

**UNRESOLVED CASES OF HAITIAN CHILD  
TRAFFICKING IN THE DOMINICAN REPUBLIC  
THE MISSING LINKS BETWEEN THE OFFICIAL DISCOURSES AND THE  
REALITY**

**Author: Lucía López Castro**

**Supervised by: Professor Jónatas Machado and Carla Marcelino Gomes**

**University of Coimbra, Portugal**

**July 2012**

## **ABSTRACT**

The presence of Haitian children in the streets of Dominican Republic increased after the terrible earthquake that occurred in Haiti the 12 January 2010. However, it is not a new phenomenon. Studies already dating from 2002 treated the issue as child trafficking. In spite of an anti-trafficking law approved in 2003 in Dominican Republic, the cases of these children remain unresolved. A mixture of reasons is behind these unresolved cases. This study offers an analysis of the problematic, based on the socio-cultural realities of the people living in the two countries through the institutional ethnography method of inquiry. The starting point is the description of the reality of these children and it will be contrasted with the official discourses and practices. In order to pertinently capture what is the situation by this period, I did a field trip to the Dominican Republic and interviewed the main actors related to the issue of child trafficking. The aim of taking these two realities is to disclose the gaps between both in order to start working on the breaches. I hope that my work could contribute to the fight against these cases of Haitian trafficked children, bringing some light to such a hidden and horrible phenomenon.

## ACKNOWLEDGMENTS

*To Americo, Similien, Papito, Clenton and my little friends from Haiti  
To all the institutions which provided me with all the information needed*

*To my attentive supervisor and her great team, Ana and Bárbara*

*To my family for always being there*

*To Acción Callejera*

*To Wilson*

## ABBREVIATIONS

CESFRON	Cuerpo especializado de seguridad fronteriza (Specialized Border Security Corps)
CONANI	Consejo Nacional de Niños, Niñas y Adolescentes (Dominican National Council for Children and Adolescents)
CPR	Civil and Political Rights
CRC	Convention on the Rights of the Child
DR	Dominican Republic
ESCR	Economic, Social and Cultural Rights
GDM	General Directorate of Migration
IBSR	Institut du Bien-être social et des recherches (Haitian Child Protection Authorities)
ICCPR	International Covenant on Civil and Political Rights
ICE	U.S. Immigration and Customs Enforcement
ICESCR	International Covenant on Economic, Social and Cultural Rights
IE	Institutional Ethnography
IOM	International Organisation for Migration
NP	National Police
OAS	Organisation of American States
OPI	Oficial de Protección Infantil (Child Protection Official)
TIP Report	Trafficking in Persons Report
TVPA	Trafficking Victims Protection Act
U.S.	United States
UDHR	Universal Declaration of Human Rights

## TABLE OF CONTENTS

<i>ABSTRACT</i> .....	2
<i>ACKNOWLEDGMENTS</i> .....	3
<i>ABBREVIATIONS</i> .....	4
INTRODUCTION.....	7
CHAPTER I: CONCEPTUAL FRAMEWORK.....	10
1. Economic, social and cultural rights.....	10
1.1.What is an adequate standard of living?.....	12
1.2. Economic, social and cultural rights of the children.....	13
2. Cultural relativism on the Convention on the Rights of the Child.....	14
3. Vulnerability and child trafficking.....	15
4. Conclusion.....	18
CHAPTER II : REALITY.....	19
1. Economic, social and cultural rights in Haiti.....	20
2. The concept of children in Haiti.....	22
3. How do Haitian children end up being trafficked in the Dominican Republic?.26	
4. The frontier.....	33
5. The Dominico-Haitian relationships and the discourse of migration.....	34
6. Conclusion.....	39
CHAPTER III : THE LAWS.....	41
1. International legal instruments.....	41
2. Dominican laws.....	42
3. Haitian laws.....	46
4. Conclusion.....	48
CHAPTER IV : POLICIES.....	49

1. Ideal critical path and description of the actors in a case of Haitian child.....	
trafficking in the Dominican Republic.....	49
2. Main elements that hamper the process in the Dominican Republic.....	50
2.1. Confusions between trafficking and smuggling.....	51
2.2. The Trafficking in Persons Report as an instrument of external pressure....	52
2.3. Lack of an institutional ethnography approach.....	54
2.4. The need of recognizing the problem: from the imaginary to the reality....	55
3. The 3Ps of the Protocol according to the Trafficking in Persons reports.....	57
4. Haiti: Lack of Economic, Social and Cultural rights, vulnerability and the origin	
of child trafficking.....	71
5. Conclusion.....	78
 CONCLUSION.....	 80
 BIBLIOGRAPHY.....	 84