

BRIDGING THE GAP:

Can Canada Learn from the EU in Combating Human Trafficking?

Kim Howson, MA Candidate
Carleton University



Presentation Overview

- Defining Human Trafficking
- Situation in Canada
- European Union Approach
- European Model in Action: Belgium
- Next Steps for Canada

What is Human Trafficking?

United Nations Palermo Protocol, 2000:

“‘Trafficking in persons’ shall mean the **recruitment, transportation, transfer, harboring 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**”

Human Trafficking in Canada

- Canada is a source, destination and transit country for human trafficking
- Both foreign and domestic victims
- Large focus on crime and security, yet few convictions
- Definition of THB in criminal code problematic
- Canada has no National Action Plan (NAP) to combat human trafficking

Action against Trafficking in Canada

- 2000 Canada signs Palermo Protocol
- 2001 Immigration and Refugee Protection Act
- 2005 Human Trafficking introduced into Criminal Code – “fear for safety and life” emphasized
- 2006 Temporary Residence Permits (TRPs) available to foreign victims
- 2006 National Human Trafficking Coordination Center created
- 2009 Bill C-268 passed
- 2010 “Blue Blindfold” campaign launched

Gaps in Canada's Response

- Lack of policy regarding victim assistance
 - victims often treated as illegal immigrants
 - difficulty in obtaining TRP
 - high instance of re-victimization
- First trafficking conviction only in June 2008, less than 10 convictions to date
- Little coordination across provincial/territorial lines – emphasizes need for NAP

European Union Approach

- 3+1 P Approach: Prevention, Prosecution, Protection and Partnership
- 2002 Framework Decision on combating THB
- 2002 Brussels Declaration
- 2004 Council Directive on Residence Permits issued to 3rd country nationals
- 2008 EU Anti-Trafficking Day (October)
- 2009 Action Oriented Paper
- 2009 October Declaration
- 2010 Revised Framework Decision
- 2010 EU Anti-Trafficking Coordinator

National Response in Belgium

- Belgium first country to introduce legislation specific to human trafficking
- Specialized police/judicial units
- Belgian system based on cooperation



Belgium and the “Payoke Way”

- NGO founded in 1987
- 1 of 3 specialized centers in Belgium
- European model based on Belgian approach
- Comprehensive victim assistance program:
 - Psycho-Social support
 - Legal assistance
 - Residential Care
- Support from moment of identification to completion of trial/repatriation

Next Steps for Canada

- Approve a NAP and develop a coordinated approach to combating human trafficking
- Develop and implement a victim assistance protocol, ensuring government funding
- Redefine human trafficking in the Criminal Code
- Provide specialized training to relevant government officials
- Continue to increase awareness/make THB a priority

Resources & Links

- Oxman-Martinez, Jacqueline, Hanley, Jill & Gomez, Fanny, “Canadian Policy on Human Trafficking: A Four-year Analysis” (2005) 43:4 International Migration
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- Perrin, Benjamin. *Invisible Chains: Canada’s Underground World of Human Trafficking*, Toronto: Viking Canada, 2010
- RCMP, “Human Trafficking in Canada: A Threat Assessment,” (Online) <http://www.rcmp-grc.gc.ca/pubs/ht-tp/httpa-tpem-eng.htm>
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- www.blueblindfold.co.uk
- www.endmoderndayslavery.ca
- www.hopeforthesold.com
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