed to Puerto Rico’s emergence as a principal destination and transit country for other Caribbean immigrants. As is typical, the sudden introduction of migrants from a modest economic background into

³ US Census Bureau Puerto Rico 2000, Matrix P53, P77, P82, P87, P90, PCT47 y PCT52. http://factfinder.census.gov/servlet/BasicFactsServlet?_lang=es

a destination area that is significantly economically more advanced brings about a clash of radical wealth disparity that often fuels the conditions of human trafficking. Experience indicates that migrants desperate to improve their economic circumstances take on risks that expose them to traffickers. Economic disparity between Puerto Rico is evidenced in the comparatively lower per capita income of the Dominican Republic, reported by Food for the Hungry International to be about USD 2,130. Moreover, as Puerto Ricans are U.S. citizens, the poor in Puerto Rico have greater access to social safety nets that allow them to meet their basic needs in the form of government assistance programs.

Inequality of Income or Consumption Dominican Republic⁴												
				Share of income or consumption				Inequality measures				
				(%)				Richest 10% to poorest 10%	Richest 20% to poorest 20%	Gini index		
HDI rank		Survey year		Poorest 10%	Poorest 20%	Richest 20%	Richest 10%				^a	
95	Dominican Republic	1998	c	2.1	5.1	53.3	37.9	17.7	10.5		47.4	

Table 2

In addition, the rate of income inequality is quite high in the Dominican Republic, further emphasizing the extent of deprivation of the poor and the middle class in relationship to the upper 20 % of the Dominican population. According to the World Bank estimates, 28.6 % of Dominicans live under the national poverty line in the Dominican Republic.⁵ Thus the disparity in income between these two island neighbors is significant and serves as a primary motivator for Dominican out migration.

As this Rapid Assessment documents, the likelihood of significant human trafficking from Hispaniola to Puerto Rico is inescapable. This finding is not surprising

⁴ United Nations Development Programme (UNDP), Statistics, <http://www.undp.org/>

⁵ The World Bank Group, 2005 World Development Indicators. <http://devdata.worldbank.org/wdi2005/Section2.htm>

considering the extensive human trafficking ties that have been documented between the Dominican Republic and the Lesser Antilles and other destinations in the Caribbean.⁶ Moreover, as the OAS research and other studies suggests, Puerto Rico represents an affordable route for undocumented migrants to reach the mainland U.S. What has not been at all studied in the context of Puerto Rico is the likelihood that human trafficking is occurring along these same migratory routes. Unlike smuggling routes on the U.S.-Mexican border, the Puerto Rico area, in contrast, has received little to no attention in the human trafficking research despite the well-documented acceptance of clandestine immigration from the Dominican Republic to Puerto Rico. Concerns are further reinforced by the finding that an estimated nine percent of the USD \$ 2.7 billion sent to the Dominican Republic as remittances originated in Puerto Rico.⁷ These factors, along with the geographical proximity of these two island neighbors (see the map), lend credence to the likelihood of trafficking.

⁶ International Organization for Migration, “Trafficking in Women from the Dominican Republic for Sexual Exploitation”, June 1996; Comision Inter-Americana de Mujeres/Organization of American States and International Organization for Migration, “Caribbean Regional Meeting on Counter-Trafficking Strategies”, March 2005.

⁷ Multilateral Investment Fund/Inter-American Development Bank, “Sending Money Home: Remittance Recipients in the Dominican Republic and Remittance Senders from the US.” Columbia University, 2004.



Although much of the analysis of this brief Rapid Assessment focuses on the situation of Dominicans in Puerto Rico, likely the largest undocumented migratory population in Puerto Rico vulnerable to human trafficking exploitation, other important nationalities, such as Haitians, Cubans and Chinese are also discussed in less detail.⁸ The Cuban diaspora is also of interest as, according to U.S. Immigration and Customs Enforcement (ICE), the number of Cubans surpasses the number of Haitians and PRC nationals presently entering the island of Puerto Rico.⁹

⁸ For example, the turbulent situation in Haiti combines economic hardship with political instability. Large numbers of Haitians in perpetual poverty are constantly seeking outbound migration opportunities to improve their desperate living conditions, making them one of the largest pools of persons in the Caribbean vulnerable to human trafficking exploitation. A significant number of Haitian laborers regularly cross the border into the Dominican Republic. Little is known about those Haitians who then seek to leave Hispaniola through the Dominican Republic to enter Puerto Rico. As with Dominicans, Haitian options to enter the U.S. legally are few beyond the normal family reunification migration, making them prime prospects to seek clandestine entry into Puerto Rico. Walt Bodanich, "Mixed U.S. Signals Helped Tilt Haiti Towards Chaos," *The New York Times*, 29 January 2006.

⁹ Omayra Sosa Pascual, "Evoluciona la estrategia del viajero que sale desde Cuba," *El Nuevo Dia*, 20 March 2006.

The Continuing Dominican Diaspora

Factors that Push Migrants to Leave Hispaniola

It is outside the scope of this Rapid Assessment to examine in extensive detail the many factors that contribute to the process by which migrants become human trafficking victims; however, it is useful to touch on some of these important considerations. In this light, we will examine the history of Dominican migration, as well as social, economic and gender conditions that greatly influence the Dominican diaspora to Puerto Rico and the U.S. To understand the conditions that drive many Dominicans to accept the risks of becoming victims of human trafficking, in examining outbound Dominican migration in the direction of Puerto Rico, it is necessary to have a panoramic-angle approach to this phenomenon.

Historical Observations on Dominican Migration to Puerto Rico and the U.S.

The scholarship on the nature of Dominican out-bound migration in general and the status of Dominican migrants overseas is varied and at times inconsistent. Not surprisingly, many studies document that Puerto Rico constitutes a much-used port of entry into the U.S. for clandestine migration. The accessibility of open sea routes and the greater availability of illegal documents in Puerto Rico are pull factors for immigrants whose final destination is often the U.S.

Dominican migration is a long-recognized movement in the Americas and beyond, principally to Spain. Most of the studies of human trafficking from the Dominican Republic to international destinations have examined destinations other than the U.S. and

Puerto Rico – most notably Argentina and Spain.¹⁰ Interestingly, however, the statistics indisputably show that most undocumented migrants entering Puerto Rico come from the Dominican Republic, and Dominicans constitute the fourth largest Hispanic migratory group in the continental U.S. Most observers argue that Dominican migrants to the U.S. are less likely to be trafficked, in part given the family support networks that help these migrants. While this is doubtlessly true, there appears to be more to this analysis, particularly in the framework of Puerto Rico.

Dominican migration to the U.S. (and by extension to Puerto Rico) can be divided into two principal waves. The first group encompasses those migrants who came in the wake of Dominican political upheavals in the 1960s and 1970s. This migratory group generally came from a relatively higher economic background than later Dominican migrants. They utilized more legal channels and did not encounter great difficulty in regularizing their status in the U.S. By the 1980s, a second group began to dominate Dominican migration and was composed primarily of the lower sectors of the middle class. Lacking legal migratory options to settle in the U.S., many of these migrants resorted to entering illegally by crossing the Mona passage between the Dominican Republic and Puerto Rico in makeshift boats referred to as “yolas.” The importance of this second wave of migrants in the context of trafficking in persons is of critical importance because this expanding population was poorer, more desperate and in many ways more vulnerable to trafficking exploitation. It is this population base that continues to shape and dominate Dominican migration.

¹⁰ It has been widely documented that some of this Dominican migration involves human trafficking for labor and the sex trade. Indeed, the Dominican Republic, in relation to its population, is one of the world’s larger source countries for international human trafficking.

In accordance with the prescriptions of the network theory of migration, as the Dominican population grew in Puerto Rico, the risks associated with migration declined and the process became less selective. This perspective suggests that Dominican migration into Puerto Rico will continue until all those who wish to migrate have done so.¹¹ However, as the legal means of migration have been more scrutinized by U.S. authorities, an increasing number of migrants choose undocumented migration as a means of accessing their networks in their country of destination.

Economic Factors in the Dominican Republic

Recent economic hardships in the Dominican Republic have undoubtedly pushed even more Dominicans to view migration as a valid option.¹² In 2003, the Dominican Republic underwent a severe economic crisis that helped to bring about a recession, a jump in public debt, high inflation, and a devaluation of the Dominican peso. Although the International Monetary Fund (IMF) reports that economic conditions in the Dominican Republic have since improved, in 2005 the economy expanded by 7 %, ¹³ the government has been forced to implement fiscal austerity measures in an effort to reduce the public deficit.¹⁴ These policies have resulted in short-term adverse conditions for the urban poor and doubtless fostered an increase in irregular migration. As more of these economically marginalized Dominican nationals seek to leave their country, the number of persons vulnerable to trafficking in persons has correspondingly increased.

¹¹ Massey, Douglas et al., "Theories of international migration: A review and appraisal," *Population and Development Review* 3 (September, 1993): 431-65.

¹² See Annex II

¹³ Economic Commission for Latin America and the Caribbean (ECLAC), "Preliminary overview of the economies of Latin America and the Caribbean." United Nations, 2005.

¹⁴ International Monetary Fund, Public Information Notice (PIN) No. 05/162, 7 December 2005.
<http://www.imf.org/external/np/sec/pn/2005/pn05162.htm>

Intractable poverty and lack of economic opportunities remain major reasons for Dominican emigration. The poverty statistics are staggering and the poverty is concentrated among the young -- the population of youth under eighteen totals 4, 131, 000, of which 45% or 1, 859,000 live in extreme poverty.¹⁵ Some scholars estimate 500,000 children in the Dominican Republic are vulnerable to labor exploitation.¹⁶ These children are engaged in a variety of activities including domestic and agricultural labor, work as street vendors, and underage prostitution. UNICEF emphasizes that children who are subject to child labor exploitation are excluded from education, see their most basic rights violated, are trapped in cyclical poverty, and risk the violation of their health and physical integrity.¹⁷ Although it is impossible to extrapolate actual trafficking cases from such data, they do provide insight into the scope and magnitude of potential victims, as well as the conditions that help foster trafficking in persons in the Dominican Republic. The conditions of poverty are not readily escaped upon migration as, for example, in New York where the greatest numbers of Dominicans in the U.S. reside. Of these, 32 % lived in poverty and overall the per capita income earnings of Dominicans in the United States are half of the national average.¹⁸

Situation of Overseas Dominicans

The fate of Dominican migrants who reach the U.S. and Puerto Rico varies considerably. According to U.S. census data, Dominican immigrants, as has been

¹⁵ “Explotacion laboral afecta 500 mil niños dominicanos,” *El Nacional*, 6 September 2005

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ This is a factor that influences why Dominicans in the U.S. compose the poorest group with lowest percentage of labor force participation among Latinos in the United States. This does not imply that Dominican immigrants do not work, but rather that their likelihood to be part of the informal sector is much greater. Hernandez, Ramona and Francisco L. Rivera Batiz. *Dominicans in the United States: A Socioeconomic Profile*. CUNY Dominican Studies Institute, 2000.

previously mentioned, currently make up the fourth largest Hispanic minority in the United States. They are projected to become the third largest group in the next decade if their numbers continue to increase at current rates. A principal vehicle for the growth of the Dominican immigration has been illegal smuggling, perhaps a response to the limited options caused by legal controls and quotas placed on the normal family reunification visa process that is the main engine for Dominicans to reach the U.S. legally.

The legal population of Dominicans in Puerto Rico is estimated by the Puerto Rican Department of State to range between 200,000 and 225,000.¹⁹ This number does not take into account the very large population of illegal Dominican residents who have settled in Puerto Rico or plan to stay there for a limited amount of time before migrating to the U.S. mainland. The Inter-American Development Bank, in an analysis of remittances received in the Dominican Republic, estimates that there are presently 180,000 Dominicans in Puerto Rico. Unfortunately the study does not attempt to determine if the majority of these remitters are undocumented.²⁰ As we can see, there exists no institutional consensus on the total number of Dominicans in Puerto Rico. This lack of consensus became apparent in OAS research that involved conversations with U.S. and Puerto Rican authorities. Officials differed in their appraisal of the magnitude of Dominicans residing in Puerto Rico illegally. Thus OAS analysis concludes that achieving such an estimate would require extensive research and cooperation between U.S. Federal agencies and the Government of Puerto Rico. Some academics argue that about 20% of the Dominican population residing in Puerto Rico (approximately 80, 000) is undocumented, but this number can only be an

¹⁹ There is no official consensus on the veracity of this estimate. Interview with Marianita Binet Mises, Director of Orientation and Services for Foreign Citizens in Puerto Rico, Department of State of Puerto Rico, July 2005.

²⁰ Ibid 7.

estimated guess.²¹ Many of the Dominicans in Puerto Rico are likely women. Academics seem to agree that approximately 76 out of every 100 Dominican migrants are female, making Dominican migration to Puerto Rico dominantly female.²² Similar studies have also found that Dominican out migration has always been highly feminized.²³

Gender Factors – the Feminization of Migration

Dominican women compose a substantial portion of the immigrant community. They are often heads of households who migrate in order to provide for their families and contrary to other migratory patterns Dominican women tend to migrate by themselves. In addition the majority of these women are young (20 - 40 years old) and undereducated, factors that enhance their vulnerability to be abused by traffickers.

The existing literature on Dominican migration into Puerto Rico points to xenophobia and racial discrimination as other important trafficking-related factors that push Dominican women to the informal sector of the Puerto Rican economy. A survey conducted by the Puerto Rican Department of Health demonstrates that the Dominican community in Puerto Rico understands that they have very limited legal recourse to address situations of exploitation.

The number of Dominican women in prostitution abroad is a statistic of some dispute, although most observers recognize that it is a number out of proportion to other sending countries with similar migratory populations. IOM has suggested that up to

²¹ Rey, Cesar A. and Jorge Duany. “La Emigración Dominicana a Puerto Rico (una entrevista).” *Homines* 13:2-14:1 (1989-1990).

²² Duany, Jorge. “Migration in a Small Semi periphery: The Movement of Puerto Ricans and Dominicans.” *IMR* volume xxiv, No.4 (1990).

²³ Gallardo Rivas, Gina *Tráfico de mujeres desde la República Dominicana con fines de explotación sexual*. IOM, 2001.

50,000 Dominican nationals outside of the Dominican Republic are engaged in prostitution.²⁴ IOM estimates that one third of these persons could be victims of human trafficking.²⁵ It is noteworthy that this number has been the subject of significant discussion as Dominican officials argue that it is exaggerated. Nevertheless, the figure of 50, 000 victims espoused by IOM has been widely accepted. According to EFE news service, in 2005 IOM refined the data and said that between 23,000 and 38,000 Dominican women were victims of human trafficking.²⁶ The fact that many of these migrants are undocumented and come from the country's lower economic strata – people who are willing to risk the dangers of clandestine migration – again sets a framework to understand that many accept scenarios of abuse or marginal labor situations, such as servitude in forced or semi-forced prostitution.

Gender considerations that impact migration are characteristic of the Caribbean region. The Caribbean has the highest proportion of female heads of household in the world (35%).²⁷ Furthermore, the number of women who are economically active has increased recently by 150%. This change is popularly attributed to the economic crises that

²⁴ International Organization for Migration, "Trafficking in Women from the Dominican Republic for Sexual Exploitation," June 1996; More recently expressed in, "Dominican Republic Counter Trafficking Training," IOM Press Briefing Notes, April 22, 2005, <http://www.iom.int/en/archive/pbn220405.shtml>.

²⁵ Estimates of Dominican women and girls in a form of overseas prostitution vary widely and some are no doubt inflated. But they do serve to reinforce the disturbing pattern that for many Dominican women and girls the way to finance migration and residency outside of the country is in the sex trade. See "Dominican Republic -- Prostitution: At Least 50,000 Dominican Women Work as Prostitutes Abroad," *EFE News Service*, 1 November 2002. Additionally, The Protection Project Human Rights Report asserts that some estimates calculate that there are also 100,000 women who are prostitutes within the Dominican Republic. The Protection Project, Human Rights Report Dominican Republic, <http://www.protectionproject.org/>

²⁶ "Entre 23.000 y 38.000 mujeres dominicanas son víctimas de tráfico humano", *EFE News Service*, 24 November 2005.

²⁷ Azize, Yamila, *Latinoamericanas y caribenas en el trabajo domestico y sexual. Reflexiones/Violencia contra la Mujer* (14). Paper presented at NGO conference, Las mujeres y el desarrollo en America Latina y el Caribe Santiago de Chile, 18 November 1997.

have overcome Latin America and certain areas in the Caribbean in the past decades.²⁸

Despite the increased presence of women in the workforce, their salaries are 28% lower than males,²⁹ a factor that in combination with the fact that many are also heads of household who need to provide for their families pushes many women to see immigration as a viable option. In the context of Hispaniola, the growing number of female-headed households, the increase in undocumented marginalized economic migration, and the proximity of a vastly different economic destination region are noteworthy indicators that a situation is ripe for trafficking. In short, it is clear that the structural macroeconomic preconditions that would facilitate human trafficking from Hispaniola to Puerto Rico are firmly in place.

The Relationship of Human Smuggling to Human Trafficking in the Context of Puerto Rico-Bound Migration

It is this situation in which marginalized economic migrants seek to leave their country via irregular and clandestine networks that increases their vulnerability to exploitation by traffickers. It also makes the traffickers' capacity to intimidate and coerce their victims that much more thorough. Many of these cases are not conventional smuggling matters; the level of desperation is such that they fall into "an ambiguous area that is neither purely voluntary nor involuntary from the perspective of the migrant."³⁰

Smuggling and trafficking scholars Kyle and Koslowski refer to the fact that many victims

²⁸ Beneria, Lourdes, "The Foreign Debt Crisis and the Social Cost of Adjustment in Latin America." In *Emergences: Women's Struggles for Livelihood in Latin America*, John Friedman, Rebecca Abers, and Lilian Autler eds., UCLA, Latin American Center, 1996.

²⁹ Ibid 12.

³⁰ Kyle, David and Rey Koslowski, eds., "Introduction." In *Global Human Smuggling: Comparative Perspectives*, Baltimore: The John's Hopkins University Press, 2001.

of trafficking in persons are aware that they will be illegally smuggled somewhere as well as the nature of the work they will be doing; however, the victims are unaware of the terms of the contract. It is this lack of awareness and the subsequent exploitation, often in conditions of bondage, which is typified in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons.³¹

Nonetheless the ambiguous nature of trafficking in persons leads to great difficulty for police and immigration officials to identify trafficking victims. This difficulty is particularly enhanced with the persons being trafficked are only in the *movement* phase of the process. Moreover, many victims of exploitation are not aware that they are being trafficked because they come from such economic deprivation that they accept their abuse. Other victims of trafficking in persons may be hesitant to identify themselves or their abusers because they or their families are linked to the traffickers in a very direct way via social networks, and they fear retribution. According to Frank Soto, state attorney with the Dominican office that deals with human smuggling and trafficking, the criminals who organize these smuggling trips out of the Dominican Republic are very powerful, a fact that makes their criminal prosecution more difficult.³² It also makes their capacity to intimidate and coerce their victims that much more thorough.

In addition, the identification of trafficking victims is made difficult by the nature of the crime itself, something that organized crime specialist Finkenauer refers to as a “‘crime that is organized’ but not ‘organized crime’.”³³ In other words, trafficking in

³¹ United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing The United Nations Convention Against Transnational Organized Crime, Un Doc A/45/49 (Vol. 1), 2001.

³² “Barcos potentes llevan ilegales a Puerto Rico,” *Hoy.com*, 8 February 2005.

³³ Kyle, David and John Dale, “Smuggling the State Back In: Agents of Human Smuggling Reconsidered.” In *Global Human Smuggling: Comparative Perspectives*, David Kyle and Rey Koslowski, eds., Baltimore: The John’s Hopkins University Press, 2001.

persons is a crime that requires coordination and organization, but contrary to popular perception is most often not controlled by large transnational crime syndicates. It is more likely to be run by ad hoc groups acting loosely connected or independently of each other. Furthermore, as Kyle and Dale point out, migrant smuggling and human trafficking are more likely to be bolstered by the presence of corrupt state officials, which facilitates the practice of this clandestine activity.

In the context of human trafficking of Dominicans into the North American mainland, evidence indicates that in fact there are in general fewer Dominican trafficking victims in the U.S. than found in comparable Dominican migratory flows to Europe and Argentina.³⁴ Some experts have argued that the strong family and community networks that support Dominicans in New York and other destinations in the U.S. limit the opportunities for traffickers to exploit them in labor or prostitution.³⁵ However, this position seems suspect on the grounds that it rules out the possibility of trafficking in persons given familial relationships without taking into account that in many trafficking cases it is precisely family members who are involved in the exploitation. We do not posit that family relationships are a factor that increases the likelihood of trafficking but rather point out that it is not a factor that necessarily negates human trafficking.

However, the OAS research for this Rapid Assessment suggests that there is likely unidentified human trafficking taking place involving Dominicans in Puerto Rico and the U.S. This observation is based in part on the salient factor that the U.S. Department of State indicates that several thousand human trafficking victims are brought into the U.S. from the Latin American region each year, but very few of those victims are being

³⁴ This is the point of view of officials of COIN, the largest NGO in the Dominican Republic dealing with Dominicans trafficked abroad.

³⁵ "La historia de una esclava sexual," *El Diario La Prensa Online*, 4 January 2006.

identified. A U.S. Border Patrol official explained in an interview that it was not unusual for some migrant women to state that they did not pay for the cost of their journey when they are intercepted in Puerto Rican waters. These statements by migrants are not followed up on because they are outside of the Border Patrol mandate. The Puerto Rican Department of Health researchers reported to the OAS that there is a significant reclusive attitude in the Dominican community and reluctance on the part of Dominicans to interact with official government agencies. These are factors that provide a partial explanation as to why few concrete trafficking in persons cases have been reported in Puerto Rico.

This situation reflects the reality among both Puerto Rican and U.S. law enforcement and immigration officials charged with identifying human trafficking victims. In general, U.S. officials are only slowly integrating the anti-trafficking aspect of clandestine migration into their wider anti-human smuggling and law enforcement priorities. This is a process that takes time. This also explains why the U.S. Department of State reports that 14,500 to 17,500 migrants -- a significant portion from Latin America and the Caribbean -- are trafficked annually into the country, but so far U.S. officials have identified only a fraction of those victims.

U.S. national data on human trafficking victims are incomplete and going through rapid reconsideration. In one research effort, the FBI estimates that about 34% of trafficking victims in the U.S. from Latin America labor on migrant farms, while 29% are found in prostitution. It further estimates that many of those victims are in regions where Dominican migrants settle, such as in Puerto Rico, New York, and other cities along the Eastern seaboard. The FBI claims that about 80% of trafficking victims are female.³⁶ Additionally the U.S. Department of State claims that 3,500-5,000 victims of human

³⁶ Flynn, Shawn, "FBI Wants to end Human Trafficking", *NEWS 14 Carolina*. 30 January 2006.

trafficking in the U.S. come from Latin America. This State Department study also confirms that 80% of the victims are female.³⁷

The fact that the first significant human trafficking case in Puerto Rico, the Eureka Marine Products case, came about in January 2006 may signal a more aggressive approach by officials in Puerto Rico.

Smuggling between the Dominican Republic and Puerto Rico

Some of the most insightful information on human trafficking into Puerto Rico on the human trafficking comes out of a close examination of what we know about human smuggling. It is known that Puerto Rico's particular relationship to the U.S. facilitates the use of the island as a stopover point for migrants headed to the mainland United States. We have touched on the economic advantages that Puerto Rico maintains over its Caribbean neighbors that draw migrants to Puerto Rico as both a final destination and a temporary one. It is likely that a significant number of immigrants, particularly Dominicans, enter Puerto Rico in hope of eventually reaching the mainland U.S., while others seek to improve their economic lot in Puerto Rico.

There are a number of smuggling rings that transport migrants clandestinely into Puerto Rico, most of which operate through and out of Hispaniola. The existence of this strong clandestine migration, as is typical in other regions, strengthens the possibility that those who organize this movement extract financing of the passage from willing migrants through schemes of pay-back that involve debt-bondage labor, work in prostitution and other situations of future exploitation. This is a classic tool of exploiting migrants that constitutes a form of trafficking in persons as defined by the UN protocol.

³⁷ U.S. Department of State. Updated Estimates for Global Human Trafficking. April 2004.

Nevertheless, in Puerto Rico few of these migration cases are treated as possible examples of human trafficking, in part because of the difficulty of distinguishing an active human trafficking case out of the normal smuggling operation. Migration and border control officials understandably argue that it is very difficult for them to identify migrants who are destined to be future human trafficking victims when said migrants are only in the movement or transportation stage.

Given that human smuggling is a clandestine criminal undertaking, there is limited information on the actual smuggling organizations that move persons into Puerto Rico. Some smuggling enterprises are ad hoc operations that involve simple transportation across a sea passage, while others consist of a wider, well-connected network that involves travel through several countries. Officials from the United States Coast Guard, Customs and Border Patrol, Department of Homeland Security, and the Puerto Rican Police Department indicated to the OAS that the criminal organizations that manage illegal smuggling between the Dominican Republic and Puerto Rico appear to divide their business according to the nationalities of the passengers and their ability to pay.

For example, Cubans smuggled into Puerto Rican territory pay generally between \$10,000- \$15,000, an amount much larger than what Dominicans can afford.³⁸ According to OAS interviews with officials from the Department of Homeland Security, it is likely that Cuban migrants finance their passage with help from family members already in the U.S. or possibly with the help of criminal elements. Those cases that involve indentured servitude or bonded labor likely can be considered a form of human trafficking.

³⁸ As U.S. territory, Puerto Rico is obligated to process Cuban nationals under the U.S. Cuban Adjustment Act who reach the shores of Mona Island, a small uninhabited national reserve that is part of the Puerto Rican archipelago. Thus criminal organizations moving Cubans achieve a much greater profit, with less risk of being intercepted at sea, in the waters around the main island of Puerto Rico.

Dominicans are smuggled into Puerto Rico at generally much less cost, but even these costs appear to vary widely depending on the nature of the operation. Officials told the OAS that in some instances undocumented Dominican migrants intercepted at the Puerto Rican shore report that they did not pay anything in advance to finance their transportation. These intercepted migrants further indicate that they will undertake the smuggling journey again after being repatriated. This information suggests, possibly, that someone else is financing the costs of their passage to Puerto Rico. The OAS extrapolates that these migrants may owe their smugglers a transportation payment; how that debt is repaid is a key element in determining whether human trafficking is occurring.

U.S. and Puerto Rican officials repeatedly mentioned the increased presence of citizens from the People's Republic of China (PRC) who attempt to enter Puerto Rico illicitly. Chinese migrants often pay a much larger amount than even Cubans, sometimes up to \$55,000³⁹ for the intercontinental passage that involves a long, often dangerous, journey and stopovers in clandestine safe houses. Given the huge smuggling debts placed on undocumented Chinese migrants, many of these clandestine migrants face years of debt labor to repay the criminals who transported them into the Americas. However, the nature of Chinese smuggling and trafficking to or through Puerto Rico is a phenomenon that has not yet received adequate study.

Although the official numbers of interceptions and detentions are relatively few, it is possible that the number of PRC nationals who enter Puerto Rico is much larger than present data indicates. A Border Patrol official conceded that the strength of the Chinese criminal networks that organize transport of PRC nationals into Puerto Rico may well be

³⁹While in the late 1980s the usual fee was \$18,000, it escalated to \$30,000 by 1993, at the time of the *Golden Venture* ship catastrophe. Kwong, Peter and Dusanka Miscevic. *Chinese America: The Untold Story of America's Oldest New Community*. New York: The New Press, 2005.

stronger than official information suggests. The official also suggested that other networks illicitly moving other nationals from other countries were also a likely possibility.⁴⁰

U.S. and Puerto Rican officials pointed out that they have not been tasked with developing information on how Chinese migrants – or any other migrants – might be in fact trafficked (as opposed to smuggled) as they were moved into Puerto Rico. OAS research indicates that government agencies are presently unable to estimate the extension of undocumented migration in and around Puerto Rican waters, nor have they been tasked to discover human trafficking cases, many of which may only be in transit and therefore particularly difficult to detect.

Eureka Marine Products Case of January 2006

The first significant case indicating human trafficking in Puerto Rico came to light in January of 2006. U.S. Federal authorities carried out a raid on shrimp farm in the municipality of Dorado where it was reported undocumented migrants were being held in captivity and subjected to forced labor. The raid resulted in the apprehension of 13 Dominican and 13 Honduran nationals who were in the country illegally.⁴¹ The most interesting aspect of this case is that in addition to the 26 apprehended migrants from Latin America an additional five Chinese citizens were found. None of the apprehended Chinese nationals were able to prove that they had entered the country legally. The manager of the shrimp farm, Eureka Marine Products based in Ft. Lauderdale Florida, is also a Chinese

⁴⁰ One official with the Department of Homeland Security in fact reported specific cases where Ecuadorian citizens have been smuggled via Puerto Rico. This was reported, however, not to be a norm and more representative of a more expensive or “VIP” form of smuggling.

⁴¹ “Operativo federal en finca de Dorado.” *El Nuevo Dia*, 31 January 2006.

national.⁴² Eureka documents that trafficking in persons in Puerto Rico is likely taking place and at the same time discredits the notion that familial networks between Dominican migrants in the U.S. and the Dominican Republic hamper human trafficking.

It is evident that Puerto Rico is an important transit and destination country for Dominican immigrants who wish to improve their economic prospects. This reality coupled with the economic motivation of migrants, the established criminal organizations that smuggle immigrants and drugs from the Dominican Republic, the high incidence of trafficking victims from the Dominican Republic in other countries, the limited space for economic integration for Dominican women in Puerto Rico, and their undocumented conditions are all factors that indicate a very high predisposition for the trafficking of persons to Puerto Rico and possibly to other Dominican enclaves in the U.S. mainland, such as New York City. This reality indicates the necessity to better understand this phenomenon and to undertake a cohesive study designed to assess if human trafficking is a reality in Puerto Rico and by extension the United States.

ASSESSMENT OF AVAILABLE STATISTICAL INFORMATION

The information brought forth in this Rapid Assessment establishes strong evidence that trafficking in persons into the United States via Puerto Rico is likely. Although almost no data exist that are framed in terms of human trafficking in this region, a close analysis of the statistics that are kept provide useful insights. This is the case, we contend, even though some of the officials are reluctant to make any extrapolations from the existing data. In the following section we will also present and discuss the available data with the purpose

⁴² Ibid.

of identifying flaws in the information presented and how it could be improved with the purpose of combating trafficking in persons.

According to the information provided by the Department of Puerto Rican Police, in 2004, a total of 2,032 undocumented immigrants were apprehended.⁴³

The total number of apprehensions by the Puerto Rican Police is presented below:

Number of Apprehensions Carried out by the Department of Police of Puerto Rico					
Year:	2000	2001	2002	2003	2004
Interceptions:	780	1,264	1,061	1,867	2,032
Table 3					

These numbers are not disaggregated by nationality or gender, which limits their usefulness in extrapolating possible trafficking victims in Puerto Rico. Despite this limitation in the data, Puerto Rican police officials reported to the OAS that the number of undocumented migrants intercepted in Puerto Rico is increasing. This rise in the number of apprehensions reflects that either the officials are becoming more vigilant in detaining illegal migrants or that the absolute numbers are increasing, or possibly both.

Both Puerto Rican Police and U.S. officials also indicated a prevalence of Dominican women in the island's prostitution and other commercial sexual activity, a factor that strongly suggests possible trafficking links. U.S. Homeland Security officials in fact reported to the OAS that there exists a direct connection between Dominican immigrants and the dancers in strip clubs in Puerto Rico. Officials also suggested that many of these Dominican women are vulnerable to exploitation and abuse in the sex trade.

⁴³ It should be emphasized that these data are the numbers of migrants intercepted only by officials of the Puerto Rican government and do not include data from U.S. Federal agencies.

The OAS research confirmed that the available data on migrants in prostitution in Puerto Rico are incomplete. Moreover, those numbers that do exist are not disaggregated by sex or the nationality, making extrapolation difficult. Some useful information, nevertheless, is available from these statistics. For example, it is clear from the data that following 2002, the total numbers of women and in prostitution, who have been detained in Puerto Rico, has increased four fold. Despite an increase of police vigilance on the prostitution front, it appears that curtailing the prostitution trade is not a priority for the Puerto Rican police. Prostitution is generally tolerated. Given this general policy of tolerating illegal prostitution, the growth in numbers of arrests suggests an actual increase in criminal activity, which in the context of foreigners is often directly linked to human trafficking for the sex trade. The arrest data below must be seen in that context:

Number of Prostitution Related Arrests conducted by the Puerto Rican Police Department			
Year:	2002	2003	2004
Total:	357	1,819	1,566
Table 4			

The next table presents the number of deportable aliens taken into custody by the Department of Justice of the San Juan District. These numbers not surprisingly reflect the large proportion of Dominicans in the total number of undocumented migrants in Puerto Rico. Interestingly, the number of PRC nationals held in custody is noticeably higher than expected for a destination like Puerto Rico where historically a Chinese community has not existed.

It is also important to note that these numbers do not reflect a wide presence of other Latin American nationals who constitute significant migratory populations (with the exception of Mexicans and Colombians). Although outside the timeframe of the data

below, the January 2006 Eureka Marine Products case involved 13 Hondurans, suggesting that authorities may lack information on significant undocumented migrant nationalities entering the island.

Deportable Aliens admitted in custody by Department of Justice of San Juan District					
Nationality	2000	2001	2002	2003	2004
PRC	427	188	437	242	113
DR	2,334	3,042	1,508	2,148	2,646
Mexico	136	73			
Haiti	103	223	50	60	152
Cuba		70			198
Colombia		106			
Total	3,312	3,950	2,460	N/A	N/A
Table 5					

Moreover, from 2000 to 2004 there has been a steady decrease reflected in the PRC nationals admitted into custody by the Department of Justice of San Juan. Our research is not able to explicate this gap between information provided by officials and recorded data. This gap represents further evidence of the need to improve existing data. It is possible that the decrease in PRC nationals in custody signifies improved methods by smugglers or human traffickers. Although the existing size of the Chinese community in Puerto Rico is small according to information provided by the US Census Bureau, Chinese nationals in Puerto Rico increased by more than five fold between 1990 and 2000. The population in 1990 was recorded at 342 nationals and in 2000 the Census registered 1,873 Chinese.

The data maintained by the U.S. Customs and Border Patrol also contributes to the analysis on possible human trafficking because it is disaggregated by gender and nationality. Their records indicate a clear male majority among the total number of migrants intercepted at Puerto Rican shores. However, it would be difficult to generalize

that the majority of Dominican migrants in Puerto Rico are men, because as the OAS research has established, the existing literature, arrests in prostitution, and official observation by authorities suggests a large presence of undocumented Dominican women in Puerto Rico that is not reflected in these border intercept numbers. One reasonable conclusion is that Dominican women have other means to enter Puerto Rico that do not entail the many risks of clandestine boat transportation.

The information provided by the U.S. Border Patrol does not help explain the number of PRC nationals that are held in custody in Puerto Rico. These data again suggest that many PRC nationals enter Puerto Rico by means other than penetrating clandestinely the border. The information provided by the Border Patrol is useful because it is the only official data that breaks down the migrants by gender and nationality. These numbers also confirm the widely accepted premise that the majority of migrants intercepted are from the Dominican Republic.

Number of Migrants Intercepted by the US Customs and Border Patrol			
Nationality	2002	2003	2004
Colombian	1	2	4
Cuban	9	76	208
Dominican Republic	780	1,585	1,565
Haitian	2	4	3
Mexican	1		2
PRC	38	9	8
Venezuelan	1	7	1
Afghanistan			1
Palestine	1		
Total Males	N/A	1,241	1,319
Total Females	N/A	405	437
Total	835	1,688	1,813
Table 6			

The last statistical information dealt with in this Rapid Assessment is kept by the U.S. Coast Guard. These data do not break down by gender, but they do provide useful insight into the large number of Dominican migrants intercepted in Puerto Rican waters. Likewise the USCG statistics fall short of providing reasonable explanations on how the number of deportable PRC nationals held in the San Juan District enter Puerto Rico.

Number of Interdictions by the U.S. Coast Guard			
Nationality	2003	2004	2005
Haitian	NA	205	615
DR	1,748	5,014	3,612
PRC	NA	33	66
Table 7			

In relation to the tables discussed in this section, in 2003, approximately 3,333 Dominican citizens were apprehended as they attempted to enter Puerto Rico. In 2004, the number reached 6,579. These figures would be even larger if we added those illegal migrants detained by the Puerto Rico Police Department. As mentioned previously, the Puerto Rican police data do not specify the nationality of the detained migrants, although all circumstantial and anecdotal information indicates it is very likely that the majority of those intercepted are Dominican nationals.

Additionally, the San Juan District held a total of 2,148 deportable Dominicans in 2003 and 2,646 in 2004, increasing the total number of undocumented migrants intercepted to approximately 10,000 Dominican migrants detained in 2004. The considerable size of this flow confirms the unofficial consensus brought out by OAS interviews with government officials that the greater portion of undocumented migrants from the Dominican Republic is not intercepted.

With regard to Haitian migrants, as was previously mentioned, officials face significant difficulty in establishing statistics on Haitians because Haitians are more likely to identify themselves as Dominicans to avoid deportation to Haiti. It is reported to the OAS that for a typical Haitian migrant being returned to the Dominican Republic is seen as preferable and perhaps furthers their hope of attempting again to enter Puerto Rico on another smuggling trip. In 2004, 208 Haitian migrants were detained; in 2005, the figure was 615. In addition, a total of 60 migrants were detained in San Juan in 2003 and 152 in 2004.

The flow of PRC nationals into Puerto Rico has been increasing in recent years as the data made available by the U.S. Census Bureau show, and the available information suggests that the methods employed to smuggle or traffic Chinese citizens into Puerto Rico are not understood by U.S. or local officials. In 2004, 42 PRC nationals were intercepted; in 2005, the figure was 66 PRC nationals. The numbers at first glance do not seem significant but they do little to explain the 242 Chinese nationals detained by the San Juan Department of Justice in 2004. OAS research has brought out that officials are only slowly grasping the significance of Chinese clandestine migration and are unaware of the links of these cases to human trafficking exploitation.

It is clear that existing data on migratory patterns in Puerto Rico along with the qualitative literature on the nature of this migration indicates that conditions are there for significant trafficking in persons to be taking place within the migration into Puerto Rico. This OAS Rapid Assessment establishes the need not only for better record and data keeping, but also a wider policy engagement to understand human trafficking.

Conclusions and Preliminary Recommendations

The aim of this Rapid Assessment Report has been to measure the likelihood that men, women and minors are trafficked into Puerto Rico both as a destination and a transit point for entering the mainland U.S. After conducting a series of interviews with officials from the Puerto Rican government as well as with representatives of U.S. Federal agencies with jurisdiction and border control responsibilities in Puerto Rico, OAS concludes that trafficking in persons in Puerto Rico is more than a possibility, but that it is likely to be taking place. The recent ICE intervention in January of 2006 in the Eureka Marine Products case demonstrates this to be so.

As a first step to address this situation, OAS recommends that officials improve their data collection with an eye towards gaining information that will provide insights on human trafficking. Much of this could be done in a way that is not too burdensome to officials who are already very pressed in their operations. Particularly, it is recommended that they take steps to disaggregate all data by gender and nationality. Where possible, it is urged that they profile persons intercepted who fit a possible human trafficking scenario in movement. This would largely be groups of young women, who are being handled by their smugglers in such a manner that indicates they are bound for future work in organized labor or the sex trade.

We also recommend further study in Puerto Rico that seeks to gain interaction with the Dominican, Haitian, and Chinese communities present in Puerto Rico and examines their transnational links to their home countries and other diaspora communities in the United States. In addition to this study, the OAS recommends that Puerto Rican officials in government and the police, as well as U.S. officials active in Puerto Rico, receive

capacity training that better equips them to identify possible trafficking cases. OAS research uncovered a general attitude among most government officials that seemed unwilling to accept that trafficking in persons takes place in Puerto Rico. This indicates a predisposition and mindset that are likely to hinder their identification of cases.

Finally, it is also recommended that the government of Puerto Rico work with NGOs and other community groups to promote public awareness and other public information campaigns that creates consciousness and understanding of this issue among the Puerto Rican people.

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Annex I

Economic Indicators in the Dominican Republic¹

Year	2000	2002
Indigence	22.1	20.3
Poverty	46.9	44.9
Poverty (Urban)	42.3	41.9
Poverty (Rural)	55.2	50.7
Unemployment Rate – Age 15-24	23.1	
Unemployment Rate – Age 15-24 Men	16.2	
Unemployment Rate – Age 15-24 Women	34.3	

* The percentage of poor persons includes those who live under the line of poverty. ODM. Adicional indicator proposed by CEPAL.

Producto interno bruto por habitante a precios constantes de mercado

Year	2000	2001	2002	2003	2004
Dólares a precios constantes de 2000	2355	2400.3	2466.1	2380.9	2389.2

¹Economic Commission for Latin America and the Caribbean (ECLAC), Division of Statistics and Economic Projections. Statistics Unit, Social Statistics.

Annex II
Unemployment Rate in Dominican Republic
& Puerto Rico

Year	Unemployment	
	Dominican Republic ^{1 2}	Puerto Rico ³
1979	17.6	
1980	21.9	
1981	20.7	
1982	23.3	
1983	21.7	
1984	24.4	
1985	-	
1986	25.0	
1987	19.0	
1988	18.0	
1989	-	
1990	23.0	
1991	19.6	
1992	20.3	
1993	19.9	
1994	16.0	
1995	15.8	13.8
1996	16.7	13.8
1997	16.0	13.1
1998	14.4	13.6
1999	13.8	12.5
2000	13.9	11.0
2001	15.6	10.5
2002	16.1	12.0
2003 /1	17.0	12.1
2004	18.4	11.4

¹ Central Bank of the Dominican Republic

² Notes:

a) For the period 1960-1984 the data is extracted from the publication, "Metodología para Calcular Índice de Salario Nominal y su Aplicación en la Economía Dominicana". Gumersindo del Rosario Mota y Teresa del Pilar Hidalgo. Banco Central de la República Dominicana.

b) For the period 1986-1988 and for 1990 unemployment rates were obtained through the compilation of different studies carried out by researchers in the area of social affairs.

c) Data obtained through national survey Encuesta Nacional de Fuerza de Trabajo (ENFT).

/1 Number corresponds to October 2003.

³ Department of Labor and Human Resources, Bureau of Labor Statistics, Household Survey

Annex III
Legislation applied in Puerto Rico on Trafficking in Persons

U.S. Code (Amended by the “[Victims of Trafficking and Violence Protection Act of 2000](#)”)

§ 1581. Peonage; obstructing enforcement

(a) Whoever holds or returns any person to a condition of peonage, or arrests any person with the intent of placing him in or returning him to a condition of peonage, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

[...]

§ 1583. Enticement into slavery

Whoever kidnaps or carries away any other person, with the intent that such other person be sold into involuntary servitude, or held as a slave; or

Whoever entices, persuades, or induces any other person to go on board any vessel or to any other place with the intent that he may be made or held as a slave, or sent out of the country to be so made or held—

Shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

§ 1584. Sale into involuntary servitude

Whoever knowingly and willfully holds to involuntary servitude or sells into any condition of involuntary servitude, any other person for any term, or brings within the United States any person so held, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

§ 1589. Forced labor

“Whoever knowingly provides or obtains the labor or services of a person—

“(1) by threats of serious harm to, or physical restraint against, that person or another person;

“(2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or

“(3) By means of the abuse or threatened abuse of law or the legal process, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

§ 1590. Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor

“Whoever knowingly recruits, harbors, transports, provides, or obtains by any means, any person for labor or services in violation of this chapter shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse, or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

§ 1591. Sex trafficking of children or by force, fraud or coercion

“(a) Whoever knowingly—

“(1) in or affecting interstate commerce, recruits, entices, harbors, transports, provides, or obtains by any means a person; or

“(2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1), knowing that force, fraud, or coercion described in subsection (c)(2) will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).

“(b) The punishment for an offense under subsection (a) is—

“(1) if the offense was effected by force, fraud, or coercion or if the person transported had not attained the age of 14 years at the time of such offense, by a fine under this title or imprisonment for any term of years or for life, or both; or

“(2) if the offense was not so effected, and the person transported had attained the age of 14 years but had not attained the age of 18 years at the time of such offense, by a fine under this title or imprisonment for not more than 20 years, or both.

“(c) In this section:

“(1) The term ‘commercial sex act’ means any sex act, on account of which anything of value is given to or received by any person.

“(2) The term ‘coercion’ means—

“(A) threats of serious harm to or physical restraint against any person;

“(B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or

“(C) The abuse or threatened abuse of law or the legal process.

“(3) The term ‘venture’ means any group of two or more individuals associated in fact, whether or not a legal entity.