



RESEARCH AND
STATISTICS DIVISION

**VICTIMS OF TRAFFICKING
IN PERSONS: PERSPECTIVES
FROM THE CANADIAN
COMMUNITY SECTOR**



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Victims of Trafficking in Persons: Perspectives from the Canadian Community Sector

Jacqueline Oxman-Martinez, PhD
Marie Lacroix, PhD
Jill Hanley, PhD



Research and Statistics Division

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*The views expressed herein are solely those
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Executive Summary

This study was commissioned by the Department of Justice Canada. It is one of the few studies of its kind in the country. The researchers hope that it will constitute a meaningful contribution to long-term policy development in the area of protecting the rights of trafficking victims and to ensure that gender issues are considered within any policy framework.

Trafficking in persons is a global problem affecting some two million victims per year (UNESCO, 2000), yet due to its clandestine nature it is often overlooked or poorly understood by policy-makers and the public alike. For this project, a working definition was developed from the definition in the United Nations *Protocol to Prevent, Suppress and Punish Trafficking in Persons* (United Nations, 2000), which identifies trafficking in persons as an activity that “involves the recruitment, transportation or harbouring of persons for the purpose of exploitation, and may occur across or within borders. Traffickers use various methods to maintain control over their victims, including force and threats of violence.”

This project focuses on both international and domestic trafficking. It examines Canada as a source, destination and/or transit country. The emphasis is on trafficking in persons as a human rights issue as well as a gender issue. The objectives of this research project are to gain a deeper understanding of the characteristics and the needs of victims of trafficking, as well as to document the community-based services that currently exist for victims and any gaps that may exist in these services.

The research was undertaken between January and May 2004 in four sites: Vancouver, Winnipeg, Toronto and Montreal, destinations or transit points for most people trafficked into or within Canada (RCMP, 2005). Telephone interviews were conducted with 40 frontline workers having first hand experience working with victims of trafficking. They represent a broad range of service providers: victim services, immigrant and refugee settlement services, community social rights groups, religious organizations, women’s organisations, Aboriginal and ethnic organizations. Content analysis was performed horizontally and vertically using open coding to identify emerging themes and patterns and to create categories of analysis.

At each site, a set of issues concerning trafficking in persons was addressed, including: (1) the characteristics of trafficking in persons as encountered by the frontline organisations; (2) victims’ needs in terms of prevention and protection; (3) agencies’ responses to trafficking, and (4) identification of gaps and barriers in providing services. The findings from the four research sites reveal many similarities, but also important differences and specificities of the particular ways in which the trafficking issue is approached and which are the most current responses to it.

Most respondents use working definitions that are consistent with one or more aspects of the definition of the UN Protocol on Trafficking. Furthermore, consensus exists among agencies about the most important needs of victims in the short and long term, and all sites observe that many of these needs are currently not being met or being met only through ad hoc arrangement. Respondents across the country noted that the conditions for trafficking are created by

socio-structural factors both in Canada and in developing countries, including poverty, the feminization of poverty, and lack of economic opportunities. Agencies also tended to agree that the most significant obstacles to service provision included a lack of funding for community groups, a lack of immigration status for the victims, language and cultural barriers, the marginalization and isolation of trafficking victims, victims' fear of deportation or retaliation by the traffickers, and the secrecy and silence surrounding the issue of trafficking in persons. The lack of information on trafficking in persons, or the accuracy of the available information, is also identified by respondents as a significant obstacle to the provision of services.

Differences between the sites are observed in terms of demographics of victims, responses of agencies, and specific issues that need to be addressed for the better provision of services.

Particularly striking among the findings is the young age of many trafficking victims and the prevalence of trafficking of Aboriginal women and girls in Canada. The extent of the trafficking networks operating in Canada was startling in terms of both the high level of organization and the magnitude of trafficking; respondents described networks which cross the continent and include major metropolitan centres in both Canada and the US, but also extend north into smaller Canadian towns in British Columbia and the Prairie provinces.

Many of the respondents had never directly considered trafficking within Canadian borders as an issue, inasmuch as the population they serve comes for the most part from outside Canada. Given that Aboriginal people were one of the target populations of this study, special focus was accorded to them. The difficult socio-economic situation of Aboriginal people is reflected in the fact that a majority of people trafficked within Canada are Aboriginal women and children, as discovered in this study. Another disturbing finding is that children constitute the most vulnerable population, and that they are the ones most difficult to reach since they are usually confined within homes or other closed environments.

The respondents in this study have indicated specific needs that must be addressed if solutions and preventative and protective measures are to be effective. The secrecy surrounding trafficking, the illegal movement of people, the relationship to organized crime and new criminal networks within and outside Canada provide some indication of the depth of the problem.

A grave human rights violation, trafficking in persons involves the utilization of threat or false promises to force or coerce people, predominantly women and children, into exploitative situations and conditions of extreme suffering. Many respondents have called for more policies and programs that emphasize protection of victims in addition to recognizing the needs and human rights of victims.

1. Introduction

This report presents the results of a qualitative research project that was completed between January and July 2005. At the request of the Research and Statistics Division of the Department of Justice, three Montreal-based researchers conducted a study to document the perspectives of the Canadian community sector's experiences with trafficking in persons in terms of the victims they met with, the services they were able to provide to these victims and the gaps in services that they discovered.

This report is divided into five main sections. In the first, some basic background information on trafficking in persons in Canada precedes a description of the project and the methodology. The next section presents the findings related to the characteristics of trafficking in persons as encountered by respondents working in community-based organisations. This is followed by findings related to services currently available for trafficking victims and gaps identified by study participants. The report continues with a discussion of the implications of these findings for community-based service provision in Canada and ends with a short conclusion.

Trafficking in persons is defined by the UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons* (hereafter the *UN Protocol on Trafficking*) as:

the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. (UN, 2000)

For the purposes of this project, a shorter and simplified working definition was developed in order to: first, situate the starting point of the research; second, provide a uniform framework to elicit responses; third, highlight the multiple facets of the phenomenon in relation to respondents' perception of trafficking; and, fourth, make the conceptualization of trafficking as defined in the *UN Protocol on Trafficking* more manageable for respondents. According to this simplified definition, trafficking in persons "involves the recruitment, transportation or harbouring of persons for the purpose of exploitation." It also involves the control of victims, including force and threats of violence, and it may occur across or within borders.

1.1 Current Knowledge about Trafficking in Persons in Canada

Trafficking in persons constitutes a serious human rights violation. Trafficked persons, predominantly women and children, are forced into degrading situations and conditions of suffering. Victims are controlled by fear of exposure and deportation, violence, and the threat of violence to themselves and their families. The United Nations Office for Drug Control and Crime Prevention (UNODCCP) estimates that trafficking by criminal organizations amount to \$5-7 billion annually (Arlacci, 2000). A recent report by the US Department of Justice increases

this estimate to \$10 billion. Since trafficking is a lucrative business that can complement activities in the drug and sex industries, it has attracted international organized crime rings. Trafficking in persons also occurs on a smaller scale where individuals, small “businessmen,” acquaintances of victims and even family members can be involved.

The number of people trafficked in the world each year, or even in Canada alone, is extremely difficult to determine given the clandestine nature of the activity and the relative lack of research in this area. Based on a survey of available sources, the RCMP estimates that between 700,000 and four million people are trafficked every year worldwide; these figures roughly coincide with the UN estimate of two million persons. The RCMP has also made a conservative estimate that approximately 600 women and children are trafficked into Canada each year for sexual exploitation alone, and at least 800 for all domestic markets (involvement in drug trade, domestic work, labour for garment or other industries, etc.). Moreover, the RCMP estimates that between 1,500 and 2,200 people are trafficked from Canada into the US each year, suggesting that Canada is a source, transit and destination country (RCMP, 2005, unpublished).

Globally, trafficking involves the flow of people from poor, less developed countries to Western industrialized nations. In May 2005, the International Labour Organization estimated that at any given time there are a minimum of 2.45 million people in forced labour as a result of trafficking in persons of which 270 000 are trafficked into industrialized countries. Victims of trafficking who arrive in Canada come from a wide variety of source countries, but Asian countries and those of the former Soviet Union have been identified as primary sources (RCMP, 2005, unpublished). There is growing awareness of a phenomenon involving both immigrant and Canadian individuals – particularly Aboriginals – being trafficked within the country or from Canada to the US. Again, this phenomenon is linked to poverty and to other social risk factors such as addiction or lack of social support.

2. The Study

This research project focuses on both international and domestic trafficking; it examines Canada as a source, destination and/or transit country. It also examines the community groups that provide assistance to trafficking victims. For the purposes of this research, the emphasis is on trafficking in persons both as a human rights and a gender issue. While recognizing that the majority of known trafficking victims are women and children and that they are often being trafficked for the purpose of sexual exploitation, this study also makes an effort to include victims of trafficking for other purposes such as forced labour.

2.1 The Goal of the Project

The objectives of this research project are to gain a deeper understanding of the characteristics and needs of victims of trafficking, as well as to document the community-based services that currently exist for victims and to identify any gaps in these services.

2.2 Research Questions

- What are the characteristics of victims of trafficking, including their age, ethnic background, sex and, within Canada, their Aboriginal status?
- How are victims of trafficking recruited? What makes them vulnerable to such exploitation?
- What is the movement of trafficked persons, such as their countries of origin, transit countries and countries of destination, and once in Canada, points of entry and movements within Canada?
- What are the living and working conditions of trafficked persons?
- What are the needs of victims of trafficking?
- How are the needs of the victims currently being met? What are the gaps?
- What are the barriers to providing services to victims of trafficking and how might they be overcome?

2.3 Ethics Procedure

A letter was sent out to organizations describing the research project, the methodology and the ethical guidelines. It was accompanied by a consent form and potential respondents were given the name of researchers and their telephone number should they have any questions about the project. Consent to participate in the study was given by telephone and was recorded. The interview guide used, the consent form, and the reasons for some groups' refusal to participate

are included in an appendix of the report. Confidentiality and anonymity have been preserved within this report and tapes and interview transcripts will be destroyed after three years as established in the consent agreement.

2.4 Methodology

2.4.1 Sampling Procedure

The research was undertaken in four sites: Vancouver, Toronto, Montreal and Winnipeg. These locations were selected because they have a high proportion of migrant and sex trade workers. Winnipeg also has the highest Aboriginal urban population in the country; anecdotal evidence gathered from “experiential workers” suggests that Aboriginal people may be particularly vulnerable to trafficking within Canada, and statistical evidence shows a higher incidence of unemployment, marginalization and poverty than within the Canadian population in general. According to Indian and Northern Affairs Canada (2000), in 1996 the Aboriginal unemployment rate was 28.7% and the Canadian rate was 10.1%. A significant difference is also found regarding poverty level. Statistics indicated that 40.9% of registered Indians have a revenue equal to or less than the poverty level, while Canadians show a rate of 16.5% (Indian and Northern Affairs Canada, 2000). Furthermore, the above four cities have been identified by the RCMP intelligence assessment as “hot spots” of trafficking in persons.

Frontline organisations with direct experience with trafficking victims were sought for participation. Given the hidden nature of trafficking in persons, the fact that it is a newly-recognised phenomenon in Canada and that there are very few organisations with specific mandates to deal with trafficking, snowball sampling was necessary to recruit respondents. Researchers began by conducting an internet search of Canadian community groups making reference to trafficking or having taken part in conferences or government consultations on the issue. Once contact was established with groups offering services to trafficking victims, we asked them to refer us to other groups working with this population.

Efforts were made to counter the selection bias by initiating several discrete chains of referral. Therefore, a broad range of service providers was considered: victim services, NGOs providing settlement, immigrant and refugee services, community and health services, religious organizations, women’s organisations and Aboriginal and ethnic organizations. Of the 125 agencies contacted, 40 agreed to participate in the study and 85 chose not to participate. The majority of these 85 groups declined because they had no experience in trafficking issues and the others did not respond due to the short timeframe. For a complete list of reasons for non-participation, see Appendix 3.

In total, 40 interviews were conducted: 10 each in Toronto and Winnipeg, 11 in Vancouver and 9 in Montreal. The following table indicates the specific mandates of the organizations recruited.

TABLE 1. ORGANIZATION MANDATE					
Mandate	Vancouver	Winnipeg	Toronto	Montreal	Total
Domestic workers	1	-	1	2	4
Sex trade workers	-	-	1	1	2
Sexual assault	2	-	-	1	3
Conjugal violence	2	-	-	-	2
Trafficking (Women and Children)	-	2	1	-	3
Trafficking (Education and Policy)	-	-	1	1	2
Settlement for Immigrants and Refugees	1	2	2	1	6
Advocacy, Rights' Education, Counselling	-	2	2	1	5
First Nations	1	2	1	-	4
Women's Groups	2	-	-	1	3
Shelter for Women (day or night)	2	2	1	-	5
Homeless Youth	-	-	-	1	1
Total	11	10	10	9	40

Of all the agencies represented by the sample, five have specific mandates to work with victims of trafficking; three are directly involved in service provision to victims while two are more concerned with educational and policy issues. Some workers reported that they were probably not always aware of situations involving trafficking victims in their dealings with their clientele. This information is not easily disclosed by the victims and workers are sometimes afraid of losing contact with their clients if they ask too many questions. However, all the agencies who participated come into contact with victims of trafficking, some knowingly because of their mandates.

2.4.2 Interview Process

Data were collected using semi-structured questions developed through a consultation process among members of the research team and Dr Kuan Li, the representative from the Research and Statistics Division of the Department of Justice Canada. The same guide was used in the telephone interviews with all 40 respondents (refer to Appendix 1). Given the highly differing mandates and activities of the frontline organisations involved, it was necessary to be flexible in using the guide. Not all the questions were relevant to the work carried out by an organisation. A significant example of this is when groups worked only with international or only with domestic victims of trafficking.

Telephone interviews were conducted with frontline workers having had first hand experience working with victims of trafficking. The emphasis of the interviews was on gathering the experiences of trafficked persons, not participants' opinions, and documenting the availability of community-based services and any gaps that might exist in the delivery of services, focussing on the most compelling needs and solutions to meet them.

2.4.3 Data Analysis

The audio-taped information from each interview was transcribed. Emerging themes were generated through open coding of the transcripts of the telephone interviews (Strauss & Corbin, 1998). Recurrent themes were then isolated and the nature of each interviewee's responses within that theme was identified. Responses were grouped first by city and then by relevance to the research questions noted above.

Similarities and differences in definitions of trafficking, characteristics of victims, vulnerability, recruitment, transit and forms of exploitation, victim needs and services offered, unmet needs and obstacles to the provision of services were extracted from individual transcripts in each city. This process enabled us to observe the development of specific patterns across all sites.

The trustworthiness of the data was evaluated according to credibility, transferability, dependability and confirmability of the analysis procedure (Lincoln, 1995). Credibility was established through consistent responses in each interview, triangulation (use of existing literature, coding confirmed by a second and third researcher), and peer debriefing (among the three co-investigators). The criteria for transferability are met insofar as the sample size is consistent with what is considered good for qualitative research, and the context within which the research took place has been explained. Dependability was established through the tapes, transcripts and audit trail demonstrating how the analysis was done. Confirmability can be judged by the reader in the findings section to ascertain the extent to which the quotations support the themes.

3. Findings

In this section, participants' answers to the interview questions are organised into two main categories: (1) the characteristics of trafficking in persons as encountered by the community groups and (2) the services available or necessary for victims of trafficking in Canada and the existing gaps and systemic barriers.

3.1 Characteristics of Trafficking in Persons

3.1.1 Defining Trafficking

Respondents were asked to define trafficking in persons in order to verify their understanding of what constitutes trafficking and to establish a common framework. It was confirmed that most groups working on the issue are aware of the UN definition; some interpret this definition broadly, while others question its applicability to individual situations. Although sometimes dependent upon their work, the working definitions of trafficking used by the respondents varied but were consistent in one or more aspects with the UN *Protocol on Trafficking*. The respondents established trafficking as an interrelation between displacement, control and exploitation.

Workers sometimes referred to the two-tier definition of the Global Alliance against Traffic in Women (GAATW), which they felt made an important distinction between the phases of trafficking: recruitment, transit and destination. With this understanding, trafficking in persons can involve exploitation at any or all of the three stages, as cited in the following response:

So, there are many things: there are migratory conditions, the condition in which the person was in their country of origin, conditions during transportation, living and work conditions at the point of arrival. All of this can be different. In other words, a person can be a sex worker in Romania, have a migratory trajectory where, during the transportation to Canada, may or may not have been fooled, may or may not have traveled in horrible conditions, and may or may not work in the sex industry after arriving in Canada.¹

Workers involved mostly with the Live-in Caregiver Program (LCP)² noted that while there may be forced labour and slavery-type practices in the destination country, exploitation in recruitment and transportation may be difficult to identify in some situations. It was also reported that gender was key to understanding trafficking and that even in cases of forced labour, an element of sexual exploitation may also be present.

A few respondents chose to avoid the use of a specific definition because of the unique nature of each trafficking case – in terms of who was being trafficked, by whom and how, and for what purpose. It was felt that the phenomenon defies a “one size fits all” definition and that strict

¹ Author's translation of the original response which was given in French.

² Under the Live-in Caregiver program (LCP), foreign caregivers are issued a temporary work permit that allows them to work in Canada as live-in caregivers. After two years of employment, the caregiver may apply to become a permanent resident.

definitions on trafficking may impede effective work. Some practitioners work instead with an issue as it arises and they usually encounter victims in the course of their work on other issues: refugee claims, street outreach, health education and especially on broad issues relating to violence against women. A few respondents preferred not to refer to trafficked persons as ‘victims,’ but rather as individuals needing help.

All respondents recognized the fact that international migration and displacement were inherent elements in the definition of trafficking in persons. Being far from home, without their familiar social system and their potential social supports, was seen as an important factor in individuals’ vulnerability to coercion and exploitation. At the outset, trafficking that occurs within Canadian borders was not considered as an issue, unless respondents were directly involved with this population. Groups in Vancouver and, in particular, Winnipeg, were most aware of the internal trafficking issue, especially among Aboriginal women and girls.

The degree to which displacement is the result of coercion was questioned by some respondents. They asserted that many of those who eventually become victims of trafficking were indeed seeking to migrate but inadvertently found themselves in an exploitative situation outside of their control.

Exploitation is considered to be a key factor in defining trafficking by the majority of respondents. In the case of international trafficking, many respondents mentioned that even though legal immigration visas may be used to enter the country, such as is the case with the Live-In Caregiver and other temporary work visas, exploitation may still occur. In cases of internal trafficking, displacement was described as being forced by either traffickers or by the potential victim’s life situation:

Of course, we meet a lot of Aboriginal women, Inuit, in our work. Are they victims of trafficking because they want to come to Montreal? Do they run away from the reserves because the living conditions are disgusting? Because they suffer all kinds of violence, abuses of all sorts? They take a chance and come to Montreal, and once there, things don’t go so well.³

Some respondents stated that traffickers use physical, psychological and economic control over their victims. Forms of physical coercion mentioned by respondents ranged from outright kidnapping (almost exclusively in the case of minors), physical violence and threats of physical violence against the victim and their families. Psychological coercion included encouraging a false sense of “love” from their victims, using deception and deceit, and undermining the victim’s autonomy:

Issues of abuse and power are not easy to deal with. The dynamics are complicated. People might be suffering from the Stockholm syndrome.⁴ These are complicated dynamics since there is the need to be socially recognized and loved. People who encourage exploitation are generally fairly knowledgeable and skilled in using the

³ Author’s translation of the original response which was given in French.

⁴ In 1973, four Swedes that were held in a bank vault for six days during a robbery became attached to their captors, a phenomenon dubbed the Stockholm syndrome. According to psychologists, those abused tend to bond with their abusers as a means to endure violence.



weaknesses of people who are emotionally fragile...or who could be made so. The victims are isolated and misinformed individuals.⁵

Economically, traffickers often saddle their victims with huge debts leading to dire consequences in cases of non-payment⁶ and/or make promises of future prosperity. For international victims, threats of being exposed to immigration authorities are another form of control. With regard to the issue of internal trafficking, exploitation of pre-existing addictions or the encouragement of new ones is an important element. As well, many traffickers use the threat of criminal sanctions as a way of maintaining control over their victims. For example, the victims would be told that they will be put in jail if they are discovered by police.

Respondents grappled with the difficulty of determining where the line between trafficking and other forms of abuse or exploitation is drawn, such as in cases of forced labour and sweat shops. For many respondents, especially those from women's organisations and those working with internal trafficking victims, the principal form of exploitation in trafficking situations is in the sex trade. While some respondents made a direct link between exploitation in the sex trade and trafficking, however, others stressed that working in the sex trade in itself was not necessarily an abusive situation. For those working with immigrant and refugees, the perspective of exploitation is broader and includes domestic work, child or elder care, forced marriage, forced labour or exploitative employment in family businesses, restaurants, agriculture and light industry.

3.1.2 Victims of Trafficking Encountered by Respondents

Respondents were asked to give a profile of the trafficking victims they encountered in their work. They were asked to identify the characteristics of victims such as: what makes them vulnerable to trafficking, their recruitment, transit and exploitation at the destination point, and the longer-term outcomes for the victims. Per organization, respondents said that they had encountered, on average, 10 victims of trafficking over the last few years.⁷

Overall, most victims of trafficking met by the respondents were women and young girls and their age and ethnic background were varied.

Victims of international trafficking come from a diverse set of countries. Asian and Eastern European nationalities⁸ were the most common among those encountered, but victims also arrive from the Middle East, Africa, Latin America, or the Caribbean.⁹ In Vancouver, Asian victims were most often mentioned, especially those from China and the Philippines. In Toronto, East European and Latin American source countries were the most common. Montreal seemed very diverse in terms of origins, while the Winnipeg groups worked more on internal trafficking with Aboriginal women.

⁵ Author's translation of the original response which was given in French.

⁶ This was often part of how respondents define of international trafficking.

⁷ This is an estimate of cases seen by workers. As stated in this report, agencies do not keep statistics on the trafficking cases.

⁸ The following countries have been mentioned: Korea, China, Hong Kong, Singapore, Taiwan, Philippines, Cambodia, Vietnam, Thailand, India, Pakistan and Sri Lanka from Asia, and Romania, Moldavia, Russia, Ukraine, and Slovakia from Eastern Europe.

⁹ Kenya, Rwanda, Mexico and Peru were mentioned as examples.

In the case of internal trafficking, northern Aboriginal reserves in British Columbia, the Prairies, and Québec were the most often cited origin of victims, but it was noted that youth runaways or otherwise isolated poor women from anywhere in Canada were vulnerable to trafficking. As one respondent noted,

Even boys and girls who leave their home in Canada. they drop out of school and they end up in the big cities of Canada itself. In this case, even in Canada these people are being targeted because there are predators who just watch this kind of people who are in need like juveniles and immigrants.

According to respondents' experiences, a majority of trafficking victims originating within Canada are Aboriginal, with young Aboriginal women figuring prominently. Very few respondents spoke of immigrants being trafficked once in Canada, although it was mentioned that there is movement from Vancouver to the interior, or to the north of British Columbia (BC) for the purposes of forced marriage and the sex trade and for agricultural work.

In Winnipeg, respondents from Aboriginal and non-Aboriginal organizations reported that trafficked persons were usually both status¹⁰ and non-status Aboriginals, coming from rural and urban communities, some of them having lived in Winnipeg all their lives. Respondents emphasized that victims of trafficking met by Winnipeg agencies had migrated from the reserves to the city and were female or transgendered living as women. It is both the migratory trajectory and the sexual exploitation that defines them as victims of trafficking.

In general, few data are gathered formally and the demographics of the population served by each agency are somewhat different. For example, agencies working with LCP focus on women coming from the Philippines, ethnic associations work mostly with members of their own ethnic group and ad hoc groups can form around issues such as the arrival of the 'Chinese boat people'¹¹. For this reason, the national origins mentioned above do not necessarily reflect the true frequencies of their presence in a given city.

Regarding age and sex, most victims encountered by respondents were women between their early 20s and late 40s. However, some victims are reportedly under 18, with some as young as 7 in cases involving Aboriginal youth with drug addiction. Respondents from Prairies and Ontario also reported children being trafficked for sexual exploitation or adoption. Teenage girls may be falsifying their ages in order to receive temporary work visas. In the specific case of the Bountiful community in BC¹², respondents believe that girls are trafficked from the United States and from within Canada and their ages appear to be between 13 and 24. There are few data on the involvement of males, which, according to some respondents, may be primarily linked to homosexual prostitution.

Gender, poverty, social crisis, education, age, social isolation and drug or alcohol addiction were all cited by respondents as important factors in creating vulnerability to trafficking. Poverty was

¹⁰ A status Aboriginal is an individual who is registered as an Indian under the provisions of the *Indian Act*.

¹¹ The boat people arrived to the coast of BC in the summer of 1999. According to available information, some of them were smuggled and others trafficked.

¹² The Bountiful community is a fundamentalist, polygamous Mormon community in South East BC.

often linked to global economic inequality, and social isolation attributed to conditions such as troubled family life, history of sexual abuse and mental health problems. It was stressed that drug use cannot be underestimated. The particular situation of Canada's Aboriginal communities was singled out by those working on domestic trafficking. It was understood that a history of colonial exploitation and racism has placed them in danger of marginalization.

In the case of international trafficking, poverty was cited by nearly all respondents as the most important source of vulnerability to trafficking. Poverty and lack of opportunity disproportionately impact women in their countries of origin, pushing them to look for opportunities elsewhere. Respondents from all cities noted that these socio-structural factors created favourable conditions for trafficking in developing countries

Really, poverty, you know? I mean, what else? Well, maybe a false sense of adventure. Still, again, it's poverty. Really, it's poverty. Most of the women we've met, really there's no other thing that they say about why they're doing what they're doing now or how they got to where they are. It's because they needed to. They wanted to help their families, most of the time. Especially if you're talking to women from Asia. I find that that is sort of a recurring motive. "Help my family, earn for my family, etc, etc."

Respondents indicated that the ability to obtain a visa to come to Canada as an exotic dancer or through the LCP was extremely attractive in this kind of context, which in turn encourages trafficking by leaving many individuals, who have few other options, susceptible to deception and exploitation. These programs open a possibility for traffickers to entice many vulnerable women into a situation in which they may become potential victims of trafficking.

Similarly, interviewees noted that internally trafficked persons were susceptible to trafficking as a result of economic deprivation and lack of opportunities in their communities. Sometimes they were seduced by media portrayals or anecdotal descriptions of city life. The pull to urban areas is strong for Aboriginal youth living in communities adjacent to cities as well as for youth in northern communities.

Individuals may also be pushed to move in search of education or employment. In cases of internal trafficking, many youth from remote areas first come to urban areas because they may not have access or only limited access to education in their own community. Once they have arrived, their lack of employment-related skills and lack of experience living in an urban setting increase their vulnerability to trafficking.

3.1.3 The Trafficking Process

Interviewees were also asked to describe the trafficking process they had been exposed to through their work, including recruitment, transit and forms of exploitation, all of which varied according to whether the trafficking was international or internal.

Overall, the study participants reported a wide range of techniques to recruit victims. Internationally, employment agencies, recruitment agents, personal contacts and newspaper ads were used. Internally, traffickers seemed most often to rely upon developing a personal relationship and dependency with their victim.

Internationally, illegitimate and unscrupulous employment agencies and immigration consultants appear to be a particular problem in the Philippines, recruiting people to be exploited in Canada under the guise of the LCP:

These recruitment agencies sometimes also arrange for their victims to enter Canada on foreign diplomatic staff visas or as tourists. Recruitment agencies and immigration consultants were key players in trafficking for domestic work; match-making agencies sometimes trafficked mail-order brides.

Illegitimate employment agencies are also used to recruit for the sex trade, relying on newspaper and radio ads for service industry jobs overseas, as well as word of mouth to reach their victims. This is done mostly through international prostitution circuits and venues that any person can get to know and use. It was noted that clubs in the United States and Canada communicated with each other. They also communicated with clubs and the so called 'employment agencies' in Central and Eastern Europe. Asian and Russian gangs were identified as important elements in this type of trafficking. The major trafficking networks are overseas, but said to be connected to networks within Canada. According to respondents these networks were new, not associated with the traditional forms of organised crime.

Both internationally and internally, respondents said that traffickers approached people who appeared to be vulnerable and offered them jobs, opportunities, or education. Subjects are approached and engaged in conversation and the trafficker "informs" them about Canada: the "goodies" and "freebies" they could have access to, and opportunities to make money, to own material things and to move out of poverty. Young women are offered jobs as waitresses or hairdressers; they talk to their parents and the family provides the money that the trafficker demands. Traffickers arrange for all travel documents.

Victims are sometimes referred to the trafficker by friends and relatives who may or may not be fully aware of the traffickers' intentions. Often, families will sell everything they own to pay for the trip of one family member, whom they never hear from again, leaving the entire family impoverished. In other cases, agents in rural areas and villages may kidnap children and transfer them to broader networks which exploit them. Traffickers maintain the exploitation of their victims through control and coercion, increasing their vulnerability:

Some people believe they will get a job here so the family sells their land and their jewellery. They sell everything the whole family has to get this money to pay to come here. Then they lose everything and they don't even have news about what happens to the person who comes here. It is the poverty on the other side that creates this. Most of them don't go back. Their lives are lost. They are murdered. All these are aspects of trafficking.

Recruitment agents or "immigration consultants" also go to bars, sex trade venues and coffee shops in poor villages or towns to seek women and subsequently get them involved into forms of sexual exploitation. Potential victims are met in public places. Most of these recruiters are men, although some recruiters are women who were previously involved in the sex trade.

Other types of traffickers reported by respondents included crime bosses or civil servants in other countries who take bribes and furnish passports. Lies, manipulation and blackmail are often part of the recruitment process, as traffickers tell the victims: “I will get you there but you have to pay me back”. This holds true for recruiting both within Canada and internationally.

In Canada, respondents pointed out that recruitment happens in bus shelters and depots, malls, and rural villages. Personal relationships seem to be the key to recruitment, with many victims reportedly lured away from their hometowns by “boyfriends” who later lead them into a trafficking network. The use of computers was also mentioned as a new tool being used to lure younger people.

Trafficking in Canada is said to be primarily controlled by biker gangs. At another level, individuals, organized paedophiles, and small businesses involved in drugs and the sex trade were also mentioned. In BC and Idaho, extremist Mormons are identified in the trafficking of girls and women for marriage in polygamous communities.

Most workers interviewed had limited information on the form of transportation and the route of trafficking in persons. Internationally, the main distinction seems to be whether or not a victim has legitimate papers for entering Canada. Those with visas or those for whom visas are not required came directly to Canada by plane. When visas were issued, they were usually LCP or temporary worker visas, especially for exotic dancers. Those with false papers or those who entered Canada clandestinely took more circuitous routes, combining different forms of transportation. Within Canada, or between Canada and the United States, transportation seems to be mostly by private car or bus.

Respondents shared a variety of anecdotal stories related to them by victims of trafficking:

- Romanian victims were moved by trucks to a Mediterranean country, from which they cross to Africa on cargo ships or are flown into a European country where an official can be bribed to allow entry. Italy and Britain are important points of transit. Once there, it is easier to get a visa to Canada. Once in Canada, victims may remain in the country or be illegally transported across the border into the United States.
- Those that remain are often “sold” to traffickers in another city, after a certain time – for example, after the age of 18 when the girls are considered old. Girls are often rotated from Winnipeg to Vancouver to Calgary to avoid staying in one place for an extended period of time.
- Those from Africa are frequently transported through Germany or Italy, while those from the Philippines often pass through Hong Kong or Singapore.

Internal trafficking is becoming an increasingly important issue in Canada:

We certainly get Aboriginal women lured from the north as well as young women from all the provinces. And sometimes American women were brought up in the circuit. That’s true about my centre. Other centres in the country are dealing with women across the American border but also coming from rural areas into urban areas. We also are dealing with women introduced to the circuit which exists between Toronto, Montreal and New York, Seattle, Vancouver, Edmonton, those commercial trafficking circuit. But also there

is a big one between Vancouver and New York, and Northern centres like Prince Rupert and Vancouver. So we know some routes.

Respondents from Western provinces raised a real concern, stating that a trafficking corridor from north to south was emerging and developing in Alberta. It was noted that Manitoba was a crucial point for trafficking in Aboriginal youth and that Aboriginal women were transported both across the Pacific coast between Canada and the US, and across Canada. “Experiential workers” report that some Aboriginal women and children are trafficked out of Canada, ending up in Japan, Mexico, or elsewhere.

According to interviewees, trafficking victims are often involved in a debt bondage relationship. They are brought to Canada and required to pay from \$5,000 to \$10,000 US in addition to what they owe for their flight, immigration fees, training courses, etc. Those to whom the victims are indebted force them to work in exploitative conditions in terms of hours, salary, health and safety, until their debt is paid off, which may take twenty years or more. The exploitation was described by one respondent as follows:

Yes. Slavery. Like, making them work 24 hours a day, seven days a week, without paying them. They treat them like machines. They don’t have feelings. ... These women are expected not to get sick. Even if they are sick they have to work.

Many of the victims identified by respondents worked in the sex trade as night club dancers, strippers, or prostitutes on the street, in closed houses, in brothels or in massage parlours. But trafficking victims were also reported to work as domestic workers, restaurant or garment industry workers, drug dealers, or farm labourers. Some are forced into marriage and/or exploited in their roles as a ‘mail-order bride’. Despite the fact that women were most often identified as trafficked for sexual exploitation, respondents suggested that this might give a false impression that persons are not trafficked for other purposes. Those exploited in other forms of work, however, may be less likely to be intercepted by authorities, less likely to view themselves as victims and less likely to be considered so by service providers.

Trafficking was also found to be related to major public events, as with the women who were reportedly brought from elsewhere in Canada as sex workers for forced prostitution to Vancouver during Expo ‘86. There are concerns that there may be another mass importation for the 2010 Olympics.

What happens to the victims of trafficking after they leave community services seems to depend on the level of marginalization of the victims. According to the respondents, women trafficked into prostitution who have exited the system sometimes find employment with agencies such as Prostitution Alternatives Counselling and Education (PACE) or Prostitutes Empowerment Education and Resource Society (PEERS), trying to help other women to get out of the same exploitive situations.

In other cases, the degree of exploitation has been so extreme – both psychologically and in terms of health – that the victims are unable to recover. Vancouver respondents in particular spoke of the Downtown Eastside as the end of the road for women having been severely

exploited through domestic trafficking and now living with drug and alcohol addiction, HIV, AIDS or Hepatitis-C. Early deaths result from poor working conditions, exposure to violence or serious health problems. There were similar examples among international trafficking victims in other cities. Respondents also reported that mental health problems sometimes result from the exploitation experienced by victims.

For those who escape relatively early from their trafficking situation, or for whom the abuse has been less severe, respondents reported a number of scenarios. For international victims, the possibilities included voluntary repatriation, attaining permanent status in Canada, involuntary repatriation (i.e. deportation), going underground within Canada, moving on to another country, particularly the US, or falling back into the hands of traffickers.

Voluntary repatriation was rarely reported and seemed to occur most often in cases where young women and youth were kidnapped, sold or otherwise completely unaware of the situation they were entering, especially in terms of the sex industry. Cases of voluntary repatriation reported in interviews occurred through the financial support of charitable or activist organisations. For those who wanted to stay, some were able to achieve permanent status through Humanitarian and Compassionate applications for permanent residency, successful refugee claims or marrying a Canadian.

Involuntary repatriation was also common. This was reported to be especially likely if the victim had first been intercepted by police or immigration officials. Respondents from Vancouver and Toronto spoke of nearly immediate deportation after discovery and detention with the question of whether the person had full access to enforcing their rights:

Often, even if they have the right to a lawyer, the practice right now is detention. There is the practice of a shift in policy. Because the policy means when someone comes to a port of entry, they should have access to a fair hearing, access to legal aid to deal with that. Now the practice is they are detained and deported quickly. Women aren't having the opportunity to talk to a lawyer to know what their rights are. They are detained, which contravenes our own policy. They are often deported without having access to advocacy.

For trafficking victims who leave the country or are deported, little information is available on their outcomes. Many of those who fail to obtain refugee status are reported to move on to the United States, where a wide variety of outcomes are possible. For some who have kept in touch with the agencies, there is evidence that they are still involved in sex work or some type of debt bondage in restaurants or other industries. In such cases, women get room and board in exchange for 10-12 hour working days, six or seven days a week. Most of their pay goes to those who “smuggled” them in, and the rest goes to their family.

For those who remain in Canada, they largely work in the garment industry or in restaurants. Some move up in the restaurant business, from dishwashing to food preparation, for example. Other survivors marry and have children. Several women trafficked for the sex trade were reported to have returned voluntarily to sex work but under better conditions. For trafficked women who entered the country under the LCP, most who have sought help from agencies have eventually successfully settled in Canada. For most survivors, family reunification is only just

beginning, and is difficult because these women are extremely poor and are unable to pay the fees and other expenses related to the process of bringing relatives to Canada.¹³

For domestically trafficked individuals, immigration status is not an issue and involuntary return to their original home is extremely unlikely other than in the case of minors. Rather, respondents reported the following scenarios: voluntary return to their community and choosing a new home for residence, or otherwise escaping the sphere of influence of their trafficker.

Lastly, several respondents spoke of women who had come forward for help but who, for a variety of reasons, fell back into the hands of their traffickers. Examples include a group of foreign exotic dancers in rural Quebec who were moved to another, unknown location when their trafficker realised they were in contact with a sexual assault centre. The psychological control of the trafficker or threats of violence to family members were said to be a factor in several women returning to their trafficking situation and breaking contact with service-providers. Lastly, several organisations expressed their frustrations in trying to help women on temporary work visas for exotic dancing. When they were forced to choose between staying with their exploitative and abusive employer and returning to their country of origin, many chose to stay in their abusive situation with the hope of being able to eventually improve their situation.

3.1.4 The Needs of Victims

Interview respondents identified a variety of needs encountered by trafficking victims. It was pointed out however that the experiences of trafficking victims are highly varied and needs assessments must take into account each victim's unique situation. Gender, age, immigration or Aboriginal status or health conditions are factors that have an impact on the needs of victims, as does the victim's stage of exploitation or recovery.

While respondents did mention meeting trafficking victims who had escaped or had been "discarded" by their traffickers without any outside intervention, many raised the need to be proactive in finding trafficking victims and offering aid. One of the first needs of victims is to exit their trafficking situation, something that can happen independently or through the intervention of third parties. With this in mind, respondents identified a three-pronged approach to intervention: sympathetic police intervention in situations of confinement or severe controls; long-term outreach and street work with possible victims to provide them with information about their rights and possible sources of help; and education in communities where trafficking is most likely to be occurring. Building trust was mentioned as key to successful outreach programs. With regard to the latter point, several respondents reported that it was often a neighbour, customer, visitor to a private home or a peer who had first reported a trafficking situation and sought help for the victim.

Protection services were identified as a pressing need for victims once they have managed to exit a trafficking situation. Protection needs differ according to the trafficking situation. Those involved with organised crime networks, especially those who agree to testify against their traffickers, may need police protection or witness protection type of programs. Other women,

¹³ Fees for a sponsorship application vary depending on the age of the person to be sponsored and the number of people to be sponsored, but are over \$1,000 per person (CIC, 2005). Of the other related expenses, air and ground travel are the most significant.



such as those trafficked by small business men into the sex trade or for forced marriage, were said to be in need of the type of protection offered to victims of domestic violence. It was reported that small-scale trafficking involving personal emotional relations has many parallels with situations of domestic violence.

It was reported that victims exiting a trafficking situation were unlikely to have any funds or the personal resources needed to find housing on their own. For this reason, emergency shelter is an immediate need – for victims to leave, they need somewhere to go:

The most common problem is lack of shelter. They have no place to go. There really isn't much for transition housing for these women... They should just take them as they are because they may have no place to go. If they're homeless, they're vulnerable.

For initial shelter arrangements, safety is again the primary concern, in that victims need to be protected not only from those who trafficked them, but also from other potential predators.

Though useful, shelters are only a temporary arrangement. In the longer term, and depending on the type of abuse suffered and related problems they may have, be it addictions or other health problems, victims may need assisted-living services in which social workers or other helping professionals continue to provide support.

Eventually, most women need to find independent housing. Frontline workers stressed affordable housing as a real need if trafficking victims are to become independent and less vulnerable to exploitation. Safety for women leaving shelters or assisted-living services to reintegrate into the general community is also crucial.

Health services were identified as another critical need for victims of trafficking. Respondents raised several aspects of short, medium and long term health needs: health prevention programs; access to public health care; mental health care; and detoxification and addiction recovery services. Health outreach should be performed in settings where trafficking victims might be encountered, for example, massage parlours, strip clubs and LCP language classes.

Trafficking victims were also said to suffer disproportionately from three types of health problems: sex-related, drug-related and mental illness. The involvement of many trafficking victims in the sex industry – under conditions where they cannot control their activities or set boundaries – places them at greater risks for sexually-transmitted diseases, unwanted pregnancy and physical trauma:

They are really endangered, being infected or addicted and they need good advice and orientation about how they can take care of themselves, anything about health system.

The need for mental health services was stressed. Whether the person was vulnerable to trafficking because of a previous mental illness or whether the traumatic experience brought it out, the need is the same. The links between drug and alcohol abuse and trafficking have serious health implications. Trafficked persons with addictions may be at greater risk to blood-borne diseases. Frontline workers also indicated that all three of these particular categories of health problems increased the likelihood of experiencing other health concerns.

Workers involved with Aboriginal youth and women, especially those in Winnipeg, stressed the need for appropriate drug and alcohol addiction treatment as well as other forms of health care. The need for an Aboriginal Healing Centre was raised by Vancouver respondents.

It was noted that women trafficked for forced marriage often find themselves in a situation similar to those trafficked for other reasons; they have little or no control over their sexual activities and sexual exploitation.

Respondents at each of the sites argued for long-term counselling services for trafficking victims:

I think there should just be overall support. ... And, of course, lots of counselling and support for these women. ... There's the first stage of support but you can't really get into the counselling until they actually have their life stabilised. You can't really counsel somebody who's high on drugs, is homeless. A lot of these people don't have a phone so they'll come to me but they'll have trouble, maybe, reaching me sometimes. They have trouble making appointments. You know, these kinds of things. Their life is too disorganised. They need stability. Everybody needs stability. How can you get better with anything when you don't have stability?

Frontline workers felt that victims would benefit from support in making decisions about the next steps in their lives and in dealing with their traumatic experiences and feelings of low self-esteem. It was emphasized that counselling should be culturally appropriate. It should be provided in the victim's language of origin and take into account his or her ethnic and cultural background.

The need for post-traumatic help was raised in Winnipeg and the reorientation of LCP workers in Montreal. There was consensus across the sites that victims also needed support in dealing with the aftermath of violence and sexual abuse, as well as help in recovering their children in cases where they have been taken by youth protection authorities.

As mentioned above, economic concerns are believed to be the key factor in an individual's vulnerability to being trafficked. It is also reportedly one of the greatest factors enabling traffickers to maintain control over their victims. Frontline workers reported that a viable income was one of the greatest worries for people exiting situations of exploitation. The economic necessities pushing them into situations where there may be at risk of being trafficked often remain even after they have exited, in that they still have difficulties to provide for their own basic needs, to support their families at home, and to pay off debts to unscrupulous lenders.

Interview respondents in all cities mentioned that access to welfare was an immediate need for trafficking victims:

They really need a source of income. I see welfare as a guarantee of income. It is very necessary to make it possible for the women to succeed in their situation.

Personal income was of great importance. In cases where access to welfare is problematic, groups argued for the need of charitable or other government funds to cover the intermediary period.

They also agreed that employment, access to information, education and skill development were the long-term core needs for victims and the goal of nearly all those they encountered. Respondents noted that victims from abroad required information in their language of origin. They need to learn how to get help, to gain access to services, and to navigate the system, especially the immigration process. Language training is necessary if victims are to remain in Canada, become independent and improve their lives.

Acquiring immigration status is of primary concern for international trafficking victims. According to the participants, very few of the trafficking victims view returning to their country of origin as a viable option; be it due to fear of rejection by their community, fear of retaliation by their traffickers or for economic reasons.

Well, if they are trafficked, first of all they need to have their status. They need to stay where they've been trafficked because, once they go back to their country of origin, there is no way for them to be supported. It's a given because these people come from third world countries. There are no such services.

Legislation was cited by several service providers as an important framework for their interventions. They pointed out the need for legislation outlining the protection to be provided to trafficking victims. In some cases, service providers found that despite the existence of anti-trafficking legislation, they still have problems defending victims' rights:

Once we had a caregiver who was trafficked from Saudi Arabia, she was Filipino. We went to the police station to file a complaint. He said: I can't put any crime in your complaint because my code says... there is no such thing as slavery.

When discussing victims' various service-related needs, the need to address gender, race and ethnic inequalities was an underlying theme in all the respondents' answers. They felt that structural discrimination and historical inequality has created an environment in which the exploitation of trafficking victims can still occur.

3.2 Services, Gaps and Barriers

Once they had identified the most urgent needs of trafficking victims, frontline workers were invited to describe the services provided by their agencies and the gaps in and barriers to access services. Agencies are focused on areas such as poverty, needs of immigrants, refugees and women victims of different types of abuse and violence. They get referrals from settlement services, prison advocates, women themselves, third world solidarity groups, women's organizations and Aboriginal leaders. Within these mandates and their daily service provision, they address the most salient needs of victims of trafficking.

Varied levels of services exist for most of the needs identified. Respondents also noted gaps and barriers to the provision of services to address the particular problems of trafficking victims.

3.2.1 Outreach, Intervention and Protection

Outreach

Outreach was reported as an important activity undertaken to educate and help trafficking victims reach safety. Workers seek to reach potential victims on the streets or in massage parlours, bars or strip clubs, within ethnic communities or in churches.

Trafficking victims are sometimes reached through websites, and some come to the attention of agencies through medical practitioners who treat the women for STDs and addictions.

Respondents reported that their agencies frequently work in collaboration with other organizations in order to help possible trafficking victims. In Montréal, for example, groups turned to allies such as: *No One is Illegal*, an organization for clients in undocumented situations; *Dollard-Cormier*, a drug treatment centre for youth; *Cactus*, a street-level organization working with injection drug users; and the Montréal Department of Public Health. Agencies also network with ethnic communities and grassroots advocates.

In Vancouver, Toronto and Montréal, some activists, as well as small community groups, were at times involved in “rescue” operations, in which they would physically intervene to help a woman caught up in a trafficking situation (for example, an LCP or other domestic worker) to leave the site of the exploitation:

We provide the so-called “rescue operations” at the centre. They call us up and say, “I really want to leave.” They need to immediately leave the employer because they can no longer stand the abuse. We immediately support them and go get them. Without any questions, we just go pick them up.

Work has also been done in detention facilities or prisons where women are held, both around Vancouver itself, in the interior of British Columbia and on Vancouver Island. In this context, agencies do outreach and advocacy work related to immigration, settlement services, problems with prison and criminal justice authorities, or they take in women upon their release from jail.

It was noted that workers were overloaded and under-resourced and that there wasn’t enough support for outreach activities. It was also suggested that peers should be hired to do outreach work in some ethnic communities such as the Chinese, Thai, and East-European communities, where trafficking sometimes occurs within the community.

Several of the respondents interviewed identified public education and advocacy against gender, race and ethnic discrimination as one of the most important activities of their organizations. Several groups reported that their adherence to feminist principles or to the tenets of First Nations’ culture was a key element in their ability to reach out, to engage and to maintain contact with trafficking victims in vulnerable situations. Respondents felt that these alternative practice frameworks were under-valued by government officials and funding bodies, thereby limiting their ability to provide the services they see as both necessary and in demand.

Respondents also felt that the public lacks understanding of both what trafficking is and of its extent in their communities. Media coverage was considered incomplete, difficult to understand and presented from a conservative point of view. Public education campaigns addressing the

links between systemic gender and racial prejudices and trafficking in persons were suggested as viable responses. It was argued that survivors or “experiential workers” should be hired to run campaigns available in a diversity of languages.

As part of this educational strategy, the public should be given tools to help victims. Programs such as *Cybertip.ca*, an online system to report actual or potential sexual exploitation of children on the internet, should be publicized.

Intervention

There were several examples of police operations uncovering trafficking activities. The evaluations of these operations were mixed. For a time in Toronto, Metro Police and a sex workers’ organization collaborated in a series of investigations and busts of local strip clubs suspected of trafficking. Each city also had examples of isolated police raids that uncovered suspected trafficking victims.

The results of police investigations and interventions in cases of trafficking, especially where organized crime was involved, have highlighted gaps within the system and pointed to a need for education for law enforcement personnel. For example, there have been instances during these kinds of operations in which trafficking victims were charged with prostitution-related offences. Respondents viewed this kind of outcome as problematic and highlighted the need to build better relationships between victims’ organizations and the police. In other cases, it was reported that undocumented women were directly turned over to the Canada Border Service Agency and subsequently deported.

Respondents also pointed to insufficient or inappropriate law enforcement activities as a barrier. Respondents questioned the implementation of the *Immigrant and Refugee Protection Act* (IRPA, 2001) and the lack of enforcement related to the existing tools such as the *Canadian Labour Code* and the *Criminal Code*.

Trafficking victims involved in the sex trade have the most difficult conditions: they are often jailed; their children are taken away from them; and they are denied other rights. In cases where trafficked victims are detained, their imprisonment constitutes an obstacle to the provision of services they need. It is noted that the way in which detention centres function is not conducive to community advocacy and support for the women. As one worker pointed out, “prisons are not in the business of helping women; they are in the business of managing people.”

Criminalization of sex workers was also considered as interfering with prevention efforts. Given that the police use parlour activities as proof of prostitution and collect evidence to support accusations of prostitution against workers, agency workers’ efforts to leave preventative material such as condoms and lubricants on site is inhibited. Criminalization also makes it difficult for agencies to identify, reach out to and gain the trust of sex workers. Their fear of arrest or deportation can lead them to avoid accessing necessary services, a scenario captured well in the following quotation:

The first question is that you must understand the culture of the gangs, of the sex trade work. They don’t have status; they even don’t know if the Canadian law will protect

them. They just came here. They didn't intend to stay here forever. They just come here to get money and they eventually need to leave the country. They don't know if the government is willing to help these kinds of victims.

Lack of implementation in the regulation of sex clubs, as well as lack of trafficking-related training and education of government officials are seen as gaps in the area of law enforcement.

Protection Services

There were a few examples of respondents providing temporary protection services to women by offering them a place to stay. These respondents reported feeling uneasy about having to take on that role. They felt ill-equipped to do so but felt it was necessary since the woman had no alternative. In most situations in which women felt endangered, the women were referred to domestic violence shelters. In some cases, refugee shelters actually sent their clients to another city in Canada or even to the US in order to ensure their safety:

So one day, we really started to fear for her safety when one of our volunteer was raking leaves outside in front of the house when a man, middle aged, white Canadian man, stopped and asked for this person. Fortunately, it was just a volunteer so she didn't know and she went to tell me somebody is looking for this person. So I went to answer the person and to see how he looks and asked why he was looking for her but he left. She wasn't secure anymore. So we arranged for her to go to another city and to be welcomed by another organization.

Respondents viewed the lack of protection policies and programs for trafficking victims as a primary barrier to effective service provision for trafficking victims. Service providers, themselves, also wanted protection in specific situations. In Calgary and Montréal, for example, some service providers had received threats related to their work on trafficking in persons. Workers feared exposing victims and themselves or colleagues to retaliation by traffickers.

We, too, have had threats. The women, too, have threats. All kind of threats, like on your own person. That's why I hope you will respect the confidentiality, and why we can't mention the names of the people, of the victims nor the groups either. We want to make it good but we don't want to have a string of bad things happening to those who helped out with their heart.

Respondents identified many steps that need to be taken to provide better protection for trafficking victims: a pro-active immigration policy that includes violence against women; the full application of the UN Trafficking Protocol; and providing immigration status to trafficking victims. A "protected person status" has been suggested in this connection. However, respondents were not in favour of tying immigration status to a willingness to participate in the prosecution of traffickers.

Most of the agencies which meet with international trafficking victims have immigrant or refugee settlement services as their primary mandate. As such, they are used to helping individuals deal with immigration procedures. Many of the non-immigrant-serving groups interviewed rely on referrals to specialised organizations or on *pro bono* collaboration with

lawyers to complete applications. Given the implications of an unfavourable immigration decision, most groups prefer to rely on specialists.

The most common procedures are refugee claims, humanitarian and compassionate applications for permanent residence, permanent residency applications for those in the LCP, or other temporary visas. If deportation is imminent, groups will sometimes offer emergency assistance through legal intervention, political lobbying, media work and activism.

There was recently a woman who was deported ... She was one of the women in our group. ... The government's whole mentality, their bosses told them what to do and they do it, that's it. They don't care about us. There was an amazing demonstration. ... They didn't want it. She was deported.

Access to legal representation, including legal aid, was lacking for the groups aiming to help victims to negotiate with the immigration system. Some form of residency status for internationally-trafficked persons was frequently identified as a gap.

3.2.2 Housing and Income

Housing Services

Respondents viewed housing services as closely related to protection services. When encountering trafficking victims in crisis situations and in need of immediate shelter, service providers turn to a number of resources. Domestic violence or refugee shelters are the most common resources used, but in cases where victims do not seem to fit into either of these two categories, frontline workers reported seeking spaces in homeless shelters. In Vancouver, Toronto and Montréal, activist organizations sometimes arrange for victims to stay in their members' homes.

The limitations of domestic violence, refugee and homeless shelters are related to their specific mandates, which are geared to specific populations and which inhibit the provision of services to meet the needs of trafficking victims, such as protection, immigration accompaniment or specialised counselling and health services. Another issue reported in Winnipeg and Vancouver was the unwillingness of shelters to accept people under the influence of drugs and alcohol. This represents a barrier to helping a person who may disappear into the city if he or she is turned down for help:

I had a woman come into my office. She was obviously very high, obviously hadn't slept for a few days. She was falling asleep while sitting up. She was very young. She was hardly dressed. I was trying to find shelter for her but nobody wanted to take her as long as she was inebriated. The best I could offer her was, there was a church called First United Church down here. They'll let you sleep on one of the pews. They're pretty supportive. But that was about all I could offer her. She got frustrated fairly quick because most of these women haven't really had any support, don't trust any of these systems in place. And so she took off before I could actually finish. I gave her clothes, gave her food. She grabbed all that she could before she left. She ran out in a huff.

Women-only facilities were deemed necessary as protection against traffickers. When they are available, there are not enough places, especially when trafficking victims are not part of the shelters' specific priorities.

For the most part, residential facilities available for trafficking victims are for detoxification, and even these are reported to have waiting lists that are so long that many individuals have lost the impetus to get treatment by the time their name comes up. Also, these facilities are rarely available on short notice. This lack of detoxification beds was reported as especially severe in Vancouver and Winnipeg for Aboriginal women, whom are considered as being internally trafficked. Several organizations working with women in the sex trade highlighted the need for residential facilities for transitioning out of forced prostitution.

You need that residential facility, somewhere when you are starting off and where you can get ESL. I'm looking up with other agencies possibilities, whoever it is, and each person is an individual so you can never treat everybody in generally. They can be in that house, having free courses and meals in the day, and then start looking for refugee status, and lawyer procedures. Because if you don't feel safe somewhere, you can't move forward.

There is apparently a project in the planning stages in Toronto, but to date this kind of service has been lacking.

Income

Frontline workers shared their experiences in trying to secure welfare payments for trafficking victims. Obtaining welfare is possible for those who have made a refugee claim or who have permanent status in Canada. Those who are undocumented or on temporary visas cannot generally access provincial welfare.¹⁴ Also, for Canadian victims of trafficking, jurisdictional issues and lack of identification may block access to welfare.

For those who are ineligible for an income security program, workers said that they attempted to seek funds through alternative channels: charitable donations, and referring victims to churches, other religious organizations, and food and clothing banks. For victims housed in shelters, the organizations are often able to provide them with some pocket money. Groups have also organized fundraising events to help victims. When all else fails, several organizations reported "passing the hat" among their staff and/or volunteers.

We make a point to go where current policies are and we push those to the limit and then we go to charity services that we know. The third option is to raise money from our own pockets.

Several labour rights-oriented organizations were willing to accompany victims working legally in the country through the complex complaint process at the Labour Board. However, these organizations lack necessary resources to meet all the demands for accompaniment services.

¹⁴ Researchers validated this information through a website search of Welfare Payments in British Columbia, Manitoba, Ontario and Quebec.

3.2.3 Health

With the exception of one agency in Winnipeg that had nurses on staff, none of the agencies interviewed were health care providers. There were, however, examples of health education taking place in each city. In Vancouver and Winnipeg, women's groups, drop-in centres and sexual assault centres undertook health prevention; in Toronto and Montréal, there were refugee services, sex workers' and domestic workers' organizations undertaking this type of outreach and education. Two examples of health outreach strategies were pointed out by respondents: (1) collaboration between a sex worker's association and the Peel Board of Health in order to gain access to strip clubs and massage parlours; and (2) the use of peer educators to gain access to sex trade workplaces. Respondents indicated that these two health outreach strategies work well with trafficked women.

While many organizations referred trafficked women to community health clinics that were reportedly more open to patients without health cards, service providers were unsure about the extent to which it worked. One Montréal organization had arranged its own weekly health clinic in collaboration with *Médecins du Monde*, offering free frontline medical services regardless of immigration status. Another group found doctors within ethnic communities willing to volunteer their services as the need arose. Several organizations in each city, especially the sexual assault centres, reported accompanying victims to health appointments in order to defend their rights and to explain procedures.

Service gaps related to health included an insufficient number of workers for health outreach and education, a lack of residential services for recovery, a lack of detox beds, and difficulty in accessing public services for victims without immigration status or proper identification.

Counselling services were offered by many of the organizations interviewed, often around specific issues such as sexual assault, refugee experiences, domestic work experiences, or addictions. It was often because trafficking victims sought help related to one of these issues that the trafficking itself was discovered by frontline workers.

The counsellors interviewed reported not being able to meet the demand for their services. Knowledge and skills were required to develop trust with the women and to bring them out of their isolation. The need for training related to the specific dynamics and implications of trafficking in persons was raised by several participants:

Yes. The difficulty with the specific area of trafficking is that there isn't a specific training course on how to help victims of trafficking. I think it would be useful because there are so many programs in BC that are working specifically on violence against women. It would go quite well. It is a unique area of provision of services and response.

3.2.4 Physical, Psychological and Social Barriers

Respondents noted that marginalization and isolation, both of which are inherent to trafficking in persons, are serious barriers to helping victims. The secret nature of trafficking prevents women from disclosing information. Restriction of victim movement and communication with outside parties also prevents many women from accessing services. Overcoming this kind of

sequestration and isolation requires, in addition to police intervention in appropriate circumstances, a long-term investment in intervention.

Frontline workers noted that closely circumscribed living and working conditions, as well as constant accompaniment by the trafficker, were formidable barriers:

Once the trafficked people arrive in their destination, the most important thing for traffickers is that victims be isolated from their own community and even from each other. Most of the time, what happens is that their papers are confiscated and then they are usually herded and placed in dormitory-type arrangements where they are not free to come and go, except to do their work. So, let's say, if it is to work in a club, they are lap dancing, etc, they will be herded to their place of rest after they are through working. They will not necessarily be allowed to leave the premises on their own and then they're herded back to do their work.

Respondents noted that psychological and emotional manipulation of victims was a powerful means of control exerted by traffickers, regardless of the type of trafficking. Among the psychological barriers mentioned were lack of trust, low self-worth and deception. Fear of violence, arrest, and for victims of international trafficking, deportation, prevented victims from coming forward and obtaining the services that they required. The climate of fear established by the traffickers can be quite extreme, as revealed in this interview excerpt:

They are very afraid to come forward. ... They are afraid of being killed. Also these people who have brought them to this country, they will go see their family in their home country. There are all kinds of blackmailing. Everything is used to keep these people into this operation, this situation. They are afraid of being traced; those people who brought them can trace them if it is done through that. ... And this is for both genders, both girls and boys, children, juveniles and adults also.

It was reported that in some cases, there have been years of programming and brainwashing, whereby women are convinced never to trust the police or any outsiders.

Language was mentioned as a barrier that greatly affected international trafficking victims' ability to take advantage of services and other forms of help. Groups were sometimes able to register victims in government language courses but, more often than not, they would turn to language courses offered by other community groups or by religious associations, given that trafficking victims are likely to have difficult schedules or not to have papers. The inability to secure spots in language courses, especially for those with less flexible schedules, and a lack of identification, immigration papers, or income, was reported by respondents as problematic.

In each of the sites studied, community organizations were able to provide services in languages other than English or French (e.g., Mandarin, Cantonese, Spanish, Tagalog, Romanian, Thai and Hindi). No single organization can represent all the languages of the victims who seek help; however, several of them cooperate with other groups, volunteers or public services for access to translators. Translation of their services for outreach or educational material is seen as an important but difficult task.

Along with attempts to translate their own services, several groups reported trying to provide translation services for victims' court appearances, legal and health appointments or contacts with various government agencies. Finding translators in crisis situations has proven difficult. Several groups suggested the necessity of an on-call, 24-hour, government-funded bank of interpreters:

There are some victim services provided by the provincial and federal agencies in BC. But because people who need services arrive anytime of the day or night, because the CIC may shut a house anytime of the day or night, they might not understand what's going on because they might not have bodies to interpret, because they might be deported any time... You really need workers who can understand that this is not a 9 to 5 kind of situation.

Significant cultural barriers to service provision, including difficulty on the part of some women to tell authorities or service providers what has happened to them and what sort of help they require, was raised as a major issue.

For respondents from several community based organizations, greater support is needed for those working on an equality-seeking model, (eg., anti-racism, women's liberation, and anti-poverty). Furthermore, respondents indicated that within governmental agencies and NGOs alike, anti-racism and anti-oppression models need to be developed and the gender lens need to be applied to the policies.

3.2.5 Service Providers

Many of the groups interviewed were aware of recent federal efforts to address trafficking, including the *Interdepartmental Working Group on Trafficking in Persons (IWGTIP)*.¹⁵ Some had participated in roundtable discussions on trafficking issues organized by the federal government as well as by the British Columbia government. It was expressed by many of these groups that more regular communication with the Working Group would be useful.

In addition, most of the groups interviewed were engaged in some way in the policy-making or the legislative process, be it directly or through their membership in coalitions or federations. They participated in the parliamentary commissions on migration issues and consultations with specific government departments on policy. They provided feedback, research reports and policy briefs, often directly related to trafficking, but also on the related issues of violence against Aboriginal women, the LCP, exotic dancer visas, the refugee determination process, and the overall immigration program. Although this work was time-consuming and usually unpaid, groups saw it as important to address the structural elements behind the specific cases they encountered at the grassroots level.

Respondents expressed a need to share more information across government and non-government and federal and provincial agencies and to develop collaborative partnerships among all the agencies involved, including child welfare services with regard to the protection of child victims.

¹⁵ The Working Group is comprised of 17 governmental departments and agencies and is responsible for coordinating all federal efforts to address trafficking in persons. For more information see the Department of Justice's website on trafficking in persons: <http://canada.justice.gc.ca/en/fs/ht/index.html>.

Respondents noted that the biggest obstacle to service provision at the level of community and grassroots agencies is financial. Agencies have too few resources to offer a broad range of services. There are no funds for service development, hiring regular staff and “experiential workers”, and offering staff development programs. Funding to deal with a sudden influx of victims is non-existent. Moreover, there is a lack of office space, problems related to hours of operation, and lack of adequate interpreting and translation services.

Beyond the community level, respondents believed that there is a lack of national standards on health, welfare, training and credentials. This absence creates important barriers to developing well-coordinated, effective services, regardless of immigration status. It was indicated that the 1996 repeal of the *Canada Assistance Program* only served to fragment the delivery of social welfare across the country.¹⁶ They also believed that there are systemic problems which impede transition housing, and safe and secure long-term housing. Respondents are frustrated by the fact that provincial and federal governments seem to be disputing whose responsibility it should be to fund services to trafficking victims.

¹⁶ Until 1996, the *Canada Assistance Plan Act* provided for 50/50 federal/provincial cost-sharing of social assistance and related services. It also set some basic requirements for social welfare programs. It was replaced in 1996 with Canada Health and Social Transfer program.

4. Discussion

Similarities, differences and specificities across sites revealed in the findings highlight the particular ways in which the trafficking issue is approached and dealt with by the respondents interviewed.

With respect to the definition of trafficking, most respondents use working definitions that are consistent with the definition of the UN *Protocol on Trafficking* and often perceive trafficking as part of a continuum of gender exploitation of women that manifests itself in different forms.

Trafficking is both a domestic and an international issue, and although it is commonly associated with illegal entry into Canada, in many cases it is associated with legitimate Canadian immigration programs such as the LCP, temporary work visas for exotic dancers, or the sponsorship of mail-order brides (Langevin & Belleau, 2001).

In spite of the fact that most agencies lack a specific mandate to work in a preventative or protective way with trafficking victims, these organizations manage to respond to some of the victims' needs. It is extremely revealing that all the agencies consulted highlight the need for adequate funding from the federal and provincial governments. Regularization of the victims' immigration status and the implementation of human rights, including labour rights, were also identified as pressing needs. Funding for prevention, which must address the conditions of poverty, domestic violence and drug dependency, particularly on Aboriginal reserves, is essential.

Secrecy, ignorance and misinformation regarding trafficking are challenging problems in the effort to improve service provision to this vulnerable population. Disclosure of involvement in trafficking is difficult for victims whose trust in authorities or in service providers has been eroded by their previous experiences of exploitation and their permanent state of insecurity. It is also critical that public ignorance or misunderstanding of the issue and its prevalence in Canada be addressed; awareness within the civil society may be created through the media or through information campaigns run by advocacy organizations or service providers.

The systemic barriers facing trafficking victims intersect with one another and hinder their access to a wide range of services. Among these barriers are federal policies established by the *Canada Health Act* (CHA, 1985), the *Immigration and Refugee Protection Act* (IRPA, 2001) and the *Criminal Code* (1985).

With regard to the *Canada Health Act*, the federal government stipulates that all permanent residents of Canada must be eligible for provincial health plans, thereby excluding many trafficked women with precarious immigration status, although provinces have some leeway for interpretation. The *Canada Health Act* defines those who are eligible for public health insurance as a resident of a province and who are "lawfully entitled to be or to remain in Canada who makes his home and is ordinarily present in the province, but does not include a tourist, a transient or a visitor to the province" (CHA, 1985, section 10). Section 11 also states that a

province may not impose a waiting period or minimum period of residence in excess of 3 months to be eligible to receive insured health services. Community organizations seek new and creative venues to find health services that minimally cope with the needs of the victims of trafficking.

The objectives of Canadian immigration policy are laid out in the *Immigration and Refugee Protection Act*. These objectives include permitting Canada to pursue the maximum social, cultural and economic benefits of immigration (Section 3(1)(a)) and promoting the successful integration of immigrants into Canada (Section 3(1)(e)). The immigration categories established by the *IRPA* are oriented towards the attainment of the immigration objectives stated in the Act.

While different provinces have different arrangements with the federal government, most play some role in selecting migrants that meet a pre-identified need (especially in the labour force), as well as in the socio-economic integration of new arrivals. For all provinces except Ontario and Quebec, immigrants have the option of applying directly to *Citizenship and Immigration Canada* or applying first to the province for assessment as a provincial nominee. Provincial Nomination is based on the province's assessment of its immigration needs and the perceived veracity of the immigrant's desire to settle in that province.

Citizenship and Immigration Canada (CIC)'s programs regarding undocumented migrants, whether trafficked or smuggled, are focused for the most part on preventing their entry into Canada and prosecuting those who facilitate illegal entry or those who use illicit means for entering Canada. In late 2003, the enforcement of the *IRPA* (that is, enforcing immigration laws at points of entry into Canada or detaining individuals who fail to conform with the provisions of the Act) was transferred from CIC to the *Canada Border Services Agency* (CBSA) (Oxman-Martinez & Hanley, 2004). As a matter of fact, none of the current CIC programs are geared to protecting trafficking victims.

Criminal Code offences give more possibilities for dealing with trafficking issues from a prosecution perspective. In fact, Canada is moving to create a more comprehensive and effective legislative framework to combat trafficking in persons. In November 2005, Bill C-49, *An Act to Amend the Criminal Code (trafficking in persons)* came into force. The amendments prohibit trafficking in persons, prohibit persons from benefiting economically from trafficking in persons, and prohibit the withholding or destroying of identity, immigration or travel documents to facilitate the trafficking of persons. Along with proposed changes to the *Criminal Code*, other changes have been observed, in particular the use of *IRPA* as an instrument for prosecuting traffickers. The specific offence of trafficking in persons contained in the *IRPA* is punishable by up to life imprisonment and/or a fine of \$1 million.

Current legislation favours preventative and prosecution measures but fails to provide protection of the basic rights of trafficking victims.

Systemic barriers also include a wide gap in communication between NGOs and government policy decision-makers. Efforts could be made to improve communication with community groups and educate them on many of the current objectives, strategies and actions of the federal government to combat trafficking, such as the targeted training for law enforcement and other



officials, the development of an anti-trafficking website and the production and dissemination of informational pamphlets to educate on the dangers of trafficking in persons.

An important obstacle to victim's services identified at the Winnipeg and Vancouver sites concerned the provision of services to status and non-status Aboriginal victims of internal trafficking. The debate over jurisdictional issues and funding impacted the ability of the agencies to provide the necessary services.

Agencies' responses to questions concerning the outcomes of former trafficking victims once they stop receiving services reflect the difficulty in keeping track of former clients. Victims' paths after termination of services vary widely; there are those who are granted status or have their status regularized and who stay in the country, those who are deported, and those who cross the border into the United States.

Organizations clearly recognize the necessity of statistical evidence to influence policy; however, they are reluctant to gather systematic information on trafficking victims. This information could constitute a corpus of statistical evidence that would allow the different levels of government to intervene adequately based on the real scope and gravity of the problem. Among the reasons evoked to avoid data collection is the victim's need to remain anonymous as well as agency workers' fear of retaliation by traffickers. Interestingly, when expressing their needs, agencies tend to signal the lack of hard data to work with when dealing with trafficking.

The development of anti-racism and anti-oppression models which apply a gender lens by federal and provincial governmental agencies as well as by NGOs was mentioned as a mechanism to avoid inequality and gender, race and ethnic discrimination and to better protect victims of trafficking.

Inequalities related to the global economic disparity between countries of the North and the South, and the colonization of Aboriginal peoples emerge as the driving force behind the domestic and international trade in persons. Extreme gradients of wealth, power and opportunity leave certain individuals and populations excessively vulnerable to exploitation, while unjustly granting others the power to exercise leverage over them. The prevalence of debt bondage and the exploitation of children within a purportedly "developed" country are abhorrent to the vast majority of Canadians and highlight the critical importance of addressing these foundational inequalities.

5. Conclusion

This study is one of the few studies of its kind in Canada. The researchers hope that it will constitute a meaningful contribution to long-term policy development in the area of protecting the rights of trafficking victims and to ensure that gender issues are considered within any policy framework.

Trafficking in persons is a hotly debated issue, both internationally and nationally. In Canada, the phenomenon is embedded in the complex intersection of human rights, the ever-increasing gap between rich and poor, the feminization of poverty, illegal and irregular migration movements, and the long-lasting impact of the colonization of Aboriginal peoples.

It has to be highlighted that the study was conducted within a very short time frame. Notwithstanding this constraint, our call for participation in the study was generally met with enthusiasm; workers welcomed the opportunity to talk about the issue, share their experiences and concerns, and have their voices heard in the development of a comprehensive policy framework initiative.

Many of the respondents had never directly considered internal trafficking as an issue, inasmuch as the population they serve comes for the most part from outside Canada. Given that Aboriginal people were one of the target populations of this study, special focus was accorded to it. The difficult socio-economic situation of Aboriginal peoples is reflected in the fact that a majority of people trafficked within Canada are Aboriginal women and children. Another disturbing finding is that children constitute the most vulnerable population, and that they are the ones most difficult to reach since they are usually confined within homes or other closed environments.

The respondents in this study have indicated specific needs that must be addressed if solutions and preventative and protective measures are to be effective. The secrecy surrounding trafficking, the illegal movement of people, the relationship to organized crime and new criminal networks within and outside Canada provide some indication of the depth of the problem. Researchers expect that this study will not only make a contribution to further discussion on the issue, but will also provide key information to officials within the Canadian government seeking to intervene in a positive manner to help trafficked persons and punish the traffickers. It is also our hope that organizations will find the information presented useful in their endeavours to provide services to this vulnerable population.

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Community Research Reports Related to Trafficking

Canadian Council for Refugees. *CCR: Trafficking in Women and Girls*. www.trafficking.ca

Exotic Dancer Association of Canada. *Sex Trade Advocacy and Research (STAR) Report*. <http://www.exoticdancerscanada.com/>

Mujer. *Coming to Dance, Striving to Survive: A Study on Latin American Migrant Exotic Dancers*. <http://www.mujer.ca/publications.html>

The Future Group. *The future of Southeast Asia: Challenges of Trafficking in persons and Child Sex Slavery*. <http://www.thefuturegroup.org/>

Association des aides familiales du Québec. *Le métier d'aide familiale : à la recherche d'un salaire équitable*. <http://www.cam.org/~aafq/trafic.html>

Stella. *La question du "trafic des femmes" : Points de repères dans la documentation des coalitions féministes internationales anti-trafic*. <http://www.chezstella.org/forumxxx/?q=node/230>

DAARE (Direct Action Against Refugee Exploitation). *Movements across borders: Chinese Women Immigrants in Canada*. <http://www.harbour.sfu.ca/freda/reports/daare.htm>

Appendix 1: Interview Guide

WORKING DEFINITION

1. How would you define trafficking in persons?

AGENCY'S RESPONSE TO TRAFFICKING

2. Does your organisation deal with victims of trafficking? International? Internal?
3. How did you first begin dealing with trafficking victims?
4. How does your agency address trafficking?
5. What are the key activities, related to *victims* of trafficking, undertaken by your agency?
6. Do you have a specific mandate or funding to deal with victims of trafficking?
7. In dealing with trafficking cases, does your agency work with other departments or agencies?
8. What are the most urgent needs of victims?
9. Are these needs met? If yes, how? If no, why not?
10. Do you think the needs of trafficking victims differ from other people you serve? If so, how? If not, why not?
11. What do you see as the long-term needs of trafficking in persons victims? Is your organisation able to address these needs? If not, why not? If not, do you know of an organisation/agency that could?
12. Which obstacles do you encounter in providing services to the victims? (Practical? Legal? Financial?)
13. What kind of additional resources would you think would be most useful in providing services to the victims?
14. Do you have ideas about how services can reach victims of trafficking, given their situation of extreme vulnerability?
15. Do you know what happens to the trafficking victims you have encountered after they leave your service? Remain in Canada? Return? Conditions?

CHARACTERISTICS OF TRAFFICKING

16. Who are the victims of trafficking that you encounter?
 - Gender
 - Age
 - Ethnic or national origin
17. How are the victims of trafficking recruited?

18. What makes the victims vulnerable to trafficking? What are the root causes of this problem?
 - Life conditions in host country
 - Illegal work (working without a permit)
 - Organized crime
 - Sexual activities
 - Forced labour
 - Forced marriage
 - Abuse
 - Illegal activities (e.g. drug sale)
 - Slavery
 - Debt bondage
 - Other (Specify)
19. Who are the traffickers?
20. Where do the victims come from? Where do they pass when they are trafficked?
21. Which is the mode of travel used (airlines, routing, sea) by victims?
22. What is the specific occupation of victims in Canada? (example: exotic dancers, domestic workers, factory/agricultural workers in slavery-like conditions, mail-orders brides, drugs sale, etc..)?

DATA ON TRAFFICKING

23. What kind of data does your agency gather?
24. How do you track and report:
 - a. Recruitment data
 - b. Movement data
 - c. Data related to age, ethnic background and aboriginal status.
 - d. Data related to life and work conditions in host country
 - e. Other relevant trafficking data
25. Would you like to add anything on how do you think victims' needs could be addressed?

Appendix 2: Consent Form

DESCRIPTION OF THE PROJECT

You are invited to participate in a research project led by Drs Jacqueline Oxman-Martinez, Marie Lacroix and Jill Hanley. This study has been requested by the Research and Statistics Division of the Department of Justice, Canada.

The general objective of the project is to gain a deeper understanding of the characteristics and the needs of victims of trafficking in persons, whether trafficked within Canada or internationally¹⁷.

The specific objectives are to better understand the following issues:

- How “potential” human victims of trafficking are recruited and what makes them particularly vulnerable;
- The characteristics of victims of trafficking, including their age, ethnic background, sex and, if relevant, their Aboriginal status;
- The living and working conditions of trafficked persons;
- Movement of trafficked persons such as their countries of origin, transit countries and countries of destination, and once in Canada, points of entry and movements within Canada;
- The needs of victims of trafficking, and how they are being, or not being, met;
- The barriers to providing services to victims of trafficking.

You will be contacted by phone by one of the three researchers to discuss the issues directly related to your field of expertise. We will ask you to answer questions prepared in a semi-structured questionnaire and talk with us about your perspectives and opinions on the subject matter raised during the telephone interview that should not last more than one hour. Follow-up availability may be necessary to clarify issues raised during the interview that may either not be clear to the researchers or need further explanation.

The interview will be tape-recorded and fully transcribed for analysis.

¹⁷ Definition of Trafficking in Persons (Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime):

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

RIGHTS OF THE PARTICIPANT

Your participation in this research project is optional and will not have any repercussions on your work. You also have the right to withdraw at any moment.

Your participation in this study will remain confidential. Data collected during the interview will be coded to ensure anonymity during the analysis and final research report. Taped data and transcribed material will be kept in a secure location for a three-year duration. Access to these data will be limited to the research team.

Should you have any question or comment concerning your rights as a research subject, we invite you to contact the researchers: Dr. Jacqueline Oxman-Martinez (514) 398-7062 or Dr. Marie Lacroix (514) 343-7014 or Dr. Jill Hanley at (514) 398-8810.

DATE

NAME OF PARTICIPANT

VERBAL CONSENT

NAME OF RESEARCHER

SIGNATURE

Dr. Jacqueline Oxman-Martinez

NAME OF RESEARCHER

SIGNATURE

Dr. Jill Hanley

NAME OF RESEARCHER

SIGNATURE

Dr. Marie Lacroix



Appendix 3: Reasons for Non-Participation in the Project

Refusal causes	Toronto	Montreal	Vancouver	Winnipeg	Total
Not frontline and not aware of trafficking		1		1	2
No contact with trafficking victims so far	2	8	9	8	27
Not frontline	7	6	1	2	16
No answer before March 31 or impossible to reach	4	5	9	15	33
No. Referred to one of their member organisations		1			1
Feel they cannot contribute to our objectives. People don't identify as "trafficked" although some probably are.			1		1
Not interested in participating in any studies, or "too busy"	2		1		4
Wouldn't give any more info on who they are and didn't want to discuss trafficking or if they work on the issue				1	1
Program no longer running				1	1
Total					85