



RESEARCH GUIDE NORTH AMERICA

PREPARED BY
**HUMAN TRAFFICKING
SEARCH**

www.humantraffickingsearch.org
info@humantraffickingsearch.net



UNITED STATES • CANADA • MEXICO CUBA • HAITI • DOMINICAN REPUBLIC ANTIGUA AND BARBUDA • THE BAHAMAS BARBADOS • DOMINICA • GRENADA JAMAICA • ST KITTS • NEVIS • ST LUCIA ST VINCENT AND THE GRENADINES TRINIDAD AND TOBAGO

This research guide follows the regional division defined by the United Nations Statistics Division

For the purposes of this report we have limited the focus to the above listed countries. A separate report will be drafted to focus on the below countries, many of which were left out of the North America Research Guide to allow for more specific coverage of regional human trafficking issues.

Central America is inconsistently considered a part of North America. In terms of geographical divisions, Central America is included in continental North America. However, due to certain social, economic, and political distinctions of Central America, it is at times referred to as its own distinct region. For these reasons, Central America's inclusion geographically in continental North America is mentioned here but it is afforded its own research guide.

Intergovernmental organizations include the North American Free Trade Agreement (NAFTA), Organization of American States (OAS), North Atlantic Treaty Organization (NATO), Caribbean Community (CARICOM), Association of Caribbean States (ACS), Organization of Eastern Caribbean States (OECS), Community of Latin American and Caribbean States (CELAC), and Pacific Alliance.

SPECIFIC TERMINOLOGY:

Missing and Murdered Indigenous Women, Girls, Two Spirit (MMIWG2S): Indigenous women, girls, and Two Spirit people in Canada and the United States are frequently and disproportionately targeted for trafficking and exploitation due to increased risk factors caused by social, economic, and political marginalization and settler colonialism. The MMIWG2S calls attention to the many women, girls, and Two Spirit folks who are victims, known and unknown, of violence in the Indigenous community. Indigenous women, girls and

NORTH AMERICA

MAJOR FORMS OF TRAFFICKING:

- Migrant smuggling/ migrant forced labor
- Forced labor/ forced domestic work
- Child labor/ child labor trafficking
- Sexual exploitation/ sex trafficking
- Sex tourism
- Commercial sexual exploitation of children and adolescents

Two Spirit folks are particularly vulnerable to sexual exploitation and trafficking due to factors like isolation, poverty, lack of support networks, lack of education and cultural activities in the community.

The Trans-Canada Highway: Also known as the Highway of Tears, is a common site for traffickers to abduct and sell indigenous victims in Canada. Reporting rates are exceptionally low due to a combined distrust of law enforcement as a result of high rates of police brutality against Indigenous

people and jurisdictional issues between federal, state, and tribal levels.

Migrant Smuggling: The United Nations, Office on Drugs and Crime defines migrant smuggling as the “facilitation, for financial or other material gain, of irregular entry into a country where the migrant is not a national or resident.” Smuggling is inherently different from trafficking due to the participant’s consent. However, many migrants who originally agree to be smuggled are exploited and ultimately trafficked against their will during their journey. Mexico, particularly, serves as both an origin, transitory site, and destination for migrant smuggling.

Prison Industrial Complex: the profit-driven relationship between the government, the private companies that build, manage, supply, and service prisons, and related groups (such as prison industry unions and lobbyists) regarded as the cause of increased incarceration rates especially of poor and minority groups, often for nonviolent crimes.

“Polleros”: Slang Spanish term “pollero” is used for a person who smuggles migrants, mainly into the United States. The term “coyote” is also often used. However, according to the Office for Victims of Crime, “coyote” appears to refer more specifically to border smuggling which occurs over more rural areas.

Restavèk system: The “restavèk system” (from the French “rester avec,” stay with”) refers to the practice of child domestic servitude in Haiti. According to End Slavery Now, more than 300,00 children in Haiti serve as domestic laborers under the restavèk system. In a survey conducted by the CDC in Haiti, “Violence Against Children Survey,” 4% of girls and 12.2% of boys had been restavèks before the age of 18. Under the restavèk system, impoverished families often from rural areas give away, or sell at times, their child to more affluent, urban households. The child, known as a “restavèk,” is expected to provide domestic labor in exchange for food and housing. However, restavèks are often physically and/or sexually abused, not given a proper education, and receive little to no payment for their work.

NORTH AMERICA

TIP REPORT:

The U.S. State Department releases an annual Trafficking in Persons Report (TIP), which ranks countries on a three-tier system based on their efforts to combat human trafficking. The full list of each report since 2001 can be found on the State Department's website and in the HTS database. Rankings for 2022 are listed below, with more detailed descriptions following the rankings.

Tier 1: The Bahamas, Canada, The United States of America

Tier 2: Barbados*, Dominican Republic, Jamaica, Mexico, Saint Vincent and the Grenadines

Tier 2 Watchlist: Antigua & Barbuda*, Aruba, Curacao*, Haiti, Trinidad and Tobago, Saint Lucia*

Tier 3: Cuba, Sint Maarten*

** Indicates the countries Tier status changed during the 2022 TIP reporting period*

Tier 1

The Bahamas remained a Tier 1 country on the 2022 TIP Report, as it continued efforts to combat human trafficking even during the COVID-19 pandemic. This included increasing funding for victim services and coordinating a regional forum on best practices to combat trafficking.

The report mentions the government needs to do more to identify at risk victims such as Haitian migrants.

Canada also remained on Tier 1. The government made significant efforts during the reporting period including identifying possible victims of forced labor who entered as temporary foreign workers, helping to detect links between money laundering and human trafficking, and producing guidelines to eliminate forced labor in government supply chains. However, Canada lacked sufficient data on victim support and did not do enough to investigate and prosecute forced labor crimes.

The United States of America remained on Tier 1. They increased victim support grants, prohibited sexual contact between law enforcement and anyone in custody, increased enforcement on imports made by forced labor and passed several laws and policies to protect at-risk populations like immigrants. The government lacked adequate protection for victims in

TRAFFICKING ROUTES:

- South/Central America → United States/Canada
- Caribbean → Central America
- Dominican Republic/Venezuela → Caribbean
- Asia/Eastern Europe → Canada
- Mexico/Caribbean → United States/Canada
- Guyana/Haiti/Jamaica/Dominican Republic → Antigua and Barbuda/ the Bahamas



NORTH AMERICA

certain instances, including prosecuting victims for acts they were compelled to do through threat of harm or violence and failing to protect victim-witnesses. There are also serious concerns over immigration detention facilities and policies on returning immigrants to Mexico.

Tier 2:

***Barbados** was upgraded from a Tier 2 Watchlist to Tier 2 due to increased investigation and prosecution of human trafficking cases, improving victim screening, making efforts to address police complicity, and launching a broad public awareness campaign. However, punishments for trafficking remain inadequate, they have yet to secure a trafficking conviction and the government did not contribute to any training for officials.

The Dominican Republic remained on Tier 2. They made improvements in some areas such as increased conviction rate for traffickers, enhanced victims support services, improved data collection on victims, assistance to foreign governments in anti-trafficking efforts and improved documentation of Venezuelan migrants who are vulnerable to trafficking. However, the report noted discriminatory treatment of Haitians and people of Haitian descent when seeking or receiving victim support, a lack of support for male victims generally, as well as outdated, inadequate policies and legislation.

Jamaica remained on Tier 2, although they have made efforts to identify and provide support to male and child victims of trafficking. However, punishments for traffickers remained insufficient, victims were not awarded restitution, funding for victim support was inadequate, and there was a lack of appropriate anti-trafficking training for law enforcement.

Mexico also stayed on Tier 2 for 2022. The government improved in the identification of victims and prosecution of traffickers, including former public officials and several child labor traffickers. However, authorities did not take a victim-centered approach and victim services were lacking. The government failed to identify victims from vulnerable populations, also failing to hold recruiters accountable, a widespread issue in the country.

Saint Vincent and the Grenadines remained on Tier 2. They increased investigations into trafficking cases and stepped up their training of frontline health workers attending to internally displaced persons. The government also engaged in broad awareness raising efforts around the issue of trafficking. However they have not prosecuted a case in over seven years (since 2015) and have never prosecuted a trafficker. Their laws proscribe inadequate punishment, such as fines, for trafficking crimes. Citing a lack of resources, the government has also not done enough to support victims.

Tier 2 Watchlist:

***Antigua and Barbuda** was downgraded from Tier 2 to Tier 2 Watchlist as it did not sufficiently demonstrate increased efforts to address trafficking as compared to 2021 and it did not identify any victims or initiate prosecutions against traffickers. However, they improved case investigations and increased training for officials for the first time.



NORTH AMERICA

Haiti remained on the Tier 2 Watchlist for the second consecutive year. The government struggled with impunity and complicity on high-profile cases, only reported trafficking cases involving children, did not provide funding to victim services, and made insufficient efforts to combat the restavek system (child domestic servitude). However, they did adopt procedures for victim identification and support, improved oversight of children in orphanages, collaborated with NGOs for victim identification, and conducted anti-trafficking training.

Aruba remained on Tier 2 Watchlist in 2022. The government made some efforts to identify victims and investigate cases, and it ran an awareness campaign for the vulnerability of undocumented migrants. However, they fell short in many areas, including no prosecutions and convictions of traffickers, lack of a dedicated budget for anti-trafficking efforts, and officials conflating trafficking with smuggling. The government has since drafted a written plan and expects to make significant progress during the upcoming reporting period.

Trinidad and Tobago remained on the Tier 2 Watchlist. Corruption and official complicity on trafficking cases remained an issue and inhibited law enforcement efforts. The government also did not take action against senior government officials implicated in a case in 2020. Victim identification and services also remain weak, although there were improvements on investigations, prosecutions, and in training stakeholders.

***Saint Lucia** was downgraded from a Tier 2 to Tier 2 Watchlist state as it has not prosecuted any trafficking cases since 2015, has never convicted a trafficker, and the government did not identify any victims or report providing any victim services. The government also did not fund a new national action plan. They did make some improvements such as removing the option for traffickers to take a fine instead of imprisonment, increasing public awareness for their hotline, and working with an international partner to investigate a potential child trafficking case.

Tier 3:

Cuba remained a Tier 3 state in 2022. The government's labor export programs, particularly the foreign medical missions' program, remained a concern due to indications of forced labor and exploitative labor practices. Cuba did, however, take steps to address trafficking, such as increased investigation, prosecution and conviction of traffickers as well as increased identification of victims.

***Curacao** was downgraded to Tier 3 from a Tier 2 Watchlist state last reporting period. The government did not convict any traffickers, identify victims, and made victim assistance for foreigners contingent on their cooperation with law enforcement. Also, due to a lack of training, prosecution, prevention, and protection efforts struggled to find success. This resulted in many acquittals for traffickers. Many of these issues stem from a lack of funding. However, pre-trial support was provided to three victims and restitution was awarded to two additional victims.



NORTH AMERICA

***Saint Martin** was downgraded from a Tier 2 Watchlist to a Tier 3 state due to the lack of prosecution or conviction of traffickers and a failure to identify victims for two consecutive years. It also did not provide services to victims and does not have any of its own victim resources, like shelters, in place. There are also no existing partnerships with other victim service providers. The government has not renewed its national action plan which expired in 2018 and continues to conflate migrant smuggling with human trafficking. As a semi-autonomous entity of the Kingdom of the Netherlands, responsibility for anti-trafficking efforts also lies with the Kingdom.

KEY ORGANIZATIONS:

There are several helpful organizations that aid victims of human trafficking and modern-day slavery within North America. The International Organization for Migration has worked in or with several of the countries in North America, specifically, the United States, Trinidad and Tobago, Panama, Mexico, Jamaica, Haiti, Dominican Republic, and Dominica. The United States, Canada, Mexico, Cuba, Haiti, Dominican Republic, Antigua and Barbuda, the Bahamas, Dominica, Grenada, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and the Trinidad and Tobago are all member states of the IOM. Barbados is the only North American country that is neither a member nor observer state of the IOM.

Notable local organizations include:

- End Child Prostitution and Trafficking (ECPAT),
- the American NGO Polaris Project, which also runs the National Human Trafficking Hotline,
- the American NGO Covenant House, which provides housing and support services for survivors of trafficking,
- the American NGO Shared Hope International, which focuses on sex trafficking,
- the Canadian Centre to End Human Trafficking,
- the Canadian NGO Tracia's Trust, which focuses on sexual exploitation and sex trafficking of children,
- Caribbean Umbrella Body for Restorative Behavior (CURB) Trafficking
- the Bahamian NGO Our Sanctuary, which advocates for survivors of sexual exploitation and trafficking in the country and Caribbean,
- the network of Haitian organizations Abas Systeme Restavèk (ASR), which addresses the harms caused by the restavèk system,
- the Barbados-based NGO The Caribbean Anti-Human Trafficking Foundation,
- the network of NGO organizations Caribbean Umbrella Body for Restorative Behaviour (CURB) Trafficking,
- the Mexican NGO AGAPE, which primarily supports girls and women who have been trafficked or been victims of gender-based violence,
- and the Mexican NGO El Pozo de Vida.



NORTH AMERICA

The [Global Modern Slavery Directory](#) and [End Slavery Now's Antislavery Directory](#) include other anti-trafficking organizations working in North America.

Several countries have instituted their own anti-trafficking national councils or committees. These include but are not limited to, the [United States Advisory Council on Human Trafficking](#), Antigua and Barbuda's National Coalition against Trafficking in Persons, Jamaica's [National Taskforce against Trafficking in Persons](#) (NATFATIP), [Saint Lucia's Ministry of Justice's Anti-Trafficking Organization](#), Curaçao's [Human Trafficking Prevention Task Force](#), and Aruba's [Coordination Center on Human Trafficking and Migrant Smuggling](#) (CMMMA).

ANTI-TRAFFICKING LEGISLATION:

Most of the countries in North America have defined anti-trafficking legislation specifically dedicated to clearly outlawing most forms of slavery and providing appropriate punishment. The United States has instituted several key pieces of [anti-trafficking legislation](#) including the Trafficking Victims Protection Act of 2000, which criminalizes all forms of human trafficking, the [Customs and Facilitations and Trade Enforcement Act](#), the [Mann Act](#), and the [PROTECT Act](#). Every country in North America has signed or ratified the [Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children](#), supplementing the [United Nations Convention against Transnational Organized Crime](#). The [International Labor Organization's law database](#) possesses anti-trafficking legislation under "forced labor" for United States, Canada, Mexico, Cuba, Haiti, Dominican Republic, Antigua and Barbuda, the Bahamas, Barbados, Dominica, Grenada, Jamaica, Saint Kitts and Nevis, Saint Lucia, and Trinidad and Tobago.

In the United States one form of slavery remains legal and formally institutionalized, the practice of forced prison labor. The 13th Amendment to the U.S. Constitution (ratified in 1865) abolished the practice of slavery, [but made an exception for incarcerated people](#). The criminal justice system in the U.S. has historically unfairly targeted Black and other minority communities. Legalized forced prison labor is often pointed to as an example of [entrenched racism](#) in the U.S. criminal justice system. [Types of prison labor](#) range from prison maintenance jobs, industry labor for [major corporations](#), and work-release programs. Incarcerated workers often receive [zero pay to just cents on the hour](#) with no benefits. They can be severely punished for missing work, and seeking any [legal redress](#) for the litany of workplace abuses is almost impossible. This obvious form of legalized modern slavery largely persists due to the close relationship between prisons and industry, known as the [prison industrial complex](#).

NORTH AMERICA

MAIN RESOURCES:

There are several standard worldwide publications that discuss human trafficking and modern-day slavery in North America including the [Global Slavery Index's 2018 report on the Americas](#), the [United Nations Office on Drugs and Crime's 2020 "Global Report on Trafficking in Persons,"](#) and the US Department of State's [2022 Trafficking in Persons Report](#). Other regional reports include:

- the International Labor Organization's report, "[Regional brief for the Americas, 2017 Global Estimates of Modern Slavery and Child Labour,](#)"
- Polaris Project's research overview, "[Sex Trafficking in or from Latin America,](#)"
- ECPAT's report, "[Los Códigos De Conducta Para La Protección De Niños, Niñas Y Adolescentes En La Industria De Los Viajes Y El Turismo En Las Américas,](#)" and regional report on Latin America, "[Global Study on Sexual Exploitation of Children in Travel and Tourism,](#)"
- ECPAT's report, "[Global Study on Sexual Exploitation of Children in Travel and Tourism: North America,](#)"
- the International Journal of Human Rights' article, "[A critical approach to understanding human trafficking in the Caribbean,](#)"
- ECPAT's report, "[The Commercial Sexual Exploitation of Children in Latin America,](#)"
- Revista Latinoamericana de Estudios de Seguridad's article, "[La trata de personas en América Latina: una problemática de asistencia e identificación,](#)"
- IOM's report, "[Exploratory Assessment of Trafficking in Persons in the Caribbean Region: The Bahamas, Barbados, Guyana, Jamaica, The Netherlands Antilles, St. Lucia, Suriname and Trinidad and Tobago,](#)"
- the Global Alliance against Traffic in Women (GAATW)'s report, "[Trafficking in Persons in North America,](#)"
- UNODC's research brief, "[How COVID-19 restrictions and the economic consequences are likely to impact migrant smuggling and cross-border trafficking in persons to Europe and North America,](#)"
- "ENACT's [Global Organized Crime Index,](#)"
- the human trafficking in North America section of the [IOM's Migration Data Portal,](#)
- UNODC's country profiles of [Central America and the Caribbean](#) and [North America,](#)
- William J. Perry Center for Hemispheric Defense Studies' report, "[Human Trafficking Trends in the Western Hemisphere,](#)"
- and the Congressional Research Service's specialist report, "[Trafficking in Persons in Latin America and the Caribbean.](#)"

More specific country or region reports include but are certainly not limited to:

- ECPAT's country reports on Canada, Dominican Republic, Mexico, and United States,
- UNICEF's report on child labor in the hotel industry in Mexico, "[La niñez y la industria hotelera en México,](#)"



NORTH AMERICA

- Polaris Project's report, "The Typology of Modern Slavery: Defining Sex and Labor Trafficking in the United States,"
- The Human Trafficking Legal Centre's report, "USA – Legal Remedies for Minor Victims of Sexual Exploitation,"
- IOM's report on women's trafficking experiences, "La experiencia de las mujeres víctimas de trata en América Central y República Dominicana y la actuación de las instituciones,"
- ILO's synthesis report, "Commercial sexual exploitation in Central America, Panama, and Dominican Republic,"
- Polaris Project's report, "Fighting Human Trafficking Across the U.S.-Mexico Border,"
- ECPAT's guide on commercial sexual exploitation of children in the tourism industry in Mexico, "Una industria turística responsable y sostenible en la prevención de la explotación sexual comercial de niñas, niños y adolescentes: Orientaciones generales,"
- ECPAT's reports on exploitation in travel and tourism in the United States, "Unpacking Human Trafficking in the Hospitality Industry," and "Stamping Out Exploitation in Travel and Tourism,"
- Canadian National Task Force on Women and Girls' report, "An Assessment of Sex Trafficking in Canada in 2013,"
- IOM and Western Hemisphere Program's joint report, "Smuggling of Migrants in Central America and Mexico in the Context of COVID-19,"
- Polaris' report on labor trafficking in Mexico, "Diagnóstico – Trata De Personas Con Fines Laborales En México,"
- Native Women's Association of Canada's report, "Sexual Exploitation and Trafficking of Aboriginal Women and Girls"
- OHCHR's report, "Bahamas: Report Of The Special Rapporteur On Trafficking In Persons, Especially Women And Children,"
- Amnesty International's report, "Mexico: Invisible victims, Migrants on the move in Mexico, facts and figures," and accompanying film, "The Invisibles,"
- IOM's report, "A Situational Analysis of Aruba's Response to Human Trafficking,"
- ILO's report on the restavèk system in Haiti, "Slavery in a free land,"
- and Human Rights Watch's reports on child labor in agriculture in the United States, "Tobacco's Hidden Children: Hazardous Child Labor in United States Tobacco Farming" and "Fields of Peril: Child Labor in US Agriculture."

For further reading and articles on the subject of human trafficking in North America please visit our global database at humantraffickingsearch.org and tick the box "North America" in the search terms.