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ABSENCE OF PROTOCOLS FOR THE PREVENTION OF HUMAN TRAFFICKING OF MINORS IN PUERTO RICO

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Summary: Human trafficking is a phenomenon that grows in the bowels of many countries around the world. Puerto Rico is no exception. The investigation presented in this article will analyze the repercussions that the absence of protocols for the human trafficking of minors have wrought in the fight against this exploratory phenomenon in Puerto Rico. To achieve this purpose, an investigation was realized with a mixed focus and an exploratory design. The hypothesis of this study attempts to prove the negative effects of the lack of protocols in the fight against this phenomenon will be reduced with the presence of protocols against the human trafficking of minors in Puerto Rico. It was also auscultated if the identification and inclusion of the correct factors in a protocol for minors could improve the detection strategies in these cases. For this study, the knowledge of experts that offer services to minors in public agencies in Puerto Rico, as well as non-government agencies (NGO) was used. The selected sample was not randomly selected by availability. The technique utilized to obtain this information was the interview in the middle of a questionnaire. This questionnaire was redacted utilizing the Likert scale, alongside open questions. The main objectives to create a prototype plan of youth prevention for human trafficking and to identify the factors that a prevention and protection protocol for the human trafficking of minors must include in order to be effective were met.

Key words: human trafficking, human rights, minors, slavery and exploitation

AUSENCIA DE PROTOCOLOS DE PREVENCIÓN DE TRATA HUMANA PARA MENORES DE EDAD EN PUERTO RICO

Resumen: La trata humana, es un fenómeno que crece en las entrañas de muchos países del mundo. Puerto Rico, no es la excepción a esta situación. En la investigación que se presenta en este artículo, se analizan las repercusiones que ha tenido la ausencia de protocolos de trata humana para menores de edad, en la lucha contra este fenómeno en Puerto Rico. Para lograr ese propósito, se realizó una investigación de enfoque mixto y diseño exploratorio. Respecto a las hipótesis del estudio, a través de estas, se intentó probar que los efectos negativos que acarrea la ausencia de protocolos, en la lucha contra este fenómeno, disminuirían con la presencia de protocolos de trata humana para menores en Puerto Rico. También, se auscultó si la identificación e inclusión de los factores correctos, en un protocolo para menores, podría mejorar las estrategias de detección de casos. Se utilizó la percepción y conocimiento de expertos que ofrecen servicios a la población de menores, en algunas agencias públicas de Puerto Rico y en algunas organizaciones no gubernamentales (ONG). La muestra seleccionada, fue no aleatoria y por disponibilidad. La técnica utilizada para obtener la información, fue la entrevista por medio de un cuestionario. El cuestionario, se redactó utilizando una escala Likert, además, se realizaron preguntas abiertas. Se cumplió con los objetivos principales de crear un prototipo de plan de prevención juvenil de trata humana e identificar los factores que debe incluir un protocolo de prevención y protección de la trata para menores en Puerto Rico.

Palabras clave: trata humana, derechos humanos, menores, esclavitud y explotación.

Introduction

In all the countries of the world there are diverse social problems. Many of these problems depend on different factors such as: poverty, culture, economy, customs, traditions, political, social conditions, geographic location, and many others. In modern times, with globalization many of these problems pass more easily from one country to another (Rey and Hernández, 2010). Unfortunately, the problem of human trafficking is not the exception to that reality. Human trafficking, also known as human trafficking or modern slavery, is a social problem that can transcend borders. Trafficking can grow profoundly in each country and it violates the most basic human rights. In Puerto Rico, the problem of trafficking is poorly understood and it is difficult for both the government and the society to accept its existence (Rey and Hernández, 2010).

Human trafficking was classified as a crime in the Penal Code of Puerto Rico in 2012 (Law No. 146, 2012). The absence of trafficking protocols, aimed at the prevention and protection of minors, together with the scarcity of statistics and relevant information related to the subject and the limited research that exists in the country, aroused the researcher's interest in relation to this topic. From that concern, the research presented in this article emerged.

Human trafficking is currently considered the second most lucrative crime in the world, after drug trafficking (Fundación Ricky Martín, 2020). It is estimated that it is a business that generates approximately one hundred and fifty (\$150) billion dollars in annual profits in the world (Fundación Ricky Martín, 2020). Information published in *Global Estimates of Modern Slavery* (2017), from the International Labor Organization (ILO), estimated that in 2016, there were 40.3 million victims of modern slavery worldwide (ILO, 2017). Out of such an impressive figure, 5.5 million are believed to be minors (Fundación Ricky Martín, 2020). As of (2018), there were not statistics for such a crime in Puerto Rico (Senate of Puerto Rico, 2018). Likewise, according to the

Puerto Rico Police Statistics Center (2020), as of July 31, 2019, only one case of human trafficking was registered (Puerto Rico Police, 2020).

On the other hand, this phenomenon has been studied from different theories, among them, the multifactorial theory. According to it, the causes of human trafficking stem from different factors (Rey Hernández, 2010). Many of the defenders of this theory understand that criminal behavior can respond to a combination of factors and circumstances, both of the subject and of the environment that surrounds the person (Rey and Hernández, 2010). Another theory known as the theory of globalization has become relevant in the modern world and is being used in various investigations related to this topic. Although it was initially understood to be an economic movement, this ease of rapprochement between nations has brought consequences in the social, political, cultural, technological and many other aspects. (Irwin N., 2016). These two theories were the cornerstone of the investigation.

On the other hand, although there is a shortage of research in Puerto Rico related to the subject of human trafficking, and it is little known, in recent years the presence of this phenomenon has begun to be recognized. This has happened thanks to research led by the Ricky Martín Foundation, in collaboration with the University of Puerto Rico and the Protection Project at the Johns Hopkins University Advanced School of International Studies. From this foundation, three important investigations related to this topic have emerged. At present, these are the most important works conducted on said subject in Puerto Rico. It was with the first investigation that the existence of the trafficking problem in Puerto Rico practically came to light. The first investigation identified the first types of trafficking on the island. That first investigation is entitled: *La trata de personas en Puerto Rico un reto a la invisibilidad* (2010) [Human trafficking in Puerto Rico a challenge to invisibility (2010)]. The three investigations were carried out by two prestigious professors from the University of Puerto Rico, Dr. César Rey and Dr. Luisa Hernández. The first investigation reveals, at the national level, the existence of the trafficking problem and the possible magnitude of this phenomenon in Puerto Rico. In the second investigation, entitled: *La trata de personas: Una forma Moderna de esclavitud en Puerto Rico* (2014) [Human Trafficking: A Modern Form of Slavery in Puerto Rico (2014)], the researchers discovered new types of trafficking present in Puerto Rico. In addition, they had the opportunity to interview some victims of this crime. The third investigation titled *Violencia género y trata* (2017) [Gender Violence and Trafficking (2017)] was led by Dr. Luisa Hernández. In it, the relationship between victims of gender violence and human trafficking was ausculted. It should be noted that the investigations carried out by the Ricky Martín Foundation and the University of Puerto Rico have been essential while conducting the research work presented in this article.

In order to have a better perspective of the problem of trafficking, it is important to discuss a little more broadly some of the research carried out in Puerto Rico. Before elaborating on these investigations, the definition of some terms that are often confused is pertinent, those terms are:

Human trafficking

According to the definition of the United Nations (UN), human trafficking refers to:

Smuggling of migrants means the facilitation of the illegal entry of a person into a State of which said person is not a national or permanent resident in order to

obtain, directly or indirectly, a financial benefit or other material benefit (UN, 2000, p.57).

Human trafficking

According to the United Nations (UN), the definition of human trafficking is:

The recruitment, transportation, reception or reception of people, resorting to the threat or use of force or other forms of coercion, kidnapping, fraud, deception, abuse of power or a situation of vulnerability or granting or receiving payments or benefits to obtain the consent of a person who has authority over another for the purpose of exploitation. Such exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or the analogous practices of slavery, servitude or the removal of organs ”(UN, 2000, p. 44 and 45).

Despite the paucity of research on the subject in Puerto Rico, it cannot be denied that studies have been carried out from which relevant information has been obtained. One of these investigations is titled: *Migración Clandestina: Informe preliminar sobre la Trata de Personas desde República Dominicana hacia Puerto Rico* [Clandestine Migración: Preliminary Report on Trafficking in Persons from the Dominican Republic to Puerto Rico], carried out by the Organization of American States (OAS), in 2006. This investigation consists of more than ten years of realization. However, it is vitally important since it appears to be the first carried out by a prestigious international organization that identifies the existence of the problem of trafficking in Puerto Rico. Subsequently, Puerto Rico was also included in the report, *Congressional Research Services (CRS) Report for Congress* (2013). Apparently it is in the report of that year that for the first time Puerto Rico is identified as a country of origin, transit and destination for human trafficking (United States Department of State, 2013). As for the study carried out by the OAS, an attempt is made to analyze and understand the possibility of the existence of human trafficking in Puerto Rico (OEA, 2006). In the report, the existence of a high volume of Dominican immigrants entering Puerto Rico was exposed. This could raise suspicions that the island would function as a transit and destination country for victims of trafficking (OAS, 2006).

Similarly, another important investigation that studies this topic is entitled: *Trata de personas; una forma moderna de esclavitud en Puerto Rico*, [Trafficking in persons; a modern form of slavery in Puerto Rico], (Rey and Hernández, 2014). In this investigation, the authors had the opportunity to interview some victims of trafficking in Puerto Rico. One of the most shocking stories that emerged from these interviews was that of a minor, who assured that her mother prostituted her since she was five years old. According to the minor's account, the mother locked her in a room with her sister, tied her to the bed and collected the amount of one hundred dollars (\$ 100.00) for men to have sexual relations with them (Rey Hernández, 2014). Some substitute homes (understood by these, homes under the supervision of the Puerto Rico Department of Families, where minors removed from their homes due to mistreatment or other actions that may put them at risk), are also foci of this phenomenon (Rey and Hernández, 2014). In some of these homes, minors are victims of sexual abuse (Rey and Hernández, 2014). According to the authors, the vulnerability of children makes them easy prey for other predators (Rey and Hernández, 2014).

On the other hand, in the *Trata de Personas CRS Report for Congress* (2013) [Human Trafficking CRS Report for Congress (2013)], it is established that Puerto Rico is used as a place of origin, transit and destination, for the crime of trafficking (United States Department of State, 2013). Different scholars on the subject agree with this

assertion, such as: María Salado (2014), Dr. César Rey and Dr. Luisa Hernández (2010), among others. Likewise, in the study *Migración Clandestina: Informe preliminar sobre la Trata de Personas desde República Dominicana hacia Puerto Rico* (2006) [Clandestine Migration: Preliminary Report on Trafficking in Persons from the Dominican Republic to Puerto Rico (2006)], one of the most important indications, was in the sense that both the authorities of the United States and those of Puerto Rico, lacked understanding on this matter (OAS, 2006). What is striking is that, according to subsequent research, such as *Trata de Personas en Puerto Rico: un reto a la Invisibilidad (2014)* [Human Trafficking in Puerto Rico: a challenge to Invisibility (2014)], it is argued, that there is still this lack of understanding of the problem of human trafficking in Puerto Rico. (Rey and Hernández, 2014).

Another important investigation, on the subject of trafficking in Puerto Rico, is the most recent carried out by the Ricky Martín Foundation, also led by professors Luisa Hernández and César Rey. This investigation is titled: *Violencia: género y trata* (2017) [Violence: gender and trafficking (2017)]. In this investigation, the possibility is found that within the group of women who suffer gender violence, there are also women victims of human trafficking. Said study was exploratory and was carried out through a documentary review of the files of women who have sought help from the Office of the Women's Attorney (OPM) of the Commonwealth of Puerto Rico. One of the most important findings of the investigation was to discover that the Office of the Women's Attorney, is a good place to identify victims of human trafficking in Puerto Rico. According to the researchers, it would be important to train the personnel of said attorney general's office for this purpose, particularly those who carry out an initial interview (Hernández and Rey, 2017).

According to the study, it is estimated that in Puerto Rico forty-six points two percent (46.2%) of people, live below poverty levels. Sixty-two percent (62%) of women live in an even worse situation, as do sixty-eight percent (68%) of their children. (Pairs Maga, 2016, cited by Rey and Hernández, 2017). It is understood that one of the most vulnerable sectors is households where women are the heads of the family. (Rey and Hernández, 2017). Within that group, migrant women who come to the OPM to seek help are also identified. It should be noted that vulnerability is one of the characteristics of victims of human trafficking. According to the researchers, many of the migrant women worked as caretakers and domestic workers. This situation could undoubtedly place them in a vulnerable position to become potential victims of human trafficking and exploitation. Achieving confirmation that victims of gender-based violence are highly vulnerable to trafficking and trafficking was one of the most outstanding findings and related to the purpose of the investigation (Hernández and Rey, 2017).

On the other hand, one cannot speak about the issue of trafficking without studying the international and national legislation, treaties and protocols related to this issue. Here are some of them:

Regarding legislation and protocols, the *Protocolo para prevenir, reprimir y sancionar la trata de personas especialmente mujeres y niños, que complementa la Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional, mejor conocido como Protocolo de Palermo* (2000) [Protocol to prevent, suppress and punish trafficking in persons, especially women and children, complements the *United*

Nations Convention against Transnational Organized Crime, better known as the Palermo Protocol (2000)] is currently considered the most important international instrument in the fight against human trafficking. It was signed by the States in the year 2000 (understood by States, the countries that have ratified some of the protocols of the United Nations Organization). It entered into force in 2003 and it was ratified by 124 countries in 2009. It is practically the guide used by all signatory states to the Palermo protocol, to draft and map their strategies to combat this phenomenon. Also, there is the Model Law Against Trafficking in Persons (2010), it was created by the United Nations Office on Drugs and Crime (UNODC). This model of law is created with the purpose of systematizing the provision of legislative assistance by UNODC and facilitating the legislation of the States that sign the Palermo Protocol. It is designed to adapt to the legislation of any of the States, regardless of legal tradition and its social, economic, cultural and geographic conditions (UNODC, 2010). The so-called Model Law is a guide so that the signatory States of the Palermo Protocol can adapt it to their cultures and needs. In such a way, that uniformity between these legislation is maintained, with what has been agreed and signed in the Palermo Protocol (UNODC, 2010).

There have been many protocols and guides that have been developed around the world to combat this phenomenon. Apart from the Palermo Protocol, there are also the *Protocolo Facultativo de la Convención sobre los Derechos del Niño relativo a la venta de niños, la prostitución infantil y la utilización de niños en la pornografía* (2000) [The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and the use of children in pornography (2000)]. Similarly, the *El Protocolo facultativo de la Convención sobre los Derechos del Niño relativo a la participación de niños en los conflictos armados* (2000) [The Optional Protocol to the Convention on the Rights of the Child on the participation of children in armed conflicts (2000)] and many others was created.

Human trafficking has been legislated and criminalized in some countries. Some of these laws are mentioned below: *ley 26842 trata de personas y asistencia a sus víctimas. Prevención y Sanción. Código Procesal Penal, modificado el 19 de diciembre de 2012* [Law 26842 deals with people and assists their victims. Prevention and Sanction. Criminal Procedure Code, amended on December 19, 2012], in Argentina, *ley 896 Ley Contra la Trata de Personas, aprobada el 28 de enero de 2015* [Law 896, Law Against Trafficking in Persons, approved on January 28, 2015] in Nicaragua, *ley DOF 19-03-2014, ley General Para Prevenir, Sancionar y Erradicar los Delitos en Materia de Trata de Personas y para la Protección y Asistencia a las Víctimas de Estos Delitos*, [DOF Law, 03-19-2014, General Law to Prevent, Punish and Eradicate Crimes in the Area of Trafficking in Persons and for the Protection and Assistance to the Victims of These Crimes], United Mexican States, *ley 9095 Ley Contra la Trata de Personas, publicada el 8 de febrero 2013* [Law 9095 Law Against Trafficking in Persons, published on February 8, 2013], in Costa Rica, among many others.

Legislation to combat trafficking has also been passed in the United States and Puerto Rico. Among the laws passed by the United States are: *Ley Pública 106-386 Ley de Protección a Víctimas de Trata de Personas - octubre* (2000) ([Public Law 106-386 Protection of Victims of Trafficking in Persons Act - October (2000)] (TVPA). This law was created with the purpose of ensuring fair and effective punishment for traffickers and for the protection of victims. It is the first federal law in the United States that covers three important areas such as: prevention (prevention), protection (protection) and prosecution (prosecution), better known as the three (3) P. The TVPA established various methods aimed at prosecuting traffickers, preventing human trafficking and

offering protection to victims. It classifies human trafficking as federal crimes and it imposes severe penalties on traffickers. In addition, it creates the Office for Monitoring and Combating Trafficking in Persons, as a way to prevent trafficking. Said office must monitor the work that different countries are doing to comply with the minimum standards established by the TVPA (2000). This assignment will be carried out through the publication of a Trafficking in Persons Report (TIP). This report evaluates and describes the efforts of the countries to combat human trafficking (TVPA, 2000). In addition, the law (TVPA) established the Inter-Agency Task Force to Monitor and Combat trafficking and the implementation of the law. In addition, the law protects victims and survivors of trafficking by establishing what is known as the T Visa. That visa allows victims of trafficking and their close relatives to remain in the United States as temporary residents and offers them the option of becoming permanent residents after three (3) years (TVPA, 2000). In addition, they have *Ley de Reautorización de la Protección de Víctimas de la Trata* [Reauthorization Law for the Protection of Victims of Trafficking] (TVPRA, 2003). This law established a federal and civil right of action for victims of trafficking to sue traffickers (TVPA, 2003, Sec. 1595). In addition, it included the crime of trafficking in crimes that can be considered under the statute of Corruption Organizations Influenced by the Crime of Corruption (RICO). In addition to these measures, it included protective measures for victims and their families in relation to deportation and also included a requirement, in relation to which the Attorney General must prepare an annual report on the efforts made by countries to combat trafficking. That report must be presented to Congress. (TVPRA, 2003) In addition, they have *Ley de Reautorización de la Protección de Víctimas de la Trata* [Reauthorization Law for the Protection of Victims of Trafficking] (TVPRA, 2013), which was approved as an amendment to the Law against Violence against Women. This law reinforces programs that guarantee that citizens do not consume products manufactured by victims of trafficking and to prevent marriages. It also includes emergency responses in the State Department so that there is a quick response, when cases of natural disasters arise. Situation that increases the vulnerability of people to be victims of trafficking. Also, it reinforces the collaboration with local and state law and order forces to facilitate and expedite the prosecution of traffickers (TVPRA, 2013), among many other approved laws.

There is federal legislation of the United States of America, which is applicable to Puerto Rico. This is due to the political relationship that exists between both countries. However, the two cultures have great differences, inasmuch as the people of Puerto Rico see the need to present legislation tempered to their idiosyncrasy and reality as a people. Addressing the needs of the Puerto Rican people, human trafficking is criminalized in article one hundred sixty (160) of the new Penal Code (2012). Trafficking was located as part of crimes against the civil rights of Puerto Rican citizens. In the new Penal Code of Puerto Rico, trafficking was defined and classified as criminal conduct as follows:

The one that a person through the recruitment, transport, transfer, reception or reception of people, and that resorting to the use of force, threat, coercion, kidnapping, fraud, deception, abuse of power, or other situations of vulnerability, offers or receives the concession or receipt of payments or benefits in order to obtain the consent of a person who has authority over another to beg, any kind of sexual exploitation, pornography, forced labor or service, debt bondage, servile marriage, irregular adoption, slavery or its analogous practices, servitude or removal of organs, even with the consent of the victim (Law No. 146-2012, p.78).

In the aforementioned article, attention is also drawn to different forms of exploitation. Specifically, sexual exploitation, forced labor, debt bondage, servile marriage, irregular adoption, slavery, servitude and the removal of organs. Involuntary servitude was defined in another article of the Penal Code, although it is also included in article 160 of human trafficking (Law 146-2012). Furthermore, under Article 300 of the same Penal Code (2012), under crimes against humanity, human trafficking is included, as defined in Article 160 of the Puerto Rico Penal Code (Act 146-2012).

Likewise, other laws were amended to include trafficking as a crime, this was the case of the juvenile law, *Act No. 225 of 2014, to amend articles 2, 3, 5, 7, 8, 11 and 58 of the Law No. 246, Law for the Safety, Welfare and Protection of Minors (2014)*, which includes human trafficking as one of the forms of abuse. Likewise, *Act No. 87 of 2015 was approved, in which the month of February is declared as Orientation and Prevention Month against Human Trafficking in Puerto Rico*, including the celebration of the Day of Orientation and Prevention Against Human Trafficking, on the 3rd Monday of February of each year, in order to raise awareness among the inhabitants of Puerto Rico about its existence, effects and ways of contributing to its eradication; and for other purposes (Law No. 87-2015 p.1).

Method

With the purpose of studying the consequences of the absence of protocols for the prevention and protection of human trafficking in minors, and the possible effect that this has caused in the fight against this phenomenon in Puerto Rico, this research emerged. The study was carried out using a methodology with a mixed approach, which involves a process of data collection, analysis and linking of both methodologies, quantitative and qualitative (Hernández, Sampieri et al., 2014). This offers research more complete results and a broader way of studying such a complex and unknown problem in Puerto Rico. According to Hernández Sampieri (2014), mixed investigations generate qualitative and quantitative inferences, which is known as meta-inferences. In addition, it mentions as some of its benefits, those mentioned below: broader and deeper perspective, richer and more varied data, greater strength and rigor and others (Hernández Sampieri, 2014). Ugalde and Balbastre (2013) agree with this position, who are the authors of the article *Quantitative Research and Qualitative Research: Searching for the Advantages of Research Methodological Differences (2013)*. These authors state that mixed research offers results with greater reliability, validity and understanding.

Both approaches (quantitative and qualitative) are integrated in mixed research. This integration offers the opportunity for more complete results (Ugalde and Balbastre, 2013). Obtaining results with greater force and counteracting the disadvantages of qualitative and quantitative methodologies (when used individually), are other advantages of using such an approach (Ugalde & Balbastre, 2013). This approach offered the opportunity to conduct research with a broader point of view.

Likewise, using this research method provided an opportunity to obtain a broader and more complete vision of the phenomenon of human trafficking in Puerto Rico. With the use of this method, the aim was to make use of the best of each of the approaches, understood qualitatively and quantitatively. With this, an attempt was made to reduce the

possible weaknesses that each of the approaches might have. Using this method offered the convenience of investigating the subject in question in a more comprehensive way.

As for the design, the exploratory design was used in the research. As previously stated, in Puerto Rico, human trafficking is a relatively new topic and there is a paucity of research related to it. (Rey and Hernández, 2014). It cannot be lost from perspective that research with exploratory design is used to increase the degree of knowledge of the subject to be studied (López, 2014). In addition, it gave the research an innovative perspective. The use of this design offers the opportunity for new research interest to emerge from the results of the research (López, 2014). What made this design, the ideal for the investigation of the topic of trafficking in Puerto Rico.

Likewise, the most important objectives outlined for the study were: to identify the factors that should include a prototype of a human trafficking protocol for minors, to develop a prototype of a youth prevention plan for human trafficking, adapted to the Puerto Rican reality and others. The factors were identified by the study participants.

Regarding the hypotheses, they sought to establish that there is indeed a relationship between the presence of protocols for the prevention of trafficking in minors, and the possible reduction in the effects that their absence has had in the fight against this phenomenon in Puerto Rico. Furthermore, the possibility that by identifying the correct factors that should be included in a protocol for the prevention of human trafficking for minors, the detection of cases in Puerto Rico could be improved.

To carry out the investigation, a non-random and dispositional sample was used. The sample was obtained from agencies belonging to the criminal justice system, the agency in charge of ensuring the best welfare of minors in Puerto Rico, known as the Department of the Family, and two NGOs. The agencies invited to participate were:

1. Department of the Family (Administration of Families and Children),
2. Youth institutions of the Department of Correction and Rehabilitation
3. The Puerto Rico Police
4. The Judicial Branch
5. The Department of Justice
6. NGO, there was the collaboration of personnel from the CREA Homes and Teen Challenge, since these organizations offer services to young minors.

On the other hand, the construction of the instrument was aimed at auscultating the knowledge and perception of the subjects, on the subject in question. The validation of the instrument was carried out by three professor judges with a doctoral degree from a major university in Puerto Rico, who, in turn, are knowledgeable of the research methodology. It is expected that the information gathered through the research instrument will provide to the government agencies and NGOs participating in the study with relevant information regarding the issue of trafficking in Puerto Rico.

Likewise, the instrument fulfilled its purpose of obtaining the necessary information to carry out the investigation. The sample was obtained non-randomly and by arrangement. The results obtained from the research are expected to make the study a contribution to future research. As has been established, in Puerto Rico there is a shortage of research on the subject in question.

Regarding the limitations of the study, the most important were: the scarcity of research and information related to the subject in Puerto Rico, the fear of some

government officials to answer questions that they understood were evaluating the system for which they work, the requirements for offer permission to carry out research in some agencies, the passage of Hurricane Maria, the scarcity of information regarding the issue of human trafficking in Puerto Rico, and others. It is important to note that the authorization to carry out the study was not officially obtained in one of the agencies, since they had demands that would delay the conduct of the investigation. Similarly, it was possible to interview representatives of the agency who consented without any problem to participate in the investigation. In another of the agencies, although authorization was obtained, communication to coordinate the interviews was impossible, however, some employees who agreed to participate in the investigation were contacted. This research is an additional contribution to the studies that already exist on the subject of trafficking in Puerto Rico, which may benefit future researchers on this matter. From the research, additional questions may arise that open the space for further study.

Regarding the research findings, one of the most significant was to find that a significant number of the participating government agencies that offer services to minors in Puerto Rico, are not properly prepared to detect and offer services to minors who are victims of human trafficking. Therefore, victims may be ignored by the state or doubly victimized, firstly by their captors and secondly by the state. Furthermore, it was found that many of the employees expressed that they did not feel prepared to detect or offer services to minor victims or possible victims of this phenomenon. Most of the interviewees demonstrated that they have at least a basic knowledge of what trafficking is and of its existence in Puerto Rico. However, it cannot be forgotten that these are the people called to offer services to this vulnerable population. Another important finding was the absence or scarce statistics on the crime of trafficking in Puerto Rico, even though since 2012, trafficking was classified as a crime in the Penal Code of Puerto Rico. Furthermore, a significant group of those interviewed indicated that they did not know either the Palermo Protocol or some of the laws related to human trafficking that are applicable in Puerto Rico. Another significant finding that emerged from the investigation was that both the Department of the Family and the Police of Puerto Rico have intervention protocols for human trafficking cases. However, the investigation did not find evidence of the existence of national protocols for the prevention of human trafficking for minors. These findings and many others, arising from the research, demonstrate the need for constant training and guidance for front-line employees in offering services to minors. It cannot be ignored that human trafficking, even to the present, is a subject that is little known and studied in Puerto Rico.

Results

Among the most significant results of the research, it can be mentioned that the interviewees identified the factors that a prototype of a youth prevention plan should include. With the information offered by the interviewees, the main objective of the study was fulfilled, which consisted of creating a prototype of a plan for youth prevention of human trafficking. Furthermore, the interviewees identified the factors that should be included in a prototype protocol for the prevention and protection of human trafficking for Puerto Rican minors. Also, it was verified the insecurity of some of the employees to handle human trafficking cases. It was possible to identify the genuine desire of many of the participants, in terms of being able to identify, attend to and prevent this type of situation.

The investigation revealed the need for state-of-the-art protocols for the prevention and protection of human trafficking for minors. Likewise, the importance and need for training, orientation, awareness and responsibility in relation to this phenomenon was evident. The interviewees were emphatic about the importance of prioritizing these issues. Participants suggested that protocols be created that are accompanied by clear guidelines to help employees identify potential trafficking cases, as some expressed that they did not feel empowered to do so. Furthermore, implicit was the lack of communication between the relevant agencies, the lack of definition of procedures and the need for a clearer and more understandable definition of the meaning of trafficking. This reveals the need for a national protocol for the prevention and protection of human trafficking for minors. This protocol must be accompanied by a guide that contains specific and clear guidelines for the detection of trafficking cases. Likewise, the urgency was expressed to define the responsibilities of each relevant agency in this matter. The protocol should be seen as an additional tool that helps in the fight against this phenomenon in Puerto Rico. Said protocol should serve as a guide for employees of public agencies and NGOs in Puerto Rico.

Likewise, the study participants identified some of the effects that the absence of protocols has had in the fight against this phenomenon in Puerto Rico. According to the knowledge and perception of the interviewees, some of these effects are: delays in criminal proceedings in the agencies of the Criminal Justice System, inability of some officials to identify acts of human trafficking, greater vulnerability for minors to suffer acts violence, greater exposure to the violation of the human rights of potential victims, absence of tools for intervention by officials, a delay in filing cases and others.

On the other hand, another important result identified through the investigation was the need to establish indicators to guide possible cases of trafficking, the need for training for officials who offer services to this population, definition of the obligations of each agency and specific guidelines for each one, as to how to proceed in detecting trafficking cases. Also, the importance of promoting good communication between agencies was identified in order to achieve good teamwork, good communication, coordination and streamlining of the services to be offered, which should be beneficial to minors.

Discussion and Conclusion

According to the results of the investigation, it is imminent to have a state protocol for the prevention and protection of human trafficking for minors in Puerto Rico. Furthermore, it is essential to educate and train public officials, NGO officials and the community in general on this subject and its magnitude. A massive and constant disclosure of the reality of the existence of this phenomenon on the island is imperative. According to the results of the study, it is necessary to create public-private alliances to effectively combat this problem. It is also clear the need for alliances with other countries, especially Latin American countries also affected by this issue. To work together and coordinate in the fight against is a phenomenon.

Despite the fact that Puerto Rico has been recognized as a country of origin, transit and destination of cases of human trafficking, still to the present, there is much ignorance on this subject. However, the interviewees showed great interest and concern in being able to identify and offer adequate services to victims of this crime. Some officials could perceive a tone of frustration and concern regarding this matter.

It cannot be denied that the government of Puerto Rico has made progress in terms of national legislation. However, the need to work with the prevention and protection of minors has become clear. The problem of trafficking is not yet fully visible in the Puerto Rican community. Obviously, there is still a long way to go when it comes to this matter. Adequate management of this phenomenon is urgent.

It is essential to involve the community as an integral part of the fight against this problem. Education, at all levels, is an indisputable tool to confront this monster. This phenomenon threatens the safety and well-being, not only of Puerto Rican children, but also of children around the world. You cannot skimp on efforts when it comes to the best welfare of minors. Sometimes, it seems that they forget that minors are the future of peoples.

It is up to the members of the legislative branch, the executive branch and the Judicial Branch of Puerto Rico to pay the attention that this matter deserves. The responsibility of providing the necessary tools to minimize the effects caused by the absence of human trafficking protocols for minors falls on their shoulders in the fight against this phenomenon. Furthermore, they are responsible for ensuring the best interests of Puerto Rican minors.

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