

Canadian Council for Refugees

National Forum: Improving Services and Protection for Trafficked Persons, 2-3 December 2009, Windsor, Ontario

Speaking notes

The following presentations were made at the National Forum: Improving Services and Protection for Trafficked Persons. CCR is publishing only those made available to us. The texts follow the presentation order.

Speakers:

Andrea Burkhart, Changing together, Alberta. Policies, services and partnership in Alberta

Anna Popovic, Concentration des luttes contre l'exploitation sexuelle (CLES), Québec. Sexual exploitation of women and the experience of Quebec:

Corp. Charlene Rivet, Royal Canadian Mounted Police. Awareness raising campaigns undertaken by RCMP

Derrick Deans, Citizenship and Immigration Canada. CIC's work with Temporary Resident Permits (TRPs)

Victor Porter, BC government. Services and the work of Office to Combat Trafficking in Persons (OCTIP) in BC

Andrea Burkhart, Changing together, Alberta. Policies, services and partnership in Alberta

In 2004, Changing Together... a Centre for Immigrant Women in Edmonton undertook an environmental scan on human trafficking of girls and women in Alberta. Responses indicated a need for more information and training on this issue. After hosting a Provincial Symposium in 2007, ACT Alberta (the Action Coalition on human Trafficking) was formed. ACT Alberta is a coalition of government ministries, law enforcement, nongovernmental organizations and the general public who are concerned with identifying and responding to human trafficking in Alberta. Our mission is to increase knowledge and awareness of human trafficking; promote effective rights-based responses; build capacity of all involved stakeholders; and foster partnerships for joint action against human trafficking.

Our partners include women's shelters, immigrant serving agencies, aboriginal communities and agencies, health care providers and law enforcement and government. The philosophy of ACT is to not reinvent the wheel, but to bring diverse stakeholders in various communities together in order to 1) understand what is already in place for victims or for the prevention of human trafficking and 2) build capacities for organizations to expand mandates to better provide services to trafficked persons.

There are currently six chapters in various communities across the province with plans to expand into four more in 2010. Through the local ACT Alberta chapters, we are able to get information

and training to a number of stakeholders, from a community, grass-roots level. We believe that an effective response to human trafficking needs to be community specific.

ACT Chapter communities are both rural and urban and we recognize that human trafficking is not just an issue for immigrant women, but concerns men and Canadian nationals, and particularly Aboriginal girls and women.

We appreciate the support of the Provincial Government both financially as well as an ongoing commitment to the Board of Advisors to this project. Several ministries, most notably the Solicitor General and Public Security have identified human trafficking as priority area.

The Solicitor General's Office provides training and support to Victim Service Units throughout the province. These organizations assist victims of crime. A module on human trafficking has been developed for VSU Advocates and Coordinators.

Through the work of ACT Alberta, Alberta Employment and Immigration has changed its policies on income support. Financial income support benefits are now extended to internationally trafficked persons with a TRP. Domestically trafficked persons, as well as those who do not require a TRP, may also have access to income support, depending on their circumstances. For example, in Edmonton, AE and I operates a project called SETS, or Sexual Exploitation and Transition Supports, which offers income support and career planning for people engaged in sexual exploitation. At this time, all applications for income support are evaluated individually for need.

Finally, the third ministry that we work with is Alberta Child and Youth Services, which, incidentally is also responsible for women's issues. Alberta has specific legislation on Children in Sexual Exploitation that protects children and youth under 18 if they are engaged in sexual exploitation. This would apply to trafficked persons under 18.

This fall, we saw the application of national legislation on human trafficking in Edmonton. In September, after a tip from the public, EPS and RCMP raided the Sachi Massage parlour and charged two individual with human trafficking. To our knowledge, this charge (Section 279 of the Criminal Code) is the first of its kind in Western Canada. We believe it to be a direct result of raising the profile of this issue with both the public and the government, the support of the government and the prioritising of this issue within Police Forces, particularly Edmonton Vice Unit.

The most critical challenge that we face in addressing human trafficking is the lack of a national strategy to support trafficked persons, including a telephone number for victims to call. Canada has its challenges to enact national programs, including our geographic distances and the distinct federalist nature of the provinces and territories. However, it is crucial that this country undertake to create a national strategy, including a national support line for victims of trafficking and the organizations that are working with them.

A national strategy must operate outside of government and must be victim centred. We can look to our neighbours just south of here – and to our colleagues in Europe for best practices in the creation of a national strategy for protection, services and prevention of human trafficking.

Trafficking has no boundaries, and certainly the provincial lines that separate us are artificial. These boundaries, and the provincial differences that come with them, do a great disservice to trafficked persons. A trafficked person must be able to receive the same level of services and assistance in every province and region in this country.

Andrea Burkhart, Power Point Presentation



Action Coalition on human Trafficking

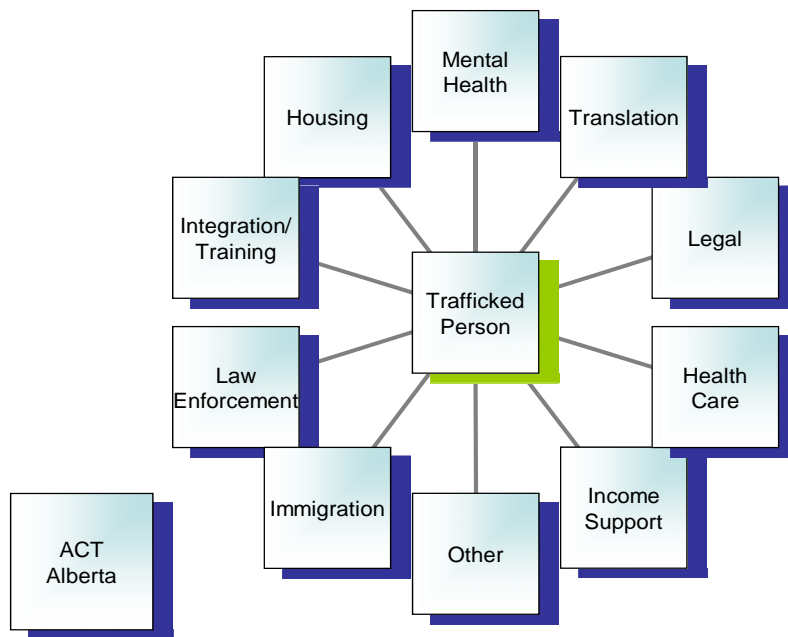
info@actalberta.org

ACT Alberta Chapter Locations



info@actalberta.org

Alberta Protocol on Human Trafficking – Service Provision



info@actalberta.org

ACT Alberta thanks the following:

Government of Alberta ■
Solicitor General and Public Security



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**Anna Popovic, Concentration des luttes contre l'exploitation sexuelle (CLES), Québec.
Sexual exploitation of women and the experience of Quebec:**

Bonjour, je m'appelle Ana Popovic, je travaille à la CLES, la Concertation des luttes contre l'exploitation sexuelle, un organisme qui regroupe des membres individuels et une trentaine de membres associatifs, dont des regroupements d'organismes, à travers le Québec qui ont une analyse critique de l'industrie sexuelle. Depuis 2008, la CLES mène un projet de formation et de prévention axé sur l'expérience et les témoignages des femmes dans la prostitution. Nous travaillons donc aussi à rejoindre et à regrouper les femmes victimes d'exploitation sexuelle. Entre autre nous avons un comité qui se penche sur les besoins spécifiques des femmes qui ont un vécu en lien avec la prostitution. Parmi les femmes que nous rencontrons il y a aussi des femmes victimes de la traite sexuelle et des femmes qui ont côtoyé des femmes trafiquées. Par ailleurs nous participons à une recherche universitaire sur la traite sexuelle au Québec dont le rapport devrait sortir prochainement.

Merci au Conseil canadien pour les réfugiés de m'avoir invité à faire cette présentation à Windsor même, une ville que des femmes que je connais n'hésite pas à nommer la capitale de l'industrie sexuelle.

La traite à des fins sexuelles au Québec

Je dois d'emblée souligner que la traite à des fins sexuelles concerne aussi les femmes et les enfants nées ici au Canada, dont des personnes issus des communautés autochtones et des jeunes femmes qui ont un statut de réfugié établi au Québec. Elle s'étend aussi aux femmes qui sont arrivées légalement au Canada et qui travaillent dans l'industrie sexuelle et dans les bars de danseuses. D'autres femmes sont piégées dans la traite interne une fois arrivée illégalement au Canada, alors que certaines sont trompées par des pseudo-passeurs depuis leur pays d'origine. Une fois entraînées dans la traite sexuelle, les femmes peuvent se retrouver dans n'importe quelle sphère de l'industrie du sexe, les trafiquants les enverrons là où ils pensent empocher le plus d'argent, ça peut être dans l'industrie de la danse érotique, l'industrie de massage érotique, les agences d'escorte etc. Elles sont ballotées d'une ville à une autre et d'un type de commerce à un autre. Il est impossible pour un client de la prostitution de distinguer les victimes de la traite des autres femmes dans cette industrie. Si les femmes trafiquées ne répondent pas aux attentes sexuelles des clients qui les prostituent ou qu'elles ne rapportent pas une somme d'argent exigé par le proxénète, elles sont battues et violées. Leur alimentation et leur forme physique est aussi contrôlée par les proxénètes pour correspondre aux standards de l'industrie. D'autre part, les proxénètes dépossèdent les femmes et les enfants de leur documents.

Le mariage par correspondance semble être un volet de la traite importante si l'on en croit le nombre de site internet qui les favorise. D'autre part, nous savons que les femmes arrivées par les programmes d'aide domestique sont souvent victimes d'harcèlement sexuel de la part de leur employeur.

Les conséquences sur la vie des femmes

La traite à des fins prostitutionnelles représente une atteinte à l'intégrité du corps pour les femmes qui la subissent. Elle est profondément déshumanisante. Les conséquences sur la santé physique et mentale des femmes sont graves et nombreuses.

Quelques conséquences sur la santé des femmes :

- problèmes psychologiques : faible estime de soi, insomnie, anxiété, phobies, dépression, dissociation ; troubles de la sensibilité du corps (le corps ne ressent plus rien) ; difficulté à se faire toucher ; choc post traumatique, alcoolisme, toxicomanie, suicide ; stigmatisation sociale ; le fait d'être valorisée seulement pour le sexe ;
- problèmes gynécologiques, problèmes infectieux, problèmes de santé divers dont des troubles alimentaires ;
- problèmes traumatiques : blessures dans la région vaginale ou anale, incontinence intestinale, coups et blessures sur tout le corps

La vie sociale des femmes est compromise par la peur d'être retrouvée par les anciens proxénètes et la crainte de croiser les anciens clients. Les femmes ont également peur que leur vécu soit dévoilé à leur famille. Elles ont la crainte de ne pas être prise au sérieux et le d'être davantage considérée comme une criminelle plutôt que comme une survivante. Pour certaines dont les statuts d'immigration ne sont pas réglementés, elles souffrent d'un haut niveau d'anxiété d'être renvoyés dans le pays qu'elles ont fui. À plus long terme, les femmes ont de la difficulté de se trouver un emploi (manque de scolarité, absence de CV)

Les services existants, les besoins des femmes, les besoins des organismes

En réponse à une revendication¹ de la Marche Mondiale des femmes en 2005, un sous-comité interministériel du Gouvernement Québécois sur la traite des femmes migrantes s'est mis en place. Ce comité a rencontré de nombreux organismes communautaires et vient de rendre public son rapport.² Il reflète, par ailleurs, qu'il y a très peu d'étude sur la traite au Québec.

Une des premières difficultés des organismes et de rejoindre ou de reconnaître les femmes victimes de traite puisqu'elles sont sous le contrôle serré des trafiquants. Ainsi, il existe un besoin de formation afin de reconnaître les victimes, mais aussi à les supporter ensuite. Les victimes craignent de porter plainte contre leurs proxénètes, il existe plusieurs situations répertoriées au Québec où les victimes ont abandonnées les charges et elles se sont enfuies.

La rencontre entre des représentantes du comité interministériel, la GRC et des organismes communautaires ont abouti à une liste d'organismes qui permettent de resserrer un filet de sécurité et d'aide quand les agents transfrontaliers rencontrent des victimes. Toutefois ce modèle n'a servi que dans deux ou trois situations. Cette liste est confidentielle pour les besoins de sécurité des victimes. Elle répond à des besoins d'urgence.

¹ Nous réclamons que le gouvernement du Québec négocie une entente avec le gouvernement du Canada afin de protéger les droits des femmes migrantes et d'empêcher toutes demandes de déportation ou d'expulsion de celles-ci

² Rapport du sous-comité interministériel sur la traite des femmes migrantes, 2009

Un logement sécuritaire est un des besoins identifié par les victimes. Les obstacles à un logement abordable et sécuritaire résident dans le fait que les services d'hébergement aux femmes victimes de violence sont pour la plus part de courte durée. Il serait intéressant de pouvoir collaborer entre plusieurs provinces pour assurer la sécurité des femmes. De plus ces hébergements devraient pouvoir permettre un accès aux services 7 jours sur 7 et 24h sur 24 et répondre aux besoins des femmes en situation de crise et de désintoxication.

Les femmes ont besoin de l'aide financière tout en assurant la confidentialité et l'anonymat. Les articles du code criminel portant sur la traite des femmes ne sont pas inclus dans la loi sur l'indemnisation des victimes..ce qui pose problème. Elles peuvent recevoir les services du Bureau d'aide juridique avant d'être interrogées par les services policiers. Elles ont des besoins médicaux. Certains services sont offerts dans les réseaux de santé québécois, les CSSS, sans avoir besoin de la carte maladie, mais pas l'accès au médecin. C'est possible pour les personnes qui sont titulaires d'un séjour temporaire. Les victimes ont accès à des services d'interprétation par le biais du Ministère de Justice pour ce qui est des procédures judiciaire et par l'Agence de santé pour les démarches relatives à la santé.

Les femmes ont besoins des services gouvernementaux, mais l'accès à plusieurs d'entre eux dépendent de leur statut. Elles ont besoin de permis de séjour et il est difficile pour elles d'être éternellement sous un statut temporaire, c'est générateur de beaucoup d'anxiété. De plus, il ne devrait pas y avoir d'obligation conditionnelle à poursuivre les trafiquants pour l'obtention de permission de séjour tout en pouvant les poursuivre indépendamment de leur statut d'immigration. Les victimes devraient aussi bénéficier d'une immunité en matière de poursuite judiciaire.

Les femmes ont besoin aussi d'alternatives pour sortir de la prostitution. Il faut qu'elle ait quelque chose à quoi s'accrocher pour fuir les proxénètes, elles ont besoin d'entrevoir des projets réalisables. Il est primordial de développer des sévices de voix de sorties.

La source du problème

Nous pouvons accompagner les femmes et améliorer les services. Nous pouvons arrêter les trafiquants. Toutefois, il ne faut pas oublier qu'à la base de la traite à des fins prostitutionnelles il y a la demande pour des « services sexuelles ». En plus d'être organisée par un système qui permet aux hommes, qui forment la grande majorité des acheteurs, et par le système capitaliste, la demande est nourri par la pornographie et le discours de plus en plus présent dans la société qui banalise la prostitution et rend la vente du corps et l'accès à la sexualité des femmes tout à fait normale. Une loi comme en Suède, qui pénalise l'achat des services sexuels et le proxénétisme, tout en protégeant les femmes victimes d'exploitation sexuelle et leur offrant des portes de sortie semble être prometteur en matière de lutte contre la traite sexuelle. Nous pourrions s'en inspirer.

La pauvreté et la mondialisation capitaliste sont aussi à la source de cette problématique et nous devons soutenir les initiatives visant à éliminer la pauvreté sur la scène internationale. Le système prostitutionnel est aussi très raciste dans son esprit et sa pratique. Il vend l'exotisme, l'obéissance et la soumission de certaines, la sexualité « animale » des autres. Ainsi, il n'est pas rare de voir dans les journaux ou les sites internet des annonces qui vantent les mérites des femmes en fonction de leur origine ethnique.

Dans la prostitution, dont la traite fait partie, c'est la vulnérabilité des femmes qui est en faite vendue pour assouvir l'appétit de domination des clients-prostitueurs.

Si un robinet coule, nous pouvons ramasser l'eau avec des seaux, mais nous pouvons aussi nous attaquer à la source du problème : le robinet.

Corp. Charlene Rivet, Royal Canadian Mounted Police, Awareness raising campaigns undertaken by RCMP

Good afternoon, I'm Corporal Charlene Rivet, from the Human Trafficking National Coordination Center with the Royal Canadian Mounted Police.

As a way of introducing our next topic, Raising Awareness on Human Trafficking, I was asked to give a brief overview on what the RCMP has been doing in this area.

Recognizing the seriousness of this topic, in 2005 the RCMP established the Human Trafficking National Coordination Centre (HTNCC) in order to provide a focal point for law enforcement efforts and investigations.

Its mandate is to develop and coordinate human trafficking activities/initiatives related to the four pillars of Prevention, Protection, Prosecution and Partnership with domestic and international partner agencies, NGOs and the community at large.

In order to accomplish its mandate, the HTNCC has established several priorities. One of these priorities is to coordinate national awareness and training as well as anti-trafficking initiatives within Canada and abroad.

The RCMP is involved in many awareness raising initiatives throughout the country as well as internationally; I will take this opportunity to highlight a few:

The HTNCC presently has five full-time members. Partnering with us are also six RCMP Human Trafficking Awareness Coordinators (HTACs) strategically located throughout the country. Of these, three are regular full-time RCMP members working as investigators as well as being responsible to do awareness raising, the other three are civilians. The HTACs work closely with the HTNCC to carry out initiatives as well as networking & building partnerships with law enforcement and NGO's within their regions. Based on this, awareness raising will look somewhat different in the various areas of our country.

For the last, approximately 2 S years, the HTNCC, along with the assistance of the HTACs have provided human trafficking workshops to law enforcement throughout the country. These workshops are run in partnership with several government agencies including

The Department of Justice (DOJ)

The Public Prosecution Service of Canada (PPSC)

Canada Border Services Agency (CBSA)

Citizenship & Immigration Canada (CIC)

The Status of Women (SWC)

As well as other municipal partners such as Peel Regional Police Service and the Vancouver Police Department, Montreal Police Service and Quebec City Police Service.

Another recent addition to our workshop is a victim of HT, Timea Nagy who speaks on the victim perspective.

Law enforcement officers from the various departments are provided with awareness training on human trafficking from the perspectives of all the partners. They learn their own roles and responsibilities as well as those of their partners, and how they can work together. They are given tools and techniques on how to best handle these investigations.

In addition, the HTACs, along with members of the HTNCC give HT awareness presentations to a vast audience varying from community groups and businesses, NGO's and government departments, law enforcement and the general public. Do date, over 23, 000 people throughout Canada have received training on HT; specifically; approximately 11,000 law enforcement, almost 2000 government employees as well as over 10,000 NGO's and members of the public.

The RCMP has formed a partnership with Canadian Crime Stoppers, building on the long standing working relationship already in place. The HTNCC has trained key Crime Stoppers personnel who are continuing the awareness raising amongst call takers and other staff on how to recognize HT in order to handle these calls the best way possible. A protocol has been established to deal with victims should they call this number looking for assistance. Crime Stoppers will also use their well established network to help educate the Canadian Public on this crime. They are developing their own awareness campaign and their phone number is being listed on RCMP awareness material.

The RCMP has created an awareness campaign called "I'm Not For Sale". The material for the campaign is included in an awareness tool kit. The tool kit contains various awareness materials such as: an Operational Police Officers Handbook, pamphlets, awareness posters targeted at both victims & the public- these posters have been created in six different languages, there are victim assistance guidelines, an awareness video created for public viewing, Q&A's, fact sheets and contact information. All of the material includes the Crime Stoppers phone number for anonymous reporting.

One version of the tool kit is created for law enforcement, and a variation is created for NGO's.

To date, approximately 3000 tool kits have been distributed to all police services and RCMP Detachments across Canada. We anticipate a mass distribution to NGO's in the near future.

This is a summary of some of the work we have done in Canada to raise awareness on HT.

Thank you for including me in this forum, I look forward to our discussion.

Derrick Deans, Citizenship and Immigration Canada. CIC's work with Temporary Resident Permits (TRPs)

Good afternoon. My name is Derrick Deans and I help to coordinate CIC's approach to trafficking in persons.

I want to thank the Canadian Council for Refugees for this opportunity to provide an overview of CIC's approach to the protection of victims of trafficking in persons. I should underline at the outset that CIC and the Government of Canada recognize trafficking in persons as a modern form of slavery and that we are committed to fighting this scourge.

As you likely know, federal anti-trafficking efforts are coordinated by the Inter-departmental Working Group on Trafficking in Persons. The Working Group is chaired by the Department of Justice and the Department of Public Safety, and is comprised of 17 departments and agencies, including CIC.

We describe our approach as the 4Ps, whereby we work in partnership with domestic and international partners to: prevent trafficking in persons, prosecute offenders, and protect victims. This approach is consistent with international practice.

While CIC has a role to play in all four areas, we are most closely identified with our efforts to protect foreign national victims of trafficking. Our involvement in protection begins when a person comes forward on their own, or is referred to us by a law-enforcement agency or a nongovernmental organization, like a women's shelter.

Our main role is to ensure that foreign-national victims receive appropriate consideration for immigration status, as individual circumstances warrant. CIC does not work with Canadian victims of trafficking in persons.

In May 2006, in response to growing concern in Parliament and more broadly, new operational guidelines were introduced that allowed for victims of trafficking to be issued with a Temporary Residence Permit, or TRP.

The primary objective has been to give victims temporary legal status in Canada and thereby a chance to escape from the influence of their trafficker. By doing so, foreign national victims are provided with an opportunity to begin to recover from their ordeal so they can consider their options for their future, including whether they choose to seek to remain in Canada or return to their home country.

This fee-exempt TRP may be issued for up to 180 days. The threshold of proof required by CIC to issue this initial TRP is not high. Generally speaking, the permit will be issued if the officer is satisfied the individual *may* be a victim based on the circumstances presented to the officer.

Longer-term temporary residence permits can also be issued where the officer has been able to conduct a more complete verification of the facts.

In addition to providing foreign national victims of trafficking with immigration status, the TRP

allows victims to apply for a fee-exempt work permit. They also become eligible for health-care benefits and trauma counseling through the Interim Federal Health Program (IFH).

In issuing the TRP immigration officers also explain to the victim the provisions of the TRP and direct the victim to their embassy or high commission, NGOs, provincial and municipal agencies. Officers also assist the victim in making first contact with the appropriate groups.

Victims may also consider participating in an investigation or prosecution if they so choose. However, it is very important to understand that a victim does NOT have to testify against their trafficker, or participate in an investigation, in order to receive a permit.

Since the implementation of the guidelines in May 2006, until December 2008, 27 TRPs have been issued to 18 victims of trafficking. These numbers include subsequent permits issued to the same victim in order to maintain legal status in Canada.

Victims who may want to remain in Canada permanently can submit an application for permanent residence based on humanitarian and compassionate consideration, as a holder of a temporary resident permit, or they can submit a refugee claim.

This has been just a brief introduction and I'm looking forward to our discussion. But let me conclude by noting that events such as today's provide us with an opportunity to learn from the experiences of those who work on an ongoing basis with victims of trafficking, both foreign nationals and those from Canada. We need to remember that we're all still learning and that it's been just over 3 years since this special permit was first introduced. We at CIC have made some adjustments and may need to make more. However, we're also hoping that all of us today can walk away with a clearer understanding of our respective contributions to the protection of victims of trafficking.

Thank you

Victor Porter, BC government. Services and the work of Office to Combat Trafficking in Persons (OCTIP) in BC

The Office to Combat Trafficking in Persons (OCTIP) officially opened in July 2007 to assume responsibility for the overall coordination of British Columbia's strategy to address human trafficking.

OCTIP's Mandate: *To develop and coordinate BC's response to Human Trafficking*

- Identify gaps and barriers in policy and legislation to accessing services
- Build a network of response services for trafficked persons
- Contribute to national and international efforts, including prosecutions, to eliminate human trafficking

OCTIP takes a human rights centered approach. This means that the rights and needs of trafficked persons are placed at the centre of all its work. In collaboration with other provincial ministries, federal departments, municipal governments, law enforcement agencies, and

community organizations, OCTIP aims to eliminate human trafficking and build services for trafficked persons in British Columbia

Human Rights Approach

- Recognize violation of rights
- Offer a viable route for escape
- Provide care and assistance in regaining control of his/her life
- Present fair and reasonable life options
- Deliver justice (prosecution and punishment of traffickers, and redress for trafficked persons)

OCTIP's Current Work

- Awareness Raising and Education
- Curriculum Development and Training
- International, Domestic, Aboriginal Trafficking Strategies
- Protocol Development Between Key Partners
- Development of Service Networks Across BC

The CCR has been a leader in promoting the discussion on Human Trafficking and advocating for measures to protect trafficked people, the first CCR Resolution on Human Trafficking was issued in December 2001 almost ten years ago; I also remember the Forums organized by the CCR, in 8 Canadian cities and the Final Report issued around 2004. With this current initiative the CCR continues to lead the discussion on human trafficking, providing a unique opportunity for NGO's, academics, government and law enforcement to come together to tackle a complex issue. This is an opportunity to advance our collective response to human trafficking by exploring the issues that, in my opinion, are the most crucial:

Enhanced protection, multi sector/multijurisdictional collaboration, and a national action plan.

Enhanced protection: The TRP guidelines were issued in 2006, what has happened since then? How is the TRP being utilized? What are the challenges and barriers related to its utilization? Can the TRP be improved as an avenue for protection?

Multi sector/ multijurisdictional collaboration: Human Trafficking cannot be effectively addressed in isolation by just one actor; how can agencies with different mandates, jurisdictions and priorities, work collaboratively to restore the dignity and safety of the trafficked person, and prevent future instances of human trafficking by bringing the perpetrators to justice? What are the challenges, barriers and dilemmas to work jointly with different partners?

National Action Plan: many countries have developed National Action Plans (NAP), in general the NAP's provide a vision of what the country wants to accomplish in addressing human trafficking, assigns a variety of tasks to different actors, sets outcomes and a time framework to review and evaluate what has been accomplished and what needs improvement. Canada does not have one yet. A National Action Plan has the potential to provide all actors with a framework guiding a cohesive, harmonized and effective response from coast to coast.