



International Policy **BRIEF**

News and analysis from the staff of the Center for International Policy

Cuba Not a "Tier Three" Human Trafficker **By Wayne S. Smith**

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In a June 28 letter to Secretary of State Hillary Clinton referring to the report just issued by the Department of State in accordance with the UN Trafficking in Persons Protocol, Congresswoman Ileana Ros-Lehtinen, noting that the report indicates Cuba to be a major violator, calls on the administration to "suspend all educational and cultural exchanges with the Cuban regime pursuant to the Trafficking Victims Protection Act of 2000."

The Cuban Government of course categorically denies the accusation, asserting, rather, that it has "the most advanced standards and mechanisms" in the region to prevent trafficking in persons.

But the State Department report insists that Cuba is a principal violator, or a so-called "Tier Three country" which "does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so."

The average American will wonder what these UN protocols and the U.S. Trafficking Victims Protection Act (TVPA) are all about. They are simply part of an effort to halt a growing problem in the world of compelled service, including slavery, debt bondage and forced labor and forced prostitution. A special office has been set up in

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the Department of State to prepare annual reports on the status of these problems throughout the world.

And, as indicated above, this year's State Department report, and previous years', describe Cuba as a major violator. But what evidence, what examples, does the State Department bring forward to back up these allegations?"

The answer to that is "none." Rather, it simply brings up over and over again the absence of Cuban reporting on the subject:

"The government did not publicize information about government measures to address human trafficking..."

"The Government of Cuba did not report discernible programs on investigating or prosecuting trafficking violators..."

"The government did not share official data relating to Cuban investigations..."

"The government did not report any anti-trafficking training provided to officials..."

But to say that Cuba has not reported on violations is not to say that Cuba is guilty of them. And the reason for the absence of reporting, or any other correspondence, becomes clear when we read that: "Cuba is not a party to the 2000 UN Trafficking in Persons Protocol." In other words, Cuba does not correspond on the subject with the members of the Protocol, nor they with Cuba. But that proves nothing in terms of Cuba being a "trafficker", and as indicated above, the report brings forward not a single

example of Cuban involvement in the trafficking of persons, or in any other transgressions.

Indeed, the report acknowledges that "Cuba appears to prohibit forms of trafficking activity through various provisions of its penal code."

But it then sidesteps the issue by claiming that: "the use of these provisions could not be verified.."

Perhaps not, but on other hand, the report can point to no evidence that the provisions are not being honored! Where does that leave us?

The report points out that prostitution is not illegal in Cuba. That is true. If a woman wishes to receive some compensation for her favors, that is her affair. Forced prostitution, however, is most definitely illegal and so far has not been a significant problem in Cuba -- as it has been in so many other countries in the region -- and in the United States.

In sum, then, one must say that when it comes to Cuba, this year's State Department Trafficking in Persons Report is a complete dud. It presents not a shred of evidence that Cuba is a major violator -- or even a violator at all. Outrageous to suggest that on the basis of this report, educational and cultural exchanges with Cuba should be suspended. And while the overall international anti-trafficking effort is doubtless needed and laudatory, phony and deliberately misleading reports such as the one on Cuba cannot but undercut the credibility of the program as a whole.