INTRODUCTION

In “The War on Human Trafficking in the Caribbean” published a decade ago, I described what appeared to be a growing concern in the region about human trafficking, incited by the US State Department’s annual review of governments’ anti-trafficking efforts (Kempadoo 2007). I argued that this attention gave rise to uneven state discourses that embodied both compliance with and resistance to US dictates at the national and regional levels and was translating into anti-migration and anti-sex work interventions that were particularly harmful to Indigenous/Amerindian women in Guyana and migrant sex workers throughout the region. Here, I take a closer look at what has taken place in the region and update my analysis, drawing from media and research reports and government documents. The paper first examines how the countries in the region have been positioned in the US annual Trafficking in Persons (TIP) report from its inception in 2001 to 2016, and discusses some of the shortcomings of the US-Caribbean approach, such as problems with definitions, statistics and evidence, contradictory indices of ‘development’ in the region, and the political underpinnings of the TIP. It then describes some of the responses in the region during that time. We see that the idea of human trafficking has gained greater attention among Caribbean governments over the past decade, but that not much has changed in focus. Notable, however, is that the tension I identified earlier in the Caribbean state
responses – between compliance and resistance to the US policies - has intensified, where we see an increase in anti-trafficking policies alongside a growing refusal to accept the definitions and information produced by the US State Department. Also apparent is that the ‘collateral damage’ of anti-trafficking machineries that was flagged earlier and has been identified as well at the international level (GAATW 2007; Gallagher 2015a) continues to haunt the Caribbean, with migrant and young women in sex industries being the primary targets for intervention and rescue operations today. The paper concludes with recommendations for ways that the region can go forward on the issue that would support rather than harm human, especially migrant’s and women’s, rights.

THE CARIBBEAN AND THE POLITICS OF THE US TIP REPORT

More than 15 years have passed since the UN and the US government devised legislation and protocols to prevent human trafficking, namely the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereafter the UN Protocol) that supplements its Convention Against Transnational Organized Crime, and US Department of State’s Trafficked Victims Protection Act (TVPA). These laws and agreements have had significant impacts the world over and have also created an ongoing debate about the conceptualization and definition of human trafficking, the effectiveness of anti-trafficking interventions based on the laws and agreements, and the quality of evidence of the problem.¹

¹ Well-informed critical analyses, discussions and debates about human trafficking can be found in Open Democracy’s “Beyond Trafficking and Slavery,” a blog that “challenges the empty sensationalism of mainstream media accounts of exploitation and domination, and the hollow, technocratic policy responses promoted by businesses and politicians.” [https://www.opendemocracy.net/beyondslavery](https://www.opendemocracy.net/beyondslavery). See also, the academic journal *Anti-Trafficking Review* from the Global Alliance Against Traffic in Women (GAATW), which “explores trafficking in its broader context including gender analyses and intersections with labour and migrant rights” and “offers an outlet
The Caribbean, however, has not featured prominently in these debates, even while the Bahamas, Barbados, the Dominican Republic, Haiti, Jamaica, St. Vincent and the Grenadines, and Trinidad and Tobago were signatories to the UN Protocol in the early 2000s, and today 18 countries in the region, including Cuba, have either ratified or accessed it. However, it is the international portion of the TVPA - the Trafficking in Persons (TIP) report - that has the most direct influence on the region because it has more “teeth” than the UN Protocol in that it imposes economic sanctions on countries considered not dealing well with trafficking. Also, the US state department’s definition of human trafficking differs in certain aspects from that of the UN – a difference that carries consequences.

Trafficking was originally formulated at the UN level as the crossing of international borders for “purposes of exploitation” but in the US it was from the outset made equivalent to any type of forced labour – i.e. “modern-day slavery” (Introduction TIP 2001) - an equivalency that has been reiterated by the US government and its presidents over the past 16 years. A consequence of this conceptual confusion is that all forced labour can be counted or defined as human trafficking, irrespective of whether it involves border-crossing or not. Moreover, while the UN uses a notion of forced and voluntary prostitution, the US government’s attention for human trafficking emerged directly from its earlier attention to “trafficking of women and girls for sexual purposes” (Introduction TIP 2001), which was firmly lodged in politics and actions and space for dialogue between academics, practitioners and advocates seeking to communicate new ideas and findings to those working for and with trafficked persons” [http://www.gaatw.org/resources/anti-trafficking-review.](http://www.gaatw.org/resources/anti-trafficking-review)

2 These countries and dates of either Ratification or Accession of the UN Protocol are: Antigua – 2010 (R); Aruba – 2007(R); Bahamas – 2008 (R); Barbados – 2014 (R); Belize – 2003(A); Cuba -2013 (A); Dominica – 2013 (A); the Dominican Republic – 2008 (R); Grenada – 2004 (A); Guyana-2004 (A); Haiti -2011 (R); Jamaica – 2003 (R); Netherlands Antilles – 2010 (R); St Kitts – 2004 (A); St. Lucia – 2013(A); St. Vincent -2010 (R); Suriname – 2007 (A); Trinidad and Tobago – 2007 (R).

3 The TIP report is produced annually by the US Department of State’s Office to Office to Monitor and Combat Trafficking in Persons. [http://www.state.gov/j/tip/index.htm](http://www.state.gov/j/tip/index.htm)
against what in the early 20th century was termed as ‘white slavery.’ This earlier notion
references the panic that occurred in North American and Western Europe about (white
European) women who migrated independently and worked in brothels and sex industries around
the world, rather than the history of the transatlantic slave trade and chattel slavery. The equation
of human trafficking with ‘white slavery’ in contemporary US discourse is further underscored
by radical feminist and Christian fundamentalist campaigns (Bernstein 2007), shared by such
feminist leaders as Hilary Clinton and Gloria Steinem, to have all prostitution counted as sexual
slavery. The US anxieties about prostitution, then, amount to viewing all sexual labour as
forced, as violence to women, or as ‘sexual slavery.’ In sum, in the US State Department’s
formulation all forced labour, whether migration is involved or not, as well as most, if not all,
prostitution are counted as instances of human trafficking, thus differentiating it from the UN
understanding.

To add to the definitional confusion, it is unclear who is believed to be affected by
trafficking. For example, the 2016 TIP report identifies the groups in the US most vulnerable to
trafficking as “children in the child welfare and juvenile justice systems; runaway and homeless
youth; American Indians and Alaska Natives; migrant labourers, including participants in visa
programs for temporary workers; foreign national domestic workers in diplomatic households;
persons with limited English proficiency; persons with disabilities; and LGBTI individuals” (TIP
2016, 388). Beyond its borders, it also includes child soldiers, persons engaging in sex with
tourists, child brides, and refugees (such as the Rohingya and Syrians). Sally Engle Merry (2015)
points out that not only are definitions of human trafficking vague or contradictory but that they
change over time, and that not everyone includes the same populations as the US State
Department; that “[s]ome count forced labourers, some sex workers, some cross-border labour
migrants, and some a combination of these and other statuses such as involuntary domestic servitude and child marriage.” Nevertheless, despite the definitional fluctuations and differences, the US Department of State devised a set of “minimum standards for the elimination of trafficking” on the basis of which governments would be annually evaluated and ranked in a three tier system according to how closely they complied with the US standards for the “Prevention of trafficking, the Prosecution of traffickers, and the Protection and assistance of victims” (the ‘3 Ps’). The tier placement has since developed into five categories: Tier 1: “Countries whose governments fully comply with the TVPA minimum standards”; Tier 2: “Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to do so;” Tier 2 Watch List: Countries that fall into Tier 2 but where it is also believed that either the number of trafficked persons is increasing, the government’s efforts aren’t significant enough, or a government did not fulfil its promises from the previous year. Tier 3: “Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so,” and which carries with it the threat of economic sanctions (non-humanitarian, nontrade-related); and finally, the category “Special Cases,” which refers to “countries where information is not available or is unreliable for a number of reasons.” This last category carries no threat of economic sanctions with it (TIP 2012).

From 2001 to 2005, only seven Caribbean countries - Belize, Cuba, the Dominican Republic, Guyana, Haiti, Jamaica, and Suriname - were taken up in the annual TIP reporting. By 2014, this number had increased to 16 and since then has remained stable (see Table 1). Only one independent Caribbean county in the entire period has been placed in Tier 1 - the Bahamas (in 2015 and 2016). The majority of countries have teetered between Tier 2 and the Tier 2 Watch
List, sometimes starting from or slipping (back) into Tier 3. Interestingly, Cuba until 2015 was consistently relegated to the lowest tier, 3, even while no data or evidence of human trafficking was available to the US government. It is the only country in the Caribbean region that has been so harshly evaluated. Regarding the Special Cases, the Bahamas was classified as such for three years, because it was believed to be a country with a “significant” number of trafficked persons (100 is considered the threshold), but where the situation was defined as “unmonitored and undocumented.” Barbados was classified as a Special Case in the TIP reports of 2007 and 2008, on a hunch that women, particularly from Guyana and the Dominican Republic, were being trafficked into the country for the sex trade and domestic work, even while it was claimed there was a ‘lack of reliable statistical information’ available. Reasons for Haiti’s inclusion in this category from 2006 and 2011 were “widespread violence and political instability” coupled to the social deregulation caused by the earthquake in 2010, along with the assumptions about, but no reliable data on, “trafficking” in the form of poor children being given into custody to richer families (the “restavek” practice), and forced Haitian labour in the Dominican Republic (TIP 2001-16).

Territories in the region that are still dependencies, colonies or departments, such as French Guyana, Puerto Rico, Anguilla, Turks and Caicos, or Bonaire, may appear in debates and reports concerning France, the Netherlands, the US and the UK, but are generally classified under the status of the “mother country,” and given scant attention. For example, Surinamese women and girls as “victims of sex trafficking in French Guyana” are mentioned very briefly in France’s country narrative (TIP 2016, 172); in the report on the Netherlands, a short section is devoted exclusively to Bonaire, St. Eustatius and Saba (the BES islands) that claims that they “are municipalities of the Netherlands and are a transit and destination area for men, women,
and children subjected to sex trafficking and forced labor,” while also noting that “(t)he mandate of the Netherlands’ national rapporteur did not extend to the BES islands, so the office could not do local research” (TIP 2016, 284-285). In the UK country narrative, Bermuda and the Turks and Caicos are given each a short paragraph, noting for Bermuda that “[t]he government did not report investigations, prosecutions, or convictions of trafficking offenses in 2015” and for the Turks and Caicos similarly, “[t]he government did not report protection or prevention efforts undertaken during the reporting period” (TIP 2016, 387). Irrespective of the claims about evidence alongside the lack of reporting on the issue, such Caribbean countries all fall automatically into Tier 1 due to their ties to Western Europe and the US - areas of the world that are assessed as superior at combatting human trafficking.

Despite the ranking of the Caribbean along with the rest of the world in the TIP tiers, it is unclear what is counted and how data and evidence are collected and interpreted (Chuang 2006, 2013; GAO 2006). As various social scientists have been pointing out for several years, the numbers and statistics that are presented to prove human trafficking/modern-day slavery are wild in a number of ways – wildly fluctuating, wildly inaccurate and/or wildly misleading. Merry (2015) shows that in 2005 the public was fed estimates that ranged from between 600-800,000 trafficked persons a year in the US TIP report, to the International Labour Organization’s (ILO) 2.45 million, to Kevin Bale’s number of 27 million. Currently the ILO’s estimate of ‘forced labour, human trafficking and slavery’ stands at 20.9 million while the Global Slavery Index, with Kevin Bales’ help, claims the number to be 45.8 million, a discrepancy of almost 25 million persons (ILO website; GSI website). To add to the confusion, the actual number of identified ‘victims’ is a fraction of these estimates. According to recent US figures, this is under 80,000 persons (i.e. 77,823) worldwide (TIP 2016, 48). The discrepancies between actual and estimated
numbers are not small, and signal serious problems with data collection, research methods and claims about evidence.

Moreover, in most policy documents on human trafficking there is no reference to the source of the information or about how the data were gathered, and numbers are often repeated without any verification (Sanghera 2005). They are, then, often unfounded. Indeed, Bales’ early claim of 27 million modern-day slaves was, as Ron Weitzer (2014) reveals, simply a guess. Joel Quirk and André Broome (2015) further point out, “This [number] was first published in the late 1990s, and then subsequently acquired the status of a timeless ‘fact’ via public repetition.” The data problem is further exacerbated by “practical obstacles to finding people in the shadowy, secretive conditions in which such workers exist” (Merry 2015). The problems of quantification and reliable data continue to haunt the debate on human trafficking and trouble any attempt to produce strong, evidence-based claims. As was argued in 2006 in a report by the Government Accountability Office to the Committee on the Judiciary and the Committee on International Relations of the US House of Representatives:

The accuracy of the estimates is in doubt because of methodological weaknesses, gaps in data, and numerical discrepancies. For example, the U.S. government’s estimate was developed by one person who did not document all his work, so the estimate may not be replicable, casting doubt on its reliability. Moreover, country data are not available, reliable, or comparable. There is also a considerable discrepancy between the numbers of observed and estimated victims of human trafficking (GAO 2006).
The persistence of discrepancies in reported and estimated numbers, a lack of reliable statistics, and inconsistencies in definition, suggests that the problems noted about the TIP in 2006 have not been addressed, which continues to undermine the credibility of the annual reports.

The TIP ranking of the world’s nations into “the best” and “the worst” has also been criticized in other ways. For example, it has been remarked repeatedly by critical anti-trafficking scholars, including this author, that countries that oppose or defy the US, and which are often defined as socialist, rogue or non-compliant states, such as Venezuela, Cuba, North Korea, Eritrea, Iran, Saudi Arabia, and Zimbabwe are more likely than not placed in Tier 3, and threatened with economic sanctions (Kempadoo 2005; Chuang 2006; Gallagher 2015a). In 2015 a Reuters investigation into the making of the annual TIP found that “the government office set up to independently grade global efforts to fight human trafficking was repeatedly overruled by senior American diplomats and pressured into inflating assessments of 14 strategically important countries in this year’s Trafficking in Persons report” (Szep and Spetalnick 2015). As a result of this diplomatic pressure, the investigation established, several countries were upgraded from Tier 3 not because it was believed by the State Department that they had made improvements, but for diplomatic and trade-related reasons. For example, in the case of Malaysia it appeared that this was to smooth the way for the transpacific partnership (TPP) agreement, despite the reports of suspected mass migrant graves and continued forced labour in the palm oil, construction and electronics industries. For Cuba, it was directly related to the rapprochement between the US and Cuban governments in 2014 and the reopening of embassies in each other’s country. And even though China, according to US State Department trafficking experts, deserved a Tier 3 ranking, because of “failing to follow through on a promise to abolish its ‘re-education through labour’ system and to adequately protect trafficking victims from neighbouring countries such as North
Korea,” it was placed on the Tier 2 Watch list thus escaping sanctions that would be politically and economically damaging to US-China relations (Szep and Spetalnick 2015).

What was thus claimed by the US State department to be an independent, impartial assessment of the state of affairs regarding human trafficking around the world, turns out to be a reflection of diplomatic and trade relations for over 15 years, leading Anne Gallagher, a prominent anti-trafficking expert who for the past two decades has closely followed the development of the UN and US anti-trafficking agreements, to remark that the 2015 TIP report was not only the biggest, but perhaps “the most overtly politicized” of the reports (Gallagher 2015b, 2015c). Moreover, she notes, “Many governments are deeply offended at the US taking on the role of global sheriff in relation to an issue as complex as human trafficking. For countries ranked at the very bottom, at stake is more than a sense of pride. A poor ranking automatically puts them under a black diplomatic cloud and renders them subject to a range of economic sanctions” (2015a).

CARIBBEAN RESPONSES TO THE US TIP

The ‘offense’ taken at US methods to police international efforts to combat human trafficking expresses itself in the Caribbean region directly after the release of the annual US TIP, especially if the ranking falls below Tier 2. So, for example, the governments of St. Vincent and the Grenadines, Barbados, Guyana, Belize, Jamaica and Suriname have in their own ways and at different times rejected entirely or partially the US TIP narrative and the tier placement of their countries, claiming that the report was “unfounded,” “utterly unfair,” and “one-sided,” or involved “misinterpretations” and inaccuracies; that the criteria used were not clear, or that there were considerable differences between how country information was represented (Caribbean
Caribbean governments have also raised questions on where and how evidence is collected, as there appears to have been little or no contact with or input from their own anti-trafficking machinery. One year the Vincentian Prime Minister suggested that the TIP report was based on "hearsay, unreliable information and some mischief making possibly by some busy-bodies" (Caribbean 360 2009). Guyanese officials bluntly stated the 2010 report was “based on sheer ignorance and eye pass”, and that it was “manufactured” by the US government on the basis of “superficial,” “unproven” and the “dirtiest kind of information collection and analysis” (Stabroek News 15 June 2010). In 2015, the Jamaican government protested the classification of the island in the TIP report, arguing amongst other things that claims about large numbers of child victims of trafficking were “conjecture,” that reports about “sex tourism” contradicted the Jamaican government’s knowledge of what takes place in the tourism industry, and were anecdotal, and allegations of Jamaican police force involvement in human trafficking lacked any substantiation (Jamaican Information Service 2015). The Barbados Attorney General has likewise pointed out that the claims made in the TIP report about sex trafficking needed evidence to back them up, and in 2015 expressed concern that “a lot of our cultural practices and norms have been misinterpreted” (Caribbean News Now, 5 September 2015). Similarly, in the same year, the Suriname Minister of Labour declared he was unimpressed by the US assessment, detailing what he saw as a misinterpretation of “practical matters.” In particular, he pointed out that it is common and accepted that children in the hinterland and rural areas were involved in economic activities (and thus should not be read as child labour/child slavery), and that Chinese workers had agreed to pay off their travel and other costs in order to move to Suriname for work, and
allowed their passports to be held by their employer for safe-keeping (and thus should not be categorized as debt-bondage or slavery) (Starnieuws, 29 July 2015). In such instances, the US State department was believed to have incorrectly read the local context and practices, wrongly classifying socially accepted labour arrangements - including some forms of sexual labour - as indications of human trafficking.

Caribbean state criticism of the US politics of human trafficking on grounds of the lack of substantiation and misinterpretations is coupled to the argument that local initiatives to combat trafficking are too often overlooked. Most governments in the region now have an anti-trafficking unit, and a plan, Guyana being the first to put something in place in 2004, with Barbados debating a new Trafficking Protection Act in 2016. At the regional level CARICOM has its 2013 Crime and Security Strategy that includes “Strengthening mechanisms against human trafficking” as a 12th goal. Human trafficking is classified by the regional body as a “substantial threat,” second to “immediate significant threats” such as transnational organized crime involving drugs and guns, gang related, cyber- or financial crimes and corruption (UNODC 2013). Caribbean NGO actors and government officials have been trained since 2003 by the US government and international agencies such as IOM, UNICEF and the OAS, on how to detect, prevent and assist ‘victims of trafficking’ and various Caribbean organizations – state and civil society - participate in disseminating and implementing the national anti-trafficking discourse. Most Caribbean citizens are also aware of something called ‘human trafficking’ (Eastern Caribbean Law. August 26, 2014). Nevertheless, none of this seems to be enough for the US Department of State. The Vincentian, Surinamese, Guyanese and Jamaican governments have pointed out that their national and micro efforts to combat trafficking appear not to be counted by the US State Department. It remains then a question about whether or how the
evidence and knowledge that the Caribbean has on the subject gets taken up in the TIP reports, and whether incidents deemed by local governments as ‘trafficking’ are taken seriously by the US Department of State. A striking example of this can be seen around the “Haitian Orphan Rescue Mission,” where American Baptist missionaries smuggled 33 children out of Haiti after the earthquake, with the Haitian government labelling the actions as “child trafficking” and “kidnapping,” as most of the children still had living parents in Haiti who had not consented to this “rescue” of their children (Roberts 2010). The incident was, however, not taken up in the US TIP report in the following year. Indeed, the only mention of specific cases in the TIP reports was about when “police stopped a truck with four men and seven children in a suspected trafficking situation” and when “(t)he government of Haiti worked with the Canadian government to deport a child rapist to Canada for prosecution” (TIP 2011, 394). Local definitions of ‘trafficking’ appear in this way to be overlooked.

CONTRADICTORY INDICES

The politicized character of the US TIP reports and the distrust over the way in which evidence is marshalled and assessed by the US State Department can also be brought into conversation with information produced by other bodies that evaluate aspects of international ‘development.’ For example, if, as the US State Department argues, the Caribbean region is in a sorry state of affairs regarding the prevalence, prevention and prosecution of, and protection against, human trafficking, how is it that the UN considers most of the region as ‘high’ in its Human Development Index (HDI)? Only two countries fell outside of this UN assessment in 2015, namely Guyana (in the medium category) and Haiti (in the low category), with Cuba and Barbados amongst the top 37% of the world’s countries (UNDP 2015). Likewise, the Bahamas,
Cuba and Barbados score in the top half in the UN gender equality index in the HDI. In other words, countries that are commonly ranked in Tier 2W and Tier 3 for what are judged by the US Department of State to be highly exploitative or forced working conditions, (so-called modern day slavery), that especially affect women and girls (so-called sex trafficking), are being evaluated by the UN as in reasonable standing in terms of overall human development, gender equality and working conditions.

Or, compare the US TIP report assessment with the Global Slavery Index (GSI), which claims to measure the prevalence of ‘modern-day slavery’ in the world today. In 2015 Cuba was ranked in the top 20, as the country in the Caribbean region with the smallest incidence of slavery, estimated as affecting roughly 0.04% of the population, with Barbados, Jamaica, Trinidad and Tobago and the Dominican Republic following not far behind with less than 0.2% prevalence, and Guyana, Suriname and Haiti being classified as the worst in the region with respectively 0.4%, 0.9% and 2.3%. Thus several countries, including Cuba and Barbados, that in the 2015 TIP report were ranked as the worst or near-worst (in Tier 3 or Tier 2WL) in terms of the 3Ps were positioned in the GSI as having the lowest prevalence of forced labour and, one can conclude, the least amount of trafficking that needs to be combatted. The contradictory and conflicting indices raise again a number of questions about how data are compiled, as well as about the politics of assessing and evaluating the data.

CRIMINAL JUSTICE VERSUS HUMAN RIGHTS

It is apparent that for the US State Department, the only real evidence of ‘success’ in combatting trafficking is the number of prosecutions and convictions of criminals. This is perhaps not
surprising given that law enforcement is the key issue underpinning international and national laws on human trafficking. As Dotteridge notes, the UN Protocol on human trafficking is itself an offspring of the Convention on Transnational Organized Crime and the only category of measures that are obligatory for all states to uphold are those that are linked to law enforcement. The protection measures, in contrast, are weak and optional (Dotteridge 2007, 5). Likewise, the US TVPA emphasizes national security and crime control, resides in the State Department, and is constituted as part of the department’s efforts “to prevent and counter threats to civilian security and effective governance, such as terrorism, violent extremism, conflict, mass atrocities, and transnational crime” (US State Department 2016). Thus, despite the 3Ps, a key indicator of the TIP report for assessing a government’s efforts to combat trafficking is the number of prosecutions and convictions. As the Belizean CEO of the Human Development Sector explained on the downgrading of Belize to Tier 3: “What we have found and this year is no different is that what they focus on is convictions. It's abundantly clear in their report… What is disappointing however is that there seems to be a narrative constructed to support this idea of you did not do anything” (7 News Now 29 July 2015). Similarly, the Vincentian Prime Minister, in his objection to the US TIP ranking of the country in the Tier 2 Watch List in 2014 was reported to have declared, “The fact that we have not prosecuted anyone in the last year does not mean that we have not identified potential trafficking victims” going on to point out that “we cannot prosecute an offender if there was no crime committed during the reporting period” (IWN 2014).

Human trafficking is then first and foremost defined as a crime, and criminal justice is the main framework through which most country-specific, regional, and international anti-trafficking policies and laws are created (Gallagher and Holmes 2008). And unless a country produces
evidence of a crime, it has little chance of moving up the tiers or of reaching first place. This places the Caribbean countries in a conundrum for if there are, as claimed by the GSI, low levels of ‘modern-day slavery,’ and if it is not possible each year to prosecute a trafficker because of the small size of the problem, one must wonder how Caribbean countries can make it into and stay in Tier 1.

THE CARIBBEAN SOLUTION: THE RESCUE OF ‘SEX TRAFFICKED VICTIMS’

Despite the opposition to the external US assessment and the resentment at the classification based on little evidence and a lack of prosecutions, governments around the region are still active on the issue at home and most are trying to improve their record in combatting human trafficking. On closer examination, however, the identification of and campaigns against human trafficking in the Caribbean region have been from the start publicly and most consistently associated with the sex industry, especially when non-nationals are suspected of entering a country for sex work or are found to be working in a sex club, brothel or bar without the valid visas, passports, or entry permits. That is, human trafficking in the region is made virtually synonymous with ‘sex trafficking.’ Yet here too problems arise. In the Caribbean region sex work itself is widely tolerated, rarely policed, and generally believed to be something poor women do to ‘to get by’. It is a part of wider transactional or tactical sexual relations that feature widely in the region, and which include ‘boopsing,’ ‘jineterismo,’ ‘friends with benefits,’ and other relationships that are grounded in a deliberate exchange of sexuality and sexual labour for material gain or benefit, which can range from a cell-phone ‘top-up,’ to rent-payments, to travel abroad or marriage to a person who is racially and/or economically privileged. The various transactional activities highlight that the exchange of sex for money, gifts or betterment, are not
experienced nor can they be read as always-and-already sexual violence, or as distinct from economic interests or desires, Sexuality is commonly considered a resource, an asset or human capital that can be deployed for purposes of economic security, prosperity or freedom as well as enjoyment and pleasure, with an understanding that it has an exchange value. Moreover, the majority of sex workers - migrant or not - are self-employed or independent operators, often combining sex work with other income-generating activities during the year. Few are full-time or professionals, and few engage in sex work for the long term. For most, sexual work represents a temporary strategy to counter the existing social (dis)orders and hierarchies of gender, race/ethnicity and class that keep them disadvantaged. The majority enter the sex sector with prior knowledge of the types of work they will be engaged in, and/or actively seek to sell sexual labour. The involvement of third parties in the sex industry is also often required for a sex worker to find and maintain employment in the sex sector. (Kempadoo et al. 2010). Sex work, then, is not automatically defined or viewed as violence to women. However, because prostitution is an illegalized, criminalized activity in almost every Caribbean country, any intervention into the sex sector will reveal people who illegally organize the activities, work without permits, employ others to do the work without legal contracts, assist migration with false documents so that people can take up the jobs, offer work under false pretences, retain people in debt-bondage, provide housing, transportation, or food to undocumented migrants, perpetrate violence knowing that the victim cannot claim police or state protection, and on and on. In short, raids of the sex sector can deliver both ‘traffickers’ and ‘trafficked victims’ almost instantaneously and with few additional resources. For example, in 2013 and 2015 human trafficking in Barbados was related to raids on bars and adult entertainment clubs, through which

4 There is a growing body of work that examines sexual labour, tactical sex and other sexual-affective-economic arrangements in the region, that started in earnest in the 1990s and includes studies as Kempadoo 2004; Cabezas 2009; Padilla 2007; and Nixon 2015.
women nationals of other Caribbean countries – Guyana, Jamaica, and the Dominican Republic especially - were believed to be forced into prostitution (*Nation News* 22 April 2013; *Kaiteur News* 23 April, 2013; *Nation News* 6 March 2015). In Guyana, a spectacular anti-trafficking raid on the sex industry took place in June 2015, spearheaded by the then very recently elected Minister of Social Protection. Hotels in Bartica - a gateway town to the interior - where sex work was known to be taking place were raided, and 27 women from the Dominican Republic, Brazil, Columbia, and Venezuela, were identified and “rescued” as “trafficked victims” (*Caribbean 360* 8 June 2015; *Stabroek News* 8 June 2015). In Belize it is claimed that human trafficking “disproportionately” affects women, mainly from the neighbouring countries of Guatemala, Honduras and El Salvador, who are being sexual exploited (*The Reporter* 3 January 2014). The Dominican Republic is seen as country where trafficking takes place especially for the sex tourism industry, and in Trinidad and Tobago the common depiction is that human trafficking revolves mainly around “foreign” women in the sex trade (*Fox News* 2015, *Newsweek* 2015, *Stabroek News* 2015, TTCrime.com 2016). Such attention for the sex trade in the region is not new. Concern in 2005 in Guyana rested heavily on ideas about Amerindian women sexually servicing miners in the interior of the country (Marcus et al. 2004), and in Antigua, Belize, Barbados, Dominica and Surinam on ideas about migrant women working in undocumented status’ in bars, hotels and night clubs as prostitutes (Kempadoo et al. 2010). “The demand,” as a review of OAS research on human trafficking in the Latin American and Caribbean region established in 2005, “is mainly for prostitution and pornography” (Langberg 2005, 134).

At other times the conflation of sex trafficking and human trafficking occurs, such that even when a government official or international organization makes a public statement about human trafficking more generally, the media identifies it as ‘sex trafficking’ or links it to
prostitution. A prime example of this appeared in a Barbados newspaper in 2015, with the Attorney General’s report about the difficulty of producing evidence of human trafficking appearing under the heading, “Sex Victims Refuse to Talk” (Nation News 14 September 2012). Or, in the case where this author gave a public talk in Barbados about human trafficking discourses, the news headlines systematically took up the issue as synonymous with prostitution (Caribbean 360 31 March 2016; Barbados Today 1 April 2016). So, even while the region does not commonly hold the same position as the US TVPA that prostitution is sexual slavery, human trafficking is most commonly conflated with sex work. An (unintended) consequence of this conflation is that arrests in the sex sector can look good in the eyes of the US State department as the Caribbean governments are tackling something that the US deems as ‘violence against women,’ while also producing much needed evidence for the TIP report.

One notable exception to the conflation of sex work and human trafficking in the Caribbean region is the case of Haiti and its citizens. Apart from reports about the trafficking of young people for sex tourism in the Dominican Republic, trafficking of Haitians is heavily linked to migrants struggling to flee the poor political, social and economic conditions at home, and hoping to find refuge and work in the Dominican Republic and the Bahamas (Haiti Libre, 8 August 2015). But here too, as in almost all the other cases, attention for human trafficking is connected to migration in and around the Caribbean region. Thus, even though interregional movement for work has been a core feature of Caribbean life since emancipation, involving both licit and illicit channels and labour, and migration for sex work in the region has been recorded in countries since the early 20th century and documented as neither a new nor forced phenomenon (Kalm 1985), since the introduction of a trafficking discourse, migrants have been singled out as a problem. Immigration officers routinely scrutinize and interrogate women
entering a country as suspected ‘prohibited persons,’ and CARICOM migration policies that are meant to encourage mobility are seen to lend support to human trafficking. As an OAS official stated at an anti-trafficking training session for law enforcement officials, judges and prosecution in 2013, “the free movement that Caribbean nationals will enjoy as part of the Caribbean Community will result in an increase of human trafficking” (Capitol News 10 October 2010).

The call for tighter immigration control to combat (sex) trafficking is the result, and can lead to strategies such as in the Bahamas where a new Immigration Act was introduced in 2014, specifically targeted at Haitians, requiring all immigrants living in the country to always have their home country passport with them (Nixon and Trotz 2015; Haiti Libre 2015).

COLLATERAL DAMAGE

Many studies of anti-trafficking interventions have revealed the harm that the policies and actions cause migrants, sex workers and young people the world over. In the first instance, the results of heightened scrutiny at the borders are not in ‘rescue’ of ‘victims’ but rather in their prosecution or deportation as illegal immigrants - the focus is not on human rights or protection.

As Nandita Sharma writes:

> Anti-trafficking policies do a great disservice to migrating people, especially the most vulnerable. By diverting our attention away from the practices of nation-states and employers, they channel our energies to support a law-and-order agenda of ‘getting tough’ with ‘traffickers.’ … The reasons why it is increasingly difficult and dangerous for people to move safely or live securely in new places are brushed aside while nation states rush to criminalise ‘traffickers’ and (largely) deport ‘victims’ of trafficking (Sharma, 2015).
In the rush to prosecute criminals, ‘trafficked victims’ - persons who are forced to circumvent laws in their struggle to stay alive and find security - are apprehended and treated as criminals, and often sent back to the same conditions they were trying escape.

In the region, people who violate immigration and labour laws, although at times identified as ‘traffickers’ and ‘trafficked victims,’ are most commonly treated as criminals, and arrested, detained, and deported. In the Bahamas, for example, violations of the new Immigration Act lead to deportation. In Belize it was found that “front-line responders carrying out brothel raids generally looked for immigration violations instead of trafficking indicators” (CTV News July 29, 2015). In Barbados the 2015 raids that led to the arrest of a trafficker and delivered “7 victims,” took place just as amendments were being made to the Immigration Bill to tighten laws related to immigration violations (Nation News, 6 March 2015). So, even though foreign sex workers were identified as ‘trafficked victims,’ they were detained and threatened with prosecutions for violating immigration laws. In Guyana, the raids in June 2015 that produced 27 ‘trafficked’ women uncovered that several were without valid visas or entry permits, which led to their detention and deportation. The result is that by and large working people are caught up in anti-trafficking raids, while structural inequalities around capital, race, gender and culture that produce the conditions that disadvantage some and privilege others - that create greater gaps between the wealthy and the poor – are ignored.

Second, anti-trafficking in the region further stigmatizes and criminalizes the exchange of sexual labour for benefit. Iman Khan, staff writer for the Stabroek News, in reviewing the Guyana 2015 incident asks an important question in this regard: “Was this a war on trafficking or was this a way to criminalize and punish the women for their sex work?” (22 June 2015). The focus on the sex industry as a site of criminal activity and ‘wrong’ sex, plays into long-standing,
religious-inspired, colonial bourgeois ideologies of respectability that surround Caribbean women’s sexuality. The counterpart, ‘slackness’ is considered among other things low-class and disreputable, especially for women, or ‘risky’ in relation to sexually transmitted infections and reproductive health. Those who engage in sex work – the so-called whores, jamettes, dancers, working girls, entertainers, jineteras, skettels, sankies or rentals - face stigmas and discrimination for being ‘loose’ and are believed to be immoral and bad influences, dirty, and diseased. Messages about human trafficking, together with HIV and AIDS awareness campaigns, therefore exhort the public to refrain from ‘promiscuity,’ to abstain from sexual intercourse (ABC - Abstain, Be faithful, use a Condom - campaigns), and to look out for young women ‘enslaved’ in sex trade work. As in the case in Guyana, apart from the arrests and deportations, the publication of the migrant women’s names and photos in the national newspapers amounted to a public reprimand and shaming of sex workers. Anti-trafficking, shored up by the notion of ‘sex trafficking,’ in this way serves to demonize and criminalize women’s sexual agency in the Caribbean.

A third aspect of anti-trafficking policies and interventions is that they can also create, what is known in critical anti-trafficking scholarship as ‘victims of anti-trafficking.’ As Jyoti Sanghera, former Senior Advisor with the Office of the UN High Commissioner for Human Rights, writes, “the trafficked woman” might find herself literally going “from the frying pan into the fire”:

She discovers that in trying to remove her from harm, her well-meaning advocate, be it the government, an NGO or an individual, who has come forward to assist and protect her, has actually done further harm and removed her even farther away from her desired destination. She discovers
that in the name of protection she can be confined to a shelter under conditions which are no different from detention, or packed off “home”, back into the very same environment that she wished to leave behind, with its joblessness, poverty, conflict, abuse, or even a not-so-dire middling situation, which to her offered neither promise nor possibility of realising her life’s full potential. She may find that some conditions have been attached to the assistance she is being offered. She is told that if she cooperates with the law to provide evidence against her trafficker, then she might be assisted and even allowed to stay on in the host country for a few weeks longer before being sent off home. She gets the clear message that “home” is where she needs to be for her own good and that she is incapable of deciding what is best for her, even though she may be well past the age of majority. At any event, it is clear to this trafficked woman that if she identifies herself as a “victim of trafficking”, she will eventually be sent home to be reunited with her misery once again. So she chooses not to identify herself as a “victim of trafficking” in order not to become a victim of anti-trafficking (Sanghera 2007)

The ‘trafficked victim’ can easily become a victim of the very same policies that were meant to help her.

These unintended consequences or ‘collateral damage’ of anti-trafficking policies and interventions, such as the criminalization of undocumented persons, the deportation of migrant workers, the stigmatization and discrimination of sex workers, ‘retrafficking’, or violence meted out by immigration officials at the border, do not always go unnoticed in the region. As Khan
notes about the Guyana incident, the operations violate “global and national policies on the
treatment of victims of human trafficking” (Stabroek News 22 June 2015). On the latter, she
points out that the privacy of those ‘rescued’ was not respected as it should have been according
to international anti-trafficking policy - their names and photographs were published in the
media. Moreover, according to ILO guidelines, “Victims should also be exempted from criminal
investigations should they have committed a crime under forced labour,” and “victims who are
foreign nationals should also be spared from immediate deportation.” (Stabroek News 22 June
2015). In Belize, authorities have been chided by the UN Commission for Human rights for
indiscriminately enforcing immigration policies, which drive undocumented migrants
underground, “as they fear reporting their abuse to the authorities, for fear of deportation and/or
fines and incarceration.” (The Reporter, 3 January 2014). Or, as the UN High Commissioner for
Human Rights noted back in 2002, a core principle for anti-trafficking measures is that they
“shall not adversely affect the human rights and dignity of persons, in particular the rights of
those who have been trafficked, and of migrants, internally-displaced persons, refugees and
asylum-seekers” (cited in Dotteridge 2007).

In short, anti-trafficking in the Caribbean and beyond is becoming an industry in and of
itself, that creates more unfreedoms than it does freedoms, draining money and attention away
from tackling the causes of poverty and inequality. It also has not guaranteed any Caribbean
country a place in Tier 1. For example, when Guyana was placed in Tier 3 in 2004, in order to
get itself out of a predicament, the government rushed to demonstrate that it was taking steps to
combat the problem, presenting young Amerindian women found working in the sex trade far
from their home communities as ‘victims,’ and quickly putting anti-trafficking laws in place. The
country was subsequently recognized by the US State Department as a ‘deserving’ nation and the
following year was ranked in Tier 2. Since then however, despite continuing efforts to combat trafficking, led particularly by the Guyana Women’s Miners Association whose founder was awarded US TIP Hero status in 2013, Guyana has been placed on the Tier 2 Watch List more years than not. This ‘damned if you do, damned if you don’t’ situation led the Guyana government in 2014 to publically declare that it would no longer report to the US State Department on the issue (Stabroek News, 5 April 2014). Whether it has been able to maintain that position is, however, another question.

CONCLUSION

The Caribbean region has adopted the international discourse on human trafficking over the past 15 years and has made it its own. More Caribbean countries today are taken up in the US TIP report and have signed onto the UN Protocol, and many more have established their own anti-trafficking legislation. What started as a US war on trafficking in the early 2000s has become ‘indigenized.’ However, many Caribbean nation states resist the US policing on the subject and, despite being threatened with economic sanctions for non-compliance, denounce the ways their countries are covered in the annual TIP report. Still, human trafficking is not considered the most pressing problem in the region, and when identified, is done so mainly in relation to migrant sex workers. The overall politics in the region have changed little over the past 15-odd years and seem to mirror what is taking place elsewhere in the world: human trafficking is defined as a crime, the sex industry is seen as a major site of trafficking, and it is poor migrant women and men, especially sex working migrant women, who are inevitably caught up in and harmed by efforts to stamp out the crime.
So to end this paper, I return to what I wrote earlier as a way forward as, judging from where we were a decade ago, not much has changed. The politics of the US war on trafficking still deserves critical attention from Caribbean governments, scholars and activists. And, perhaps even more relevant than a decade ago, the region would also do well to resist international pressure to comply with anti-prostitution and anti-migration interests, as these run counter to many Caribbean histories, practices and realities. In addition, understanding forced labour and undocumented migration within the context of the global political economy and as a consequence of gross social, economic and political inequalities would allow us to better understand situations of ‘trafficking’ today. Especially, a recognition that Caribbean histories and nations are built around and depend upon the migration of its peoples – internally, interregionally, and internationally - would enable us to see that fewer restrictions on immigration and a loosening rather than tightening of migration regulations would be beneficial. Enabling freedom of movement within the region would undermine much of the undocumented and clandestine measures and routes people use to secure a better life for themselves and families, and would dramatically reduce the need for ‘traffickers’ or smugglers. Moreover, the equation of human trafficking with sex work which permeates accounts of what is taking place in the Caribbean requires ongoing interrogation. Prostitution cannot automatically be construed as violence to women and the undocumented migration of women around the region for sex work needs to be taken up as different from victimisation and enslavement. We need a more complex conceptualisation of sexual labour and of the ways in which women participate in sexual-economic relations, as well as a critical examination of ideologies about women’s sexuality, in order to dispel the moral indignation and stigma that surrounds sexual-economic activities. Finally, the rhetoric and practice of anti-trafficking needs to be exposed for the violence it visits
upon marginalised communities, particularly young and migrant women. In its place, as has been argued for almost two decades, reliance on already existing labour laws, health and safety regulations, and human rights legislation, as well as improvements in social services and empowerment support for women, youth and marginalized persons would have far greater and less harmful impact (Mellon 1999). Immobilising the hype around ‘trafficking’ remains a critical and necessary step towards charting viable alternatives in the Caribbean.
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