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Faster, Higher, Stronger: Preventing Human Trafficking at the 2010 Olympics

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PREVENTING HUMAN TRAFFICKING AT THE 2010 OLYMPICS



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EXECUTIVE SUMMARY

This report considers the upcoming 2010 Olympics in Vancouver in the context of Canada's human trafficking response to date, and makes recommendations to ensure that this event showcases our best to the world – and is not a flashpoint for human trafficking.

The 2006 Germany FIFA World Cup provides lessons on the importance of preventative efforts to reduce the attractiveness of such events to traffickers. There is evidence that human trafficking increased during the year of the 2004 Olympic Games in Athens, where measures were not as extensive as those taken at the 2006 World Cup.

According to analysis of comparative statistical data from the Greek Ministry of Public Safety, there was a 95% *increase* in the number of human trafficking victims identified by Greek authorities in 2004. In other words, the number of known human trafficking victims *almost doubled* in the year of the Athens Olympics. In 2005, the year after the Olympics, the number of known trafficking victims *declined* by 24%, but was still up 47% from the 2003 figure. While numerous factors come into play, a certain correlation between the Olympics and an increase in human trafficking cannot be discounted.

Traffickers could view the 2010 Olympics as a short and long-term business opportunity. First, there is a risk that an expected increased demand for prostitution during the Olympics could be filled by human trafficking victims. Second, traffickers may attempt to bring trafficked persons posing as “visitors” into Canada for the Olympics, only to exploit them in other cities or transit them into the U.S.

To ensure that the existing problem of human trafficking in Canada is not exacerbated by the 2010 Olympics, it is recommended that the federal and B.C. governments devote their anti-trafficking efforts to the following areas:

- 1) Deterring traffickers and potential commercial sex users through effective public awareness campaigns before, during, and after the 2010 Olympics;
- 2) Disrupting trafficking networks and prosecuting traffickers through a coordinated and pro-active law enforcement response at the local, provincial and federal levels;
- 3) Preventing human trafficking by identifying victims in transit through border controls and comprehensive training for border agents; and,
- 4) Protecting trafficked persons by ensuring sufficient arrangements are made to provide them with safe and appropriate housing, counseling, legal aid, temporary residence status, translation and medical assistance while they recover from their ordeal and decide whether to be a witness against their traffickers in criminal prosecutions.

These measures are long overdue, even without the 2010 Olympics. This major event provides added impetus for their immediate implementation and funding.

I. INTRODUCTION

Human trafficking in Canada, and the Vancouver area in particular, is a problem that governmental and non-governmental authorities are only beginning to confront. Concerns have been raised that the 2010 Olympic Games in Vancouver will present an opportunity for human traffickers.

On May 29, 2007, the Standing Committee on the Status of Women recommended “[t]hat the government, in collaboration with provincial and municipal counterparts as well as experts from the police, international organizations and NGOs, develop and implement a plan prior to the opening of the 2010 Olympics to curtail the trafficking of women and girls for sexual purposes during the games and after.”¹

The objective of this report is to explore the connection between human trafficking and international sporting events, in the context of the nature and extent of human trafficking in Canada, and to make necessary recommendations.

The methodology of this report involved a review of governmental and non-governmental reports as well as of media stories that discuss a possible relationship between human trafficking and major sporting events. Statistical data from law enforcement agencies in host states has also been examined. Two case studies, the 2006 Germany FIFA World Cup and the 2004 Athens Olympics, were selected because they are recent major international sporting events. Where relevant, differences between these jurisdictions and Canada are noted.

Based on Canada’s current response to human trafficking, as well as the experience of the 2006 Germany FIFA World Cup and the 2004 Athens Olympics, recommendations are made to prevent human traffickers from using the 2010 Olympics in Vancouver as an opportunity to exploit trafficking victims.

¹ *Report 20 - Human Trafficking and the 2010 Olympics* (Adopted by the Committee on May 29, 2007; Presented to the House on May 30, 2007), online: <<http://cmte.parl.gc.ca>>.

II. HUMAN TRAFFICKING IN CANADA AND VANCOUVER

A. Definition of Human Trafficking

Human trafficking is defined in the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* (“Trafficking Protocol”), which has widespread international support with 117 signatories, including Canada:

- (a) “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;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) “Child” shall mean any person under eighteen years of age.²

This rather complex definition can be broken down into three elements:

- Act: recruiting, transporting, transferring, harbouring or receiving people;
- Means: threat or use of force, coercion, abduction, fraud, deception, or abuse of power, or paying someone in control of the victim; and
- Purpose: exploitation (including prostitution of others or other forms of sexual exploitation).³

² *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime*, U.N. G.A. Res. 55/25, Annex II at 31-39, U.N. Doc. A/55/25 (15 November 2000), entered into force 25 December 2003, available online: UN <http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf> [Trafficking Protocol].

In the case of persons under 18 years of age, the second element (i.e. coercive or deceptive means) is not required – movement of a child for the purpose of exploitation is sufficient to constitute human trafficking.⁴

As Tim Riordan Raaflaub of the Parliamentary Information and Research Service correctly points out, there is a distinction between human trafficking and migrant smuggling. While “smuggled migrants are usually free once they arrive at their intended destination”, victims of human trafficking are subject to exploitation at their intended destination.⁵

B. Nature and Extent of Problem

The RCMP Criminal Intelligence Directorate estimated in a 2004 report that 800 people are trafficked into Canada each year, 600 of which are destined for the sex trade. An additional 1,500 to 2,200 people are trafficked from Canada into the United States annually.

Vancouver is both a destination and transit city for human trafficking. It is already an attractive city for human traffickers to operate, owing to several factors:

- Location: close proximity to the U.S. border and one of the Pacific gateways to Asia;
- Immigration laws: differences in Canadian and U.S. immigration laws make entry into Canada more accessible for the nationals of many foreign countries, facilitating their movement to the U.S. through Canada;
- Demand: as a large urban centre, Vancouver is known to have an established problem with prostitution and other forms of sexual exploitation; and,
- Criminal infrastructure: the presence of organized crime in the Vancouver area and B.C. Lower Mainland provides networks for the trafficking of weapons, drugs and people.

³ People’s Law School, “Human Trafficking in Canada” (July 2007), p. 2, online: <http://www.publiclegaled.bc.ca/snapfiles/Publications/2007_Human_Trafficking.pdf>.

⁴ See Parliamentary Joint Committee on the Australian Crime Commission, *Parliamentary Inquiry into the Trafficking of Women* (Canberra: Senate Printing Unit, 2004), at 2.2, online: <http://www.aph.gov.au/Senate/committee/acc_ctte/completed_inquiries/2002-04/sexual_servitude/report/report.pdf> [Australian Parliamentary Inquiry].

⁵ Tim Riordan Raaflaub, “Human Trafficking” (Ottawa, ON: Library of Parliament, 2006), p. 1, online: <<http://www.parl.gc.ca/information/library/PRBpubs/prb0425-e.pdf>>.

As a result of these factors, Vancouver was recently singled out in the U.S. State Department's *Trafficking in Persons Report* (2007) as being a destination city for trafficked persons from Asia. The report also revealed that "[a] significant number of victims, particularly South Korean females, transit Canada before being trafficked into the United States."⁶

In recent years, undercover police investigations have revealed the use of student or visitor visas to spirit young women from Asia into the sex trade in Vancouver, and then onward to other cities, including Calgary.⁷

⁶ U.S. State Department, Office to Monitor and Combat Trafficking in Persons, "Canada" in *Trafficking in Persons Report* (2007), online: <<http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>>.

⁷ "Prostitution Pipeline Allegedly Smuggled Asian Women into B.C.", *Canadian Press NewsWire*, 9 November 2003 (Quicklaw).

III. LESSONS FROM RECENT INTERNATIONAL SPORTING EVENTS

There are at least two main ways that international sporting events may affect human trafficking in the host country: (1) contributing to a short-term increase in demand for prostitution and other forms of sexual exploitation in, and around, the locale of the event; and (2) facilitating entry of trafficked persons as “visitors” before they are transited to other cities or countries and exploited there.

There is relatively little research on the impact of international sporting events on human trafficking. What is clear is that countries hosting recent, and upcoming, international sporting events have taken the threat seriously. For example, Metropolitan Police Commissioner Sir Ian Blair has appointed a new Assistant Commissioner specifically to act as head of security for the 2012 Olympic Games in London, with a mandate to deal with terrorism threats, human trafficking, illegal construction workers and counterfeit operations.⁸

The 2006 Germany FIFA World Cup provides lessons on the importance of preventative efforts to reduce the attractiveness of such events to traffickers. There is evidence that human trafficking increased during the year of the 2004 Olympic Games in Athens, where preventative measures were not as extensive as those taken at the 2006 Germany FIFA World Cup.

A. Germany FIFA World Cup (2006)

The 18th FIFA World Cup was held from June 9 to July 9, 2006 in Germany, with 3.36 million attendees.⁹ After widespread international concern about the threat of an upsurge in human trafficking in connection with this sporting event, German authorities, together with local and international non-governmental organizations, pursued a range of activities aimed at preventing the possible exploitation of this major international sporting event by human traffickers.¹⁰ After summarizing the range of measures adopted, their success will be evaluated.¹¹

⁸ “2012 Olympics is ‘Huge Target’ for Terrorists, Say Police”, *Evening Standard*, 19 October 2006, online: <<http://www.thisislondon.co.uk/>>.

⁹ FIFA, “2006 FIFA World Cup Germany”, online: <<http://www.fifa.com/>>.

¹⁰ See, e.g., European Parliament, *Forced Prostitution in the Context of World Sports Events*, P6_TA(2006)0086.

¹¹ The measures below are discussed in: Council of the European Union, *German Delegation – Experience Report on Human Trafficking for the Purpose of Sexual Exploitation and Forced Prostitution in Connection with the 2006 Football World Cup in Germany*, 19 January 2007, Brussels, No. 5006/1/07 [“Germany Report to E.U.”].

1. National and Local Cooperation

Germany coordinated state and federal police forces, before and during the World Cup, through the “FIFA 2006 World Cup National Security Strategy” and the “Framework Strategy by the Federal and State Police Forces for the 2006 World Cup”. These frameworks provided for uniform standards on the investigation and prevention of human trafficking, among other matters. They were intended to build and improve on existing efforts to combat forced prostitution and human trafficking.

Federal and state police in Germany also worked with special counseling services, NGOs, host cities, churches, sporting associations and others to identify stakeholders that could assist with public education campaigns, prevention activities, identifying potential victims, and providing services to rescued victims.

2. Prevention Work by Non-Governmental Organizations

Non-governmental organizations and special counseling organizations conducted a range of activities aimed at preventing forced prostitution and human trafficking both during and after the World Cup in Germany. These activities included:

- Public events (discussions, press conferences, interviews, info desks, posters and leaflets);
- Mailing campaigns
- Education and information via radio and television
- Telephone hotlines
- Websites
- Information and assistance at shelters

One of the leading campaigns, supported by the German federal government, was designed by the National Council of German Women’s Organizations and called “Final Whistle – Stop Forced Prostitution”.

Another preventative campaign involved the International Organization for Migration (IOM), MTV Europe Foundation and the Swedish International Development Cooperation Agency. These organizations joined forces in a prevention campaign to raise awareness among fans that women would likely be trafficked into Germany in response to an expected increase in demand for prostitution. It included a provocative television ad, website and information about a hotline to anonymously report information of suspected human trafficking or forced prostitution to German authorities.

3. Investigations and Raids by the Police

Federal and state police focused their investigative activities related to forced prostitution and human trafficking in, and around, host cities. These measures included the following:

- Greater police presence (uniformed and plainclothes) at high-risk venues;
- Raids conducted into known areas involving the sex trade;
- Temporary reinstatement of border controls at federal borders;
- Formation of new, and strengthening existing, specialist police task forces;
- Contact with police informers in relevant high-risk areas;
- Increasing awareness among hotel and accommodations staff;
- Coordinating with authorities at event sites; and,
- Liaising with social service agencies and special counseling services.

4. Increased Demand for Prostitution & Instances of Human Trafficking

One of the difficulties with examining a possible link between human trafficking and the 2006 World Cup is that prostitution is legal in Germany. In the lead up to the 2006 World Cup, the media reported un-attributed estimates that up to 40,000 women might be trafficked to satisfy an increased demand for prostitution – forty times the average number of documented cases of human trafficking annually in the country.¹² This figure turned out to be extravagant and was dismissed by most experts both before, during and after the World Cup – nevertheless it was widely reported.

While the German Government agreed that the unfounded estimate of 40,000 trafficking victims did not materialize, it reported in January 2007 to the Council of the European Union that prostitution did, in fact, increase as a result of the World Cup:

In the run up to the 2006 World Cup, it became clear that a higher number of prostitutes could be expected in and around the game venues and the hotels and accommodation for fans.

...
The federal-state criminal police offices with game venues under their responsibility as well as the respective special counselling services noted that in the run up to the 2006 World Cup an increase in the number of prostitutes was recorded at game venues and the surrounding areas. This was due, for instance, to the fact that prostitutes from outside regions travelled to the game venues.¹³

¹² A study sponsored by the International Organization for Migration (IOM) in September 2006 found that the 40,000 figure was “unfounded and unrealistic”: Jana Hennig et al., *Trafficking in Human Beings and the 2006 World Cup in Germany*, (Geneva, International Organization for Migration, 2007), at p. 6, online: <<http://www.iom.int>> [IOM Report]. The IOM Report also found that there was little evidence to date of a substantial increase in human trafficking – however, the report was prepared before the annual trafficking statistics for Germany were available by which to compare data from previously years. The report was also premature because the German Government did, in fact, report an increase in prostitution related to the 2006 World Cup. However, since prostitution is legal in Germany, this demand was evidently filled primarily by domestic prostitutes, as opposed to international human trafficking victims. The IOM report also concluded that “[p]revention campaigns and increased law enforcement efforts during the World Cup may have reduced the risk of trafficking.”

¹³ Germany Report to E.U., *supra* note 11, p. 4 [emphasis added].

The German Government also reported that five cases of human trafficking “were assumed to have a direct link to the 2006 World Cup. In these five cases, five victims of human trafficking were found, four women and one man. The victims were all between 18 and 21 years of age and came from Bulgaria (2 women, both 20 years old), Hungary (one man, 20 years old), the Czech Republic (one woman, 19 years old) and Germany (one woman, 19 years old).”¹⁴ There was no “significant increase” in the number of “illegal stays in connection with the practice of prostitution”.¹⁵ As a result, the German Government concluded that its “safeguards to counteract human trafficked and forced prostitution . . . proved to be successful”.¹⁶

Statistical data on reported cases of human trafficking for sexual exploitation are difficult to compare, year over year, because the German Criminal Code was reformed on February 19, 2005, and the manner in which cases are reported changed in 2005 from investigations initiated to investigations completed.¹⁷ The number of human trafficking “investigations” in Germany, according to the International Organization of Migration, are as follows: 431 (2003), 370 (2004), 317 (2005). The German Federal Police reported in 2006 (the year of the World Cup), that the number of reported “cases” of human trafficking for sexual exploitation was 712 – a case is defined as follows: “[e]very unlawful act (criminal offense) that comes to light during an investigation must be recorded as 1 case, regardless of how many victims are involved.”¹⁸ Thus, investigations can involve more than one case. Therefore, it is not possible to determine with certainty based on these figures whether the number of sex trafficking cases in Germany increased in the year of the World Cup.

What is clear from the available evidence to have taken place at the 2006 World Cup in Germany is that an expectation of increased demand for prostitution did, in fact, take place. However, as a result of the extensive immigration and law enforcement measures taken by the German Government, the majority of the prostitutes were not likely international victims of human trafficking, but from the existing domestic supply of prostitutes from elsewhere in Germany, where prostitution is legalized. Accordingly, while prostitution increased as a result of the 2006 World Cup, the number of reported human trafficking cases likely did not increase substantially.

In the context of the 2010 Olympics in Canada, where prostitution is not legalized, it is possible that a similar expected increase in demand for prostitution could be met either by domestic or foreign individuals who are subjected to varying degrees of sexual

¹⁴ *Ibid.*, p. 5.

¹⁵ *Ibid.*

¹⁶ *Ibid.*, p. 6.

¹⁷ See IOM Report, *supra*, note 12, pp. 15-16.

¹⁸ 2003-2005 data cited in IOM Report, *supra*, note 12, pp. 16. Data for 2006 is for s. 232, German Criminal Code (trafficking in human beings with intent to exploit: prostitution) only: see Federal Republic of Germany, *Police Crime Statistics 2006*, (Wiesbaden, Germany), pp. 12, 23, online: <http://www.bka.de/pks/pks2006ev/pcs_2006.pdf>.

exploitation. The need to address both domestic and international human trafficking is an existing policy need, even in the absence of the 2010 Olympics. The risk that a short-term increase in demand for prostitution during this event could be filled by domestic and international trafficking victims must be taken seriously.

B. Athens Olympics (2004)

The XXVIII Olympiad was held from August 13-24, 2004 in Greece. Some 10,625 athletes, 45,000 volunteers, 21,500 media members and over a million tourists enjoyed the Games.¹⁹ Efforts taken by the Greek Government in the lead up to this event were not as extensive as those taken by the German Government, two years later at the 2006 World Cup.

1. Governmental Initiatives

The Greek Government took a number of measures to address concerns about human trafficking being facilitated as a result of the Athens Olympics:

- Seminars financed for judges and prosecutors on human trafficking;
- Legal aid arrangements were put in place to assist victims of human trafficking;
- Creation of “human trafficking monitors” to investigate trafficking in children, with units consisting of specialized and mobile personnel; and
- A foreign language program to prevent a possible upsurge of contagious diseases during the period of the Olympic Games to foreign visitors and possible victims of human trafficking.²⁰

2. Non-Governmental Initiatives to Curb Child Trafficking

Terre des Hommes (TdH) and other non-governmental organizations focused their efforts on the concern of trafficking from Albania involving the exploitation of children through forced labour, begging and sexual exploitation. As a result, TdH and a Greek NGO, Arsis, established the “Emergency Response Against Child Trafficking” project, in addition to launching several public awareness campaigns and travel leaflets on child trafficking issues.²¹

¹⁹ Olympic Movement, “Athens 2004”, online: <<http://www.olympic.org>>.

²⁰ Embassy of Greece, “Greek Actions for the Suppression of Trafficking in Human Beings”, 12 October 2005, online: <<http://64.237.101.224/Embassy/Content/en/Article.aspx?office=1&folder=24&article=15996>>.

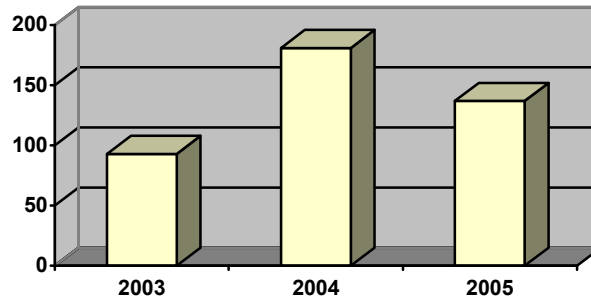
²¹ IOM Report, *supra* note 12, p. 13.

3. Comparative Statistical Data on Human Trafficking

The Greek Ministry of Public Order has published comparative statistical data on the number of known human trafficking cases, perpetrators and victims between 2003 and 2005.²² While there are numerous factors that can effect the number of known human trafficking victims, this data reveals the following:

- There was a 95% *increase* in the number of human trafficking victims identified by authorities, between 2003 and 2004. In other words, the number of known human trafficking victims *almost doubled* in the year of the Athens Olympics.
- In 2005, the year after the Athens Olympics, the number of known trafficking victims *declined* by 24%, but was still up 47% from the 2003 figure.

Number of Known Victims of Human Trafficking in Greece: 2003-2005



	2003	2004 (Year of Athens Olympics)	2005
Cases	49	65	60
Perpetrators	284	288	202
Victims	93	181	137

The top five source countries for human trafficking to Greece in 2004, accounting for 73% of known human trafficking victims, were Russia, Romania, Ukraine, Moldova and Bulgaria.²³ Also in 2004, just over 50% of the known perpetrators of human trafficking offences were Greek nationals, with Albanian and Russian traffickers accounting for a notable portion of the total number of traffickers.²⁴

²² See Ministry of Public Order, Hellenic Police, “Comparative Statistical Data of Cases, Perpetrators and Victims between 2003 and 2005”, online: <<http://www.ydt.gr/main/Section.jsp?SectionID=13441>>.

²³ Ministry of Public Order, Hellenic Police, “Victims of Human Trafficking (2004)”, online: <<http://www.ydt.gr/main/Article.jsp?ArticleID=94750>>.

²⁴ Ministry of Public Order, Hellenic Police, “Perpetrators of Human Trafficking (2004)”, online: <<http://www.ydt.gr/main/Article.jsp?ArticleID=94740>>.

Efforts to curb child trafficking, however, appear to have succeeded. The Protection Project (John Hopkins University) report on Greece indicated that at least one local non-governmental organization in Athens reported that *child* trafficking for prostitution had not increased by the Olympics, despite concerns that it would occur.²⁵ A 2006 International Organization of Migration report also found that the number of children on the streets during the Athens Olympics declined.²⁶

²⁵ The Protection Project, “Greece”, online: <<http://www.protectionproject.org/>> citing “Athens Olympics Did Not Boost Child Trafficking: Rights Group,” *Agence France Presse*, 25 November 2004.

²⁶ IOM Report, *supra* note 12, p. 13.

IV. RECOMMENDATIONS

Effective action to combat human trafficking involves a three-pronged approach:

- *Prevention* of human trafficking by working with source countries to address root causes, including deterring the demand side of the industry;
- *Protection* of trafficking victims including rescue, rehabilitation and, when appropriate, repatriation and reintegration; and,
- *Prosecution* of traffickers and commercial sex-users in criminal proceedings.

Countries that have been most effective in combating human trafficking have (1) adopted a clear legal framework to protect victims and prosecute offenders; (2) devoted sufficient financial resources to enforce their laws and support victim recovery; (3) demonstrated a high degree of cooperation between law enforcement, governmental agencies, and non-governmental sectors; and (4) coordinated their international development efforts to deal with root causes of poverty and corruption in source countries. These countries show their success with a steadily increasing number of trafficking victims protected and traffickers prosecuted, year after year.

The Government of Canada has begun to take several important steps towards combating human trafficking, such as making human trafficking a *Criminal Code* offence, adopting measures to provide victims with temporary residence and medical care, and introducing legislation to prevent work visas from being used to traffic women. The B.C. Government has recently created the B.C. Office to Combat Trafficking in Persons. All of these measures are laudable, but they are only first steps. The key is proper implementation and funding – it is less clear that this is taking place yet.

To date, not a single person has been successfully prosecuted for the offence of trafficking in persons under the *Criminal Code* and only a handful of victims are known to have received protection under the recent 2006 Citizenship and Immigration guidelines on human trafficking.

Given that Canada lags behind other developed countries in its anti-human trafficking efforts, the risk of human trafficking increasing as a result of the 2010 Olympics is clear. That risk must be taken seriously to ensure that this international event is a success.

To ensure that the existing problem of human trafficking in Canada, and in the Vancouver area in particular, is not exacerbated by the 2010 Olympics, it is recommended that the federal government and the B.C. government, in conjunction with the newly created B.C. Office to Combat Trafficking in Persons, devote their anti-trafficking efforts in the following areas:

- 1) Deterring traffickers and potential commercial sex users through effective public awareness campaigns before, during and after the 2010 Olympics: members of the Canadian public and those visiting Canada during the 2010 Olympics need to be advised of laws against sexual exploitation and human trafficking. This is particularly necessary because some visitors will come from countries where prostitution is legal, and it is critical that the demand for sexually exploitative activities not be permitted to spike.
- 2) Disrupting trafficking networks and prosecuting traffickers through a coordinated and pro-active law enforcement response at the local, provincial and federal levels: local police forces in B.C. and the RCMP need to have sufficient personnel devoted to investigating human trafficking in the Vancouver area in the years leading up to the 2010 Olympics to pro-actively identify and disrupt both domestic and international trafficking networks. Lessons learned from other police forces should be drawn upon in this regard. A model Canadian screening guide, and sample police “pocket-card”, to help identify potential victims of human trafficking, are reproduced in the Appendix.
- 3) Preventing human trafficking and enhancing border integrity by identifying victims in transit through border controls and comprehensive training for border agents: this is required in order to assist border guards to distinguish between genuine tourists of the Olympic games, and potential victims of human trafficking in transit.
- 4) Protecting trafficked persons by ensuring that sufficient arrangements are made to provide them with safe and appropriate housing, counseling, legal aid, temporary residence status, translation and medical assistance while they recover from their ordeal and decide whether to be a witness against their traffickers in criminal prosecutions. In the event that human trafficking victims are discovered before, during, or after the 2010 Olympics, there needs to be a coordinated response by law enforcement, immigration officials, and social service agencies to ensure that medical and counseling is provided, victims are treated appropriately, and that the Citizenship and Immigration Canada guidelines on trafficked persons are applied to provide temporary residence to such individuals during their recovery.

Human trafficking is taking place today in Canada. These measures are long overdue, even in the absence of the 2010 Olympics. This major international event provides added impetus for their immediate implementation and funding. Only a lasting and determined approach to combating human trafficking will be successful in confronting this serious problem.

APPENDIX A: SCREENING GUIDE TO IDENTIFY VICTIMS

Model Canadian Screening Guide to Help Identify a Potential Victim of Human Trafficking²⁷

- *The questions set out below are merely guidelines to identify issues that may be addressed during an interview with a potential victim. There is no substitute for the judgement and intuition of the interviewer in determining whether an individual is a victim of trafficking. The critical concepts to be discerned are those of exploitation and loss or severe limitation of liberty.*
- *Corroborative Materials: In relation to all key points, ask if there are any witnesses; police or immigration reports; any documentation or travel tickets; immigration departure or landing cards; reports of any medical treatment provided in respect of injuries prior to referral; documents showing victim acting in a nominee role (i.e. Beneficial owner is really the trafficker); copies of bogus employment contracts or copies of the original advertisement; or diary entries, letters etc written by the victim.*
- *None of the answers to any of the questions will on their own resolve the issue – they must all be considered collectively together with the indicators highlighted above.*
- *“This list should not be used as a questionnaire for potential victims. Talking about traumatic experiences can be very difficult, and victims have little reason to trust people. People working with victims of trafficking have found that multiple interviews are often needed to establish trust with a victim and educate [him or] her about the concept of trafficking and [his or] her rights not to be controlled and compelled into prostitution or other commercial sex acts.”²⁸*

A) General Information:

Victim’s name, age, nationality, professional and educational background

B) Recruitment

1. What is the victim’s citizenship?
2. What country was the victim last residing in?
3. How long was the victim residing in that country?
4. What was the victim’s status in that country?
5. In what countries has the victim resided and for how long?
6. How old was the victim when he/she left the country of origin?
7. Do members of the family know the victim’s whereabouts?
8. Was the victim forcibly transported to another location in his/her country of origin? If yes, how?

²⁷ *Human Trafficking: Reference Guide for Canadian Law Enforcement* (Abbotsford, BC: University College of the Fraser Valley Press, 2005), pp. 63-68, online: International Centre for Criminal Law Reform and Criminal Justice Policy <http://www.icclr.law.ubc.ca/Publications/Reports/human_trafficking_2005.pdf>.

²⁸ This useful advice comes from Professor Donna M. Hughes in “Hiding in Plain Sight: A Practical Guide to Identifying Victims of Trafficking in the U.S.” (October 2003), online: <http://www.acf.hhs.gov/trafficking/resources/plain_site.html>.

9. Who recruited the victim?
10. What was the purpose of the recruitment?
11. Was initial contact with recruiter voluntary or not?
12. If not, was the victim forcibly transported out of his/her country of origin? If so, how?

Use of force or threat of force

If force was used in the recruitment please respond to the following questions:

13. Was the victim abducted or kidnapped?
14. Was the victim threatened with harm to his or her self or family?
15. Was the victim sold? By whom?
16. What were the circumstances of the forcible removal?
17. Who initiated the contact? How?
18. What was the method of recruitment (e.g. by advertising, acquaintance, family, tourism, study courses)?

Employment

If the recruitment was for employment, please answer the following questions:

19. What kind of job abroad was offered to the victim or what activities did the victim believe she/he would be engaged in following arrival at the new location?
20. How much money was promised to the victim and by whom?
21. Did the victim sign a contract? (e.g. an employment contract)
22. If so, what are the terms of the contract? Does the victim know them (e.g. was the contract in a language the victim understood)?
23. Does the victim possess a copy of the contract?
24. Was the victim coerced into signing the contract? How?
25. Was anyone paid a fee for recruiting the victim for work?

C) Travel and identity documents

26. Does the person have a passport?
27. If so, is it their own legitimate passport or is it a fraudulent passport?
28. How did they acquire this passport?
29. Was it provided to them by the trafficker?
30. What kind of visa or other document (e.g. employment authorization) was promised to the victim and by whom?
31. Was the victim promised permanent residency upon arrival in Canada or after a certain period? By whom?

Migration

32. In what country did the victim enter Canada?
33. Was the victim coerced into migrating? How?
34. If any travel costs were incurred before departure, who paid them?
35. Did the victim pay money in advance or agree to pay the costs or remainder of costs upon arrival?
36. Did the victim sign a loan contract? If so, does the victim have a copy?
37. Was victim smuggled into Canada or did he/she enter with their own passport and identity documents?

Covert entry

If entry was covert, please answer the following questions:

38. What means of transport was used?
39. Was a vehicle stopped at border?
40. Was the vehicle examined by border officials?
41. Did the victim change handlers during migration?
42. Was a fee paid for organizing the victim's migration? By whom and to whom?

43. Was the victim threatened, sexually or physically assaulted or confined during migration?

If the migration was overt, please answer the following questions:

44. What means of transportation was used?
45. Did someone else obtain the victim's travel documents? How?
46. Was the victim escorted to Canada, Embassy or Consulate to get a visa?
47. Which documents were obtained? (obtain full description, e.g. student visa, temporary foreign worker visa, visitor visa) (Please note: officers should be aware that not all nationalities require a visa for entry to Canada, but in most cases a foreign national would require an authorization to work or study. CIC should be consulted).
48. Were false documents provided to the victims?
49. Who has the documents now (legal or false)? If not in possession of the victim, why not?
50. Has the victim ever seen his/her own passport/visa?
51. Did someone else handle travel documents when entering Canada? Did they fill in declaration for the victim?
52. Was the victim coached about what to say to port of entry (CBSA) officials? By whom?
53. Was the victim questioned by officials and did the victim make any statements? (Orally or in writing)
54. Was the victim given clothing/jewellery/other items to wear for traveling?
55. Was a fee paid for organizing the victim's migration? By whom and to whom?

Transit countries

If the victim was taken to other countries prior to arriving in Canada, please respond to the following questions:

56. Did the victim spend any time in transit countries? Which countries, which cities and for how long in each place?
57. Was the victim placed in safe houses in transit states?
58. Was the victim sold or otherwise moved to different handlers in the transit states?
59. Was the victim threatened, physically or sexually assaulted or confined in the transit countries?
60. Was the victim forced into prostitution or forced labour in the transit countries?

D) Circumstances in Canada

61. When did the victim arrive in Canada? (date and time of entry, place of entry)
62. What was the first address the victim was taken to? Who took the victim there? How did the victim get there?
63. Did the victim know where he/she was at the time?
64. Was the victim subsequently moved? (between cities etc)
65. What happened to the victim's passport and other identification documents after arrival?
66. Who appropriated the victim's identity documents after arrival?
67. Was the victim threatened on the grounds that he/she no longer had travel or identity documents?
68. Did the employer/trafficker commit a crime (e.g. fraud) using the victim's identity?

Working conditions (exploitation)

69. Does the victim believe that she/he is subject to some form of "debt bondage"? (Debt bondage refers to the status of a debtor arising from a pledge by the debtor for his/her services or of those of a person under his control as a security for debt)
70. Does the victim believe that she/he "owes" money to recruiters/transporters/exploiters?
71. Was the victim paid and at what rate?
72. Who has the possession of these earnings now?
73. How many hours a day did the victim work?
74. Was the victim allowed any time off? Allowed to rest if sick?
75. At what point did the exploitation start?

Restriction of liberty

- 76. Was the victim unable to quit working for the employer and get a job somewhere else?
- 77. Was the victim's movement restricted? How? (e.g. did the victim have a key of the house)
- 78. Was the victim allowed to communicate with family members? Other workers?
- 79. Was the victim living and working at the same place?
- 80. Was the victim chaperoned, guarded, incarcerated?
- 81. When did the victim realize that he/she was not free?

Living conditions

- 82. What were the living conditions of the victim? (e.g. # of rooms, # of people living together)
- 83. Did the victim have friends?
- 84. Did the victim have money? Could the victim buy his/her own belongings?

Physical coercion

- 85. Was the victim subject to physical assaults or torture? (pinching, hitting, slapping, punching, kicking, shaking, burning etc.)
- 86. Was the victim subject to sexual assaults? (forced sexual contact, rape, forced prostitution etc.)
- 87. Was the victim forcibly confined or isolated?
- 88. Was the victim denied essential medical care?
- 89. Was the victim denied food/clothes and other basic necessities including ability to maintain basic hygiene?

Psychological coercion

- 90. Was the victim threatened with violence, harm or retaliation against victim or the victim's family members (or friends)?
- 91. Were there threats to report the victim to authorities for deportation/jail?
- 92. Did the victim view or hear others being physically or sexually assaulted?
- 93. Was the victim deceived regarding the employment, activities or basic conditions of his or her migration?
- 94. Was the victim subject to verbal abuse, name calling, degrading remarks about victim's ethnicity/social group?
- 95. Was the victim photographed and filmed while being physically or sexually assaulted, humiliated or degraded?
- 96. If so, did the traffickers threaten to use the images against the victim?
- 97. Was the victim threatened with confinement or isolation?

E) Risk Assessment

- 98. Do the traffickers know the victim's home/work address or telephone number?
- 99. Is the victim married? Does the victim have any children?
- 100. Do the traffickers have any details about the victim's family or loved ones?
- 101. Do the traffickers claim to know these things?

Special note concerning servile marriages

In addition to those above:

- 1. Was the victim coerced or forced into marriage? How? By whom?
- 2. How was the victim recruited? (e.g. Internet, marriage agency, pen pal, etc.)
- 3. Did the recruiter deceive the victim about his professional background? (e.g. Finances, education, etc.)
- 4. Did the recruiter deceive its victim about her living conditions in Canada? (e.g. food, clothing, control of money, freedom of movement, work, ability to earn money, school, religious practice, making friends, having children, household responsibilities, communicating with family, etc.)
- 5. Did they marry in the victim's home country? (Marriage recognized by government)

6. Did the victim understand her legal status in Canada? Did the victim have access to her legal documents?
7. Did the recruiter make the appropriate applications for legal status on her behalf?
8. Did the recruiter threaten the victim with deportation if she went to the authorities?
9. Did the recruiter extract any type of labour from the victim in Canada?
10. Did the victim discover that the recruiter was already married?
11. Did the recruiter sexually or physically assault the victim or threaten the victim with harm to herself or her family?

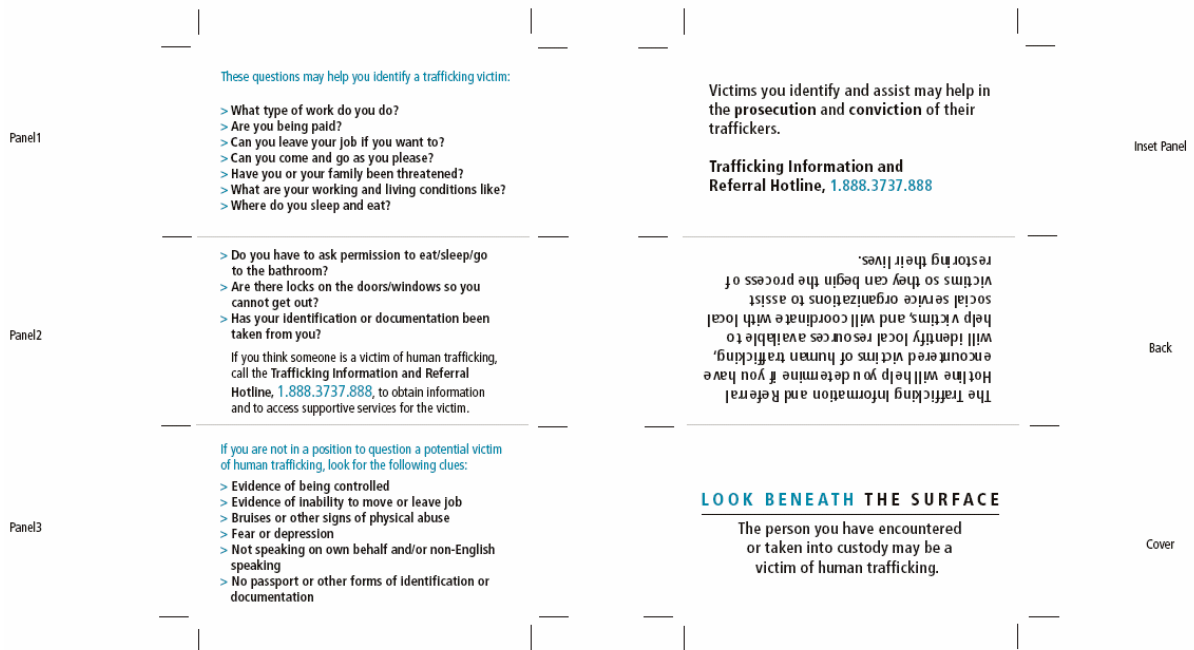
APPENDIX B: POLICE POCKET-CARD

The U.S. Department of Health and Human Services (HHS) has developed toolkits for health care providers, social service organizations, and law enforcement officers to provide them with education and training related to identifying human trafficking victims.

For more information about the HSS “Campaign to Rescue & Restore Victims of Human Trafficking, visit: www.acf.hhs.gov/trafficking/

Law Enforcement Pocket-card (U.S.)

Below is a sample police “pocket-card” that is carried and referred to by various police officers in the field to identify victims of human trafficking in the United States. A similar pocket-card should be developed for use by Canadian authorities.



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ABOUT THE FUTURE GROUP

The Future Group is a Canadian-based non-governmental organization (NGO) and federally registered charitable organization founded in 2000, which is dedicated to alleviating the suffering of victims of human trafficking and the child sex trade, bringing offenders to justice, and raising the issue to national and international attention. For four years, the organization implemented projects in Cambodia assisting victims, deterring and investigating offenders, and educating at-risk children about the dangers of this crisis. The organization has been active in Romania, Moldova, Ecuador, Cameroon and Burma (Myanmar) researching the problem of human trafficking and, in many cases, implementing projects to combat this transnational crime and serious human rights violation.

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