The Smuggling and Trafficking of Cuban Baseball Players: Policy Solutions for a Growing Problem
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Policies put in force by the United States government and Major League Baseball (MLB) are responsible for creating an incentive structure that encourages Cuban baseball players to rely on human smugglers, traffickers, and organized criminal groups to facilitate their employment as professional athletes in the US. The US embargo on Cuba and complex and limited opportunities for immigration make it difficult for Cuban athletes to find a legal pathway to employment in the United States. Circumstances for these athletes are further complicated by perverse financial incentives that drive Cuban players to shop for permanent residency in multiple countries before seeking transit into the United States. First-person accounts from Cuban players indicate they are exposed to dangerous conditions, abuse, and extortion as a result of the methods they have used to navigate the current policy environment. Changes to US and MLB policies could prevent Cuban baseball players from risking their safety in order to gain eligibility to play professional baseball in the United States.

The strained relationship between the United States and Cuban governments has contributed to a policy environment that encourages players to rely on criminal groups. Accordingly, policy solutions that aim to heal relations between the two countries would improve circumstances for Cuban athletes. The Baseball Diplomacy Act presents an opportunity for the US government to engage with the Cuban government on the subject of player smuggling and trafficking, and if implemented successfully, could remove barriers to entry into MLB for Cuban players.

Additional policy changes that discourage dangerous and illegal behavior could make incremental reductions to the number of Cuban baseball players who rely on smuggling and trafficking organizations. Improving maritime law enforcement would make collaboration with smugglers and traffickers less appealing to athletes. To this end, partnerships between US federal agencies and the Cuban Border Patrol would provide an opportunity to reduce the number of players who seek the services of smugglers and traffickers. To further enhance deterrent measures, enacting harsher punishments for human smugglers and traffickers would make smuggling a less appealing enterprise to criminal organizations. Both measures would increase the cost, in penal and financial terms, for baseball players and criminals alike.

MLB must also play a role in changing the incentive structure that motivates players, sports agents, and recruiters to collaborate with criminal actors. The organization could impact the most change by eliminating the financial incentive leads players to seek assistance with transit to multiple countries before heading to the United States. The implementation of an international draft would equalize opportunities for pay for players regardless of location, and would provide an incentive for Cuban players to decrease their reliance on criminal actors.
The policies outlined above should be implemented in the short term to take immediate action against the problem of human smuggling and trafficking. However, the progress toward ending player smuggling and trafficking that will result from implementation of these policies will be piecemeal. In order to take a more comprehensive approach to the problem that would result in its eventual elimination, the US government should target the underlying cause of the unique circumstances Cuban players find themselves in: the US embargo against Cuba. The elimination of the US embargo could change relations between Cuba and the United States dramatically and create new opportunities for Cuban athletes to legally and safely enter the United States.

Actions taken to prevent the smuggling and trafficking of Cuban baseball players will have a substantial impact on organized criminals working between the countries. The high profile nature of professional athletes should motivate the MLB and US to take actions to correct this problem, raises awareness of US commitment to ending human smuggling and trafficking more broadly, and attracts public attention to the plight of smuggled populations.