



FCJ Refugee Centre

Walking with Uprooted People

**Forum: *Human Trafficking for Forced Labour:
Raising Awareness and Building Response***
23 April 2013, Toronto, Ontario

Summary Report

The Forum on Human Trafficking for Forced Labour: Raising Awareness and Building Response was organized by the FCJ Refugee Centre. The event was made possible with the financial support of the Department of Justice Canada, and took place during the *National Victims of Crime Awareness Week 2013: We All Have a Role*. The forum was focused on persons trafficked internationally for the purposes of forced labour, the programs that increase people's vulnerabilities to this crime, and the barriers to services and protection for these populations. Approximately 100 participants took part in the event, mostly from Toronto and the GTA.

Forum's objectives:

- Raise awareness among service providers and the general populace around the growing crime of human trafficking for forced labour.
- Develop promising practices to reach out to potential victims, ensure they are supported and have an effective voice through the various processes which they will need to navigate, legal and otherwise.
- Develop policy recommendations and response strategies to offset the identified gaps.
- Foster cooperation among stakeholders which is essential to provide holistic services to assist internationally trafficked persons to move forward.

The FCJ Refugee Centre presented a draft request for action, suggesting policies for protection and services tailored to the needs of internationally trafficked persons¹. The participants were encouraged to provide input during the afternoon workshop, developing their own recommendations within small groups which were shared with everyone and incorporated into the document.

The event began with a survivor of human trafficking addressing the audience through a pre-recorded audio message, highlighting his experiences and the importance of the holistic approach to the services and protection to internationally trafficked persons. During the morning sessions, the experts discussed the international protocols, practices and trends with regards to international trafficking in persons for the purposes of forced labour. This was followed by the Canadian policies and the gaps to address the needs of internationally trafficked persons. The afternoon began with a final panel, which focused on specific experiences and challenges faced in Ontario within both urban and rural contexts. The experiences of another survivor were presented to the group through a second audio recording. Following the afternoon panel, participants were encouraged to form groups for an interactive workshop. Guiding

¹ Request for action, final document please see attached

questions were presented to each group, along with the draft request for action, to lead discussions into recommendations.

Morning session

1. International legal perspective on Human Trafficking.

Presenter: Anthony Navaneelan, lawyer Mamann, Sandaluk & Kingwell.

Legal definition of trafficking

Human trafficking is a global problem that has been conceptualized as a legal problem since the late 20th century. This reconceptualization of human trafficking as a legal issue has strong pros and cons; costs and benefits. The pros of having a definition within the law include categories necessary for setting up consistent definitions across international lines. However, the cons that were outlined include: legal definitions create black-and-white “boxes,” with less flexibility regarding who is inside and outside the boxes (i.e. Who is defined as a trafficked person? More people are at risk than can be defined as such legally).

In 2000, the legal definition changed with the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. 117 countries have now ratified this protocol, which is also known as the Palermo Protocol 1 or the Anti-Trafficking Protocol. It gives us the international definition of the word. -

Human Trafficking can be identified by the confluence of three factors:

1. The act (recruitment, transportation, transfer, harboring or receipt of persons)
2. The means (by threat or use of force or other forms)
3. The purpose (of exploitation)

The trafficking of children is considered differently, as the means is not required for human trafficking to occur. ***Prosecution, protection, prevention*** are the main legal resources to stop human trafficking. Human trafficking can include: forced labour, sexual slavery, forced prostitution, forced marriages, domestic servitude, child labour, child soldiers, child brides.

Trafficking vs. Smuggling

1. Protocol 2- Protocol against the Smuggling of Migrants by Land sea, and air, also in 2000
2. Smuggling is by definition international: The act (must occur across national boundaries, trafficking can occur within or across national boundaries)
3. The means (can occur with the consent of the person, trafficking necessarily involves the coercion of the person)
4. The purpose (financial or monetary gain for the smuggler, trafficking requires an exploitative purpose for the trafficker)
5. The “victims”: Trafficked persons (especially internationally) are predominantly gendered female; smuggled persons gendered male (but much more complex; heterogeneous group of people).

Complementary protection against trafficking

Other treaties that legally address the trafficking of Children:

- Convention on the Rights of the Child (1989)



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- Rome Statute of the International Criminal Court (1998)

However, it was pointed out that treaties do not mean too much if states do not implement them.

Canada's domestic implementation of the international norms

Palermo translates into a 2005 amendment to the Criminal Code: introduction of the specific offense of trafficking (sec. 279.01- 279.04).

Normally, one must commit a crime in Canada to be prosecuted under Canadian law; however, exceptions to this include trafficking under the above Criminal Code sections and child sexual offenses committed abroad.

The Immigration and Refugee Protection Act (IRPA) deals with trafficking in persons and smuggling (sec. 117 and 118). Smuggling definition (IA 117) is problematic since it does not include any mention of the necessity of financial or material gain for prosecution of smuggling. Smugglers are not necessarily bad people, and that we should de-stigmatize the concept. Some people just try to bring their family members into the country, but they are not looking for any kind of monetary remuneration. They may simply be trying to help others.

R.v. Appulonappa, 2013 BCSC

British Columbia Supreme Court strikes down s.117 (1) of the Immigration and Refugee Protection Act as unconstitutional because it fails to include a requirement that the smuggling take place for financial or other material gain.

2. The situation of forced labour trafficking internationally and the work of the ILO

Presenter: Philip Hunter, Verité (formerly with the ILO)

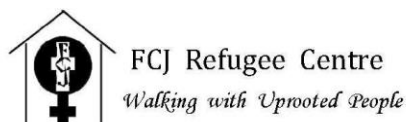
The overall figure for people working in forced labor conditions around the world is 20,900,000, where 9,500,000 are men and boys, and 11,400,000 are women and girls.

The number of forced labour victims is significantly more in Asia: 11,700,000, than any other part of the world, with 3,700,000 in Africa, and around 1,500,000 in North America and South America. The ILO also breaks down data into three areas: State-imposed forced labour (2.2 million people globally), forced labour for sexual exploitation (4.5 million people globally), and forced labour for labour exploitation (14.2 million).

Sectors at risk: there are forced labour risks across economic sectors. Particularly vulnerable are migrant workers, domestic workers, indigenous workers (especially in Latin America; artisanal metal mines, etc...), women and girls, workers in informal enterprises, workshops, economy.

Specific Sectors:

- Domestic Service
- Agriculture (inc. Aquaculture)
- Construction & Forestry
- Manufacturing (Garments, Toys, IT [Apple, HP, etc.]
- Food Processing and Packaging



- Hospitality (including Hotels, Restaurants)
- Fishing
- Sex Work Industry

What is forced labour?

All work or service which is exacted from any person under the menace of any penalty, and for which the said person has not offered himself/herself voluntarily (ILO Convention 29, 1930).

This definition covers:

- all work or service: all types of work or employment regardless of industry, sector or occupation, includes legal and illegal/informal work
- Any person: adult, children, regardless nationality, including migrants
- Menace of penalty: threat, sanctions, violence, abuse, debt bonds, etc
- Abuse covers a complex spectrum (not as black and white as the media, or even the law, presents it). Anything from bad working conditions (illegally low or no wages), to extreme cases of coercion (sale of persons). Withholding identity documents can also be an indicator of forced labour, but is not necessarily so (some workers will ask the employer to hold their papers, passports, etc..., for their own safety, as they perceive it).

In contrast, a voluntary offer: worker consents to enter employment, freedom to leave.

Common forms of forced labour:

- Debt bondage & bonded labour
- Forced prison labour
- Forced overtime
- Human trafficking for labour exploitation

Combating Forced Labour: What is the ILO doing?

As an organization that covers all labour standards including international standards and national law, it works with technical cooperation & research to address the issues. In addition, ILO does a lot of advocacy and capacity building on a global level. The research unit calls for a global alliance against forced labour: governments, workers, employers; and conducts research on national level estimates and countries studies.

Closer to Home: What Lessons for Canadian Stakeholders?

Sectoral Focus: Agriculture, Food Processing, Construction, Informal Economy, Domestic Service

- Intersecting consideration of labour, migration, human rights and criminal justice
- Cross-border character of crime demands creative solutions
- Triangular employment relationships: Who's responsible?
- Important role for labour stakeholders

3. The work of the IOM in fighting labour trafficking internationally

Presenter: Chissey Mueller, Project Manager, International Organization from Migration, Port of Spain

The majority of the cases that come to IOM doors involve forced labour. Some forms of forced labour are clearly defined, others are not. There was a discussion of whether begging and petty thefts are considered forced labour. These discussions lead to the conclusions that there are a lot of grey areas. One cannot necessarily identify “pure” situations of labour trafficking (mixed with sexual trafficking in some cases, for instance). Examples were presented of the Caribbean context, where in Suriname people were trafficking from Indonesia for motorcycle repair. Moreover, on the coast of Jamaica, 8000 males were found to have been trafficked, including children, for labour in the fishing industry.

Prevention-Awareness about Daily Consumption Habits

Connections between our consumption habits and slave labour: the production of batteries for electronic devices, chocolate, sugar, transportation, clothing, etc. In 2013, it is not possible to stop our consumption of these goods; however, small efforts can make a difference. Make better purchase choices; knowing the origins of one’s products and minimizing purchase of products likely produced by forced labour (in regions/industries with high-prevalence of forced labour). Big companies and multinational corporations are realizing that they are responsible of what is going on.

Prevention also involves raising awareness among at-risk groups: Youth, students, anyone can be victim of forced labour.

Protection

Identification, assistance, voluntary return, reintegration. Canada needs a central hot-line number to report forced labour cases, and we need to know how to reach them. Immediate assistance for those trafficked should be the priority.

Challenge: Identification & Assistance

Services can be available, and NGO’s and governments providing those services should be able to accommodate the victims’ needs. However, what about mass trafficking situations? How to provide assistance for such large groups (up to 100+) of trafficked persons. Where to direct to access resources? Also, men, in particular, are more reluctant to see themselves as victims. Many men do not come forward, they are ashamed of the fact that they were trickled. However, there are few accommodations for men. (Terms such as “individual” and “situation” are often used in place of “victim” when assisting those trafficked).

Challenge: Balanced legal framework for labour migration

A good example of what can be done: The Philippines has a government agency to supervise the conditions their workers are working in, and they also have a hot-line number so their workers can reach them from anywhere in the world.

4. The Temporary Foreign Worker Program and Temporary Resident Permits, the particular vulnerabilities of migrant workers and internationally trafficked people.

Presenters: Marisa Berry Méndez and Samanta García-Fialdini

Marisa Berry Méndez, CCR Settlement Policy Director

How does the Temporary Foreign Worker Program create space for human trafficking?

In Canada, there has been a shift away from permanent foreign workers and toward temporary workers for short-term economic gain. This is a recent reverse of a long-standing trend of emphasis on permanent settlement in Canadian immigration focus. There are concerns that these policies have developed a two-tier labour system since workers have few rights; a system which can lead to exploitation and abuse (particularly human trafficking).

There are three categories of “low-skilled” workers: Live-in Caregivers (LICP), Seasonal Agriculture Workers Program (SAWP; created in 1960s, as was LICP), and a pilot project for workers with lower levels of formal training (created 2002; primarily for service industries, food processing, agriculture, and other industries). SAWP workers in particular are in precarious situations. Many work in Canada for 8 months/ year; some have been invited back by employers every year for 30 years +. These workers live on their employer’s property. However, there are no provisions for them to have access to permanent residency.

What about these programs makes migrant workers vulnerable to trafficking?:

1. Dependence on employer (closed work permit. meaning TFWs cannot change from one employer to another; new employer needs to obtain a labour market opinion, which takes time to process);
2. Temporariness/ precarious status (few provisions for permanent residency);
3. Lack of access to information about their rights;
4. Lack of monitoring and enforcement

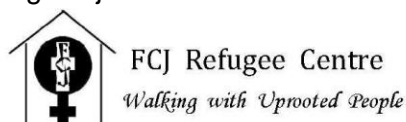
Lack of Monitoring and Enforcement:

- Hands-off approach from Human Resources Service Development Canada (HRSDC) once contracts are approved.
- CIC initiative to monitor employers (again, lack of enforcement of abusive employers and recruiter: “Wild West” mentality).
- A question of responsibility. Expanded programs for TFWs has meant a lack of accountability and communication among federal agencies to ensure program integrity.

Issues around Recruitment: 1. Recruiters charge fees; 2. Employers in Canada deducting wages from workers to recover recruitment fees; this creates situations of debt bondage for employers and ultimately TFWs.

- Questions raised: Why the lack of public debate on such a shift of focus? Why are non-temporary positions treated as such under these programs?

Samanta Garcia Fialdini, CCR Trafficking Project Coordinator:



Temporary Resident Permits (TRPs) are essential to enhancing protection of temporary workers and prevention of trafficking. The guidelines for TRPs were updated in May 2006 to offer a specific pathway to protection for survivors of trafficking. Survivors of trafficking may need a TRP to facilitate their protection, to aid in the potential prosecution of trafficking cases, or to decide whether or not they want to return home.

Other options for trafficked persons: Refugee claim (can be very difficult to prove; not all trafficked persons are refugees; additional barriers to status under new Canadian refugee policy has left trafficked persons more vulnerable). Other options include humanitarian and compassionate grounds applications or Pre-Removal Risk Assessment (PPRA).

Short and long-term assistance and protection measures.

Guidelines and definitions have been allowed to be discretionary and inconsistent. This provides limits to protection and allows trafficked persons to fall through the cracks. Many have been detained and deported, even with clear evidence of having been trafficked. In spite of guidelines, there have been a low number of TRP issued.

Barriers to TRP application:

- Trafficked persons often fail to obtain an interview for a TRP application.
- Lack of involvement of law enforcement hinders access to TRPs by trafficked persons.
- “Coercion” defined narrowly. When physical violence is lacking, TRP applications are much more difficult.
- People without status risk deportation by coming forward.
- Resultant loss of status increases uncertainty since TRP applicants must cancel any other visa they have.
- Limited rights under TRP to family reunification, health coverage.
- After the TRP: Uncertain prospects: Unclear pathway to permanent residence; fees for re-issuing TRPs and for H & C applications; discretionary decisions affecting future stability and recovery from having been trafficked.

CCR recommendations for guiding principles for assistance and protection of trafficked persons

- Non-punitive
- Human rights based
- Economic rights respected
- Supportive services easily accessible
- Gender and race analysis
- Inclusive of trafficked persons

5. CBSA Perspective

Presenter: Ammeet Grewal, Intelligence Officer, Canada Border Services Agency

CBSA is a new agency, which has been in operation for 10 years, and even more recently amalgamated with Canada Customs. The CBSA has an important role to play in combating human trafficking. In this role, CBSA follows the Palermo Protocol definition of human trafficking and has identified human trafficking as a human epidemic. Their focus is on the trafficking of persons across borders for the purposes of exploitive gain (forced labour accounts for 20 % of cases in Canada— whereas the sex trade has been predominant). As such, CBSA aims to: detect and disrupt human trafficking attempts; prevent trafficking and the using of Canada as a transit or destination country for traffickers, all in collaboration with law enforcement; prosecution of trafficking cases. To date the top 5 source countries of persons trafficked into Canada are China, India, Indonesia, Namibia, Thailand.

Multiple borders strategy:

- Extends from country of origin of trafficked persons to Canada (Port Of Entry and inland).
- Involves Canadian embassy staff abroad as well as CBSA at land borders (Port of Entry) to ensure visa screening overseas, liaison officers educating airlines, etc. The last step of detection is most difficult, to discern whether a person at a POE is being trafficked.
- Some of the indicators suggesting someone has been trafficked include:
 - Distrust of authorities
 - Show signs of being controlled mentally or physically
 - Show fear when interviewed
 - Key places frequented (passports)
 - Documents withheld from them
 - Travel arrangements made by someone else for a high fee
 - Unrealistic employment offers
 - Unfamiliar with the environment
 - Confined to living quarters
 - No access to parents or relatives
 - Travel with groups of persons who are not relatives
 - Travel unaccompanied

The line between smuggler and trafficker can be blurred, which has been used as a control tactic: do not exact payment until the person is successfully smuggled into Canada.

The monitoring of forced labour locales is difficult since there is such a vast range of industries, including: restaurants, factories, agriculture, construction sites, private residences, non-unionized industries, criminal organizations (marijuana grow operations, drug couriers, theft rings, etc). This last area is a particularly effective control tactic because trafficked persons look like criminals when in fact they are being coerced; thus they are more reluctant to seek help from the authorities.

CBSA has authority to arrest traffickers and lay trafficking charges. Minimum penalties for trafficking in minors have recently been raised (5 years imprisonment). They can also assist Trafficked Persons to get TRPs. CBSA also has a Watch Tip Line (24/7).

Afternoon session

6. Migrant worker rights and the situation of labour trafficking in rural settings

Presenter: Alfredo Barahona, Migrant and Indigenous Rights Program Coordinator, KAIROS

It is people's right to move to better their lives. People as humans are not illegal, but it is laws and rules that make their actions illegal. Regulating borders is a problem since people are put in situations where they are made vulnerable. We have laws (federally, provincially, and municipally) to protect people from exploitation, the problem is that governments do not follow their own laws. Examples:

- the implementation of the Refugee Appeal Division (RAD). Legislation allowing for the implementation of the RAD was approved by Parliament, but the RAD was not implemented for some time due to extended time for "consultation."
- Working and Living Conditions of TFWs in Canada
 - Many migrant workers pay \$10,000-15,000 to recruiters to come to Canada which leaves them with a huge debts to pay. Some workers do not have or do not see a contract, others cannot read their contract.
 - Debts involved do not allow for meeting unexpected expenses (medical, taxes, etc...)
 - The fatigue and stress that result make having an accident at work more likely.
 - Workers may not be taken to the place of employment listed on the contract. However, work permits are tied to a specific employer which makes these actions illegal and makes it difficult to change employers in cases of exploitation.
- Recognizing the definition of Human Trafficking as per the Palermo Protocol, there are elements of Human Trafficking in the TFWP: 1. Fraud and misrepresentation; 2. Control and coercion; 3. Exploitation.
- There are also labour and human rights Instruments that apply and can be used to work against human trafficking: Universal Declaration on Human Rights (cf. Article 23 of UDHR). In addition, Article 3 protects the right of workers to work with dignity; Article 11 proscribes slavery (enslavement of migrant workers in particular); Art. 12 is against "cruel and unjust" treatment of migrant workers; Art.

15 states that “Every individual is equal before the law”, as well as not precluding “any law for the amelioration of conditions” of work for migrant workers.

- Recommendations:
 - Implement programs for public education on rights of TFWs.
 - Hold elected officials accountable for protection of migrant workers and legislation to that end.

7. The Situation of Forced Labour Trafficking in Urban Settings

Presenter: Cathy Kolar

The recent changes to immigration policies have made migrant workers more vulnerable to forced labour than before. Statistics from 2010 show over 1 million people in Canada with temporary status, far more than those brought in with permanent status. The trend is moving towards bringing people as temporary workers. Another measure that was introduced that makes people vulnerable is conditional permanent residency during a spousal sponsorship (implemented in Oct 25, 2012), sponsored spouses are viewed with suspicion. As a result, there is a two-year “temporary status” period for those who marry a Canadian and immigrate to Canada. In reality this causes a range of concerns, including: giving the Canadian spouse greater de facto power to deport; exploitation through forced marriages; “Marriages” as a vehicle for forced labour (victim cannot prove physical abuse; if the relationship splits up, the victim of forced labour masquerading as a marriage can be deported without punishment for the trafficker).

Another policy implemented that makes people vulnerable is the super-visa for parents and grandparents: over 1000 have been issued in the last month! People can no longer sponsor parents and grandparents, but there is now a similar temporary status for them. However, elders or grandparents are often brought for forced labor, temporary and insecure status increases the risk of forced labour. How do we reach workers where exploitation is the norm?

The current federal propaganda promotes racism and integrates it into recent policy changes. For example, within the Refugee Determination System, new guidelines depend on country of origin (designated foreign national); “regular” or “irregular” arrival designation, among other changes. Even if one’s life is found to be in danger in her/his country of origin, family reunification, other rights, may be withheld for 5 years. Access to PRRA and H & C is impossible for up to 3 years for those who lack status. Without status, people can be sent back to their country of origin, where their lives may be in danger. Alternatively, people live in Canada without status. There have also been proposals to eliminate status by cutting off work permits for those working in an entire sector (e.g. massage parlours, exotic dancers), ostensibly to

protect women from the sex trade that exploits them. However, all of these policies normalize “limited rights” for certain groups

Maria’s story: As an exotic dancer, she was forced to pay her employers. She wanted cheques to prove that she was paid in Canada in order to work towards permanent residency. Maria was aware that strip clubs brought and continue to bring in girls with no status. Because the visa program was cancelled, the women who had status now have no status, and all accumulated time towards permanent residency has been cancelled. Maria now has to go back after four years in Canada. Over 800 women were left with no status when the program was cancelled.

What could be changed with advocacy?

- Temporary Foreign Workers were receiving differential wages, deductions and unpaid labour, when some complained they their jobs. Efforts can be taken to ensure their rights.

Workshop: *Under-represented groups and rural vs urban contexts.*

Facilitator: Tanya Aberman, FCJ Refugee Centre

Participants were divided into small groups and provided and given some guiding questions to inspire discussion and help build recommendations. Groups were given thirty minutes to work together and prepare recommendations to share with the larger group. The questions were:

1. Who is underrepresented in conversations around human-trafficking for forced labour? Try to make connections between what you knew before today, and what you learned here. Consider the intersection of different identities – i.e. gender, ability, health/mental health, race, sexual identity, immigration status, nationality, etc. – and how these could contribute to vulnerabilities, but are often ignored in dominant discourse.

1.b) How can we make these experiences more of a focus in further discussions of human trafficking for forced labour?

2. What are some of the existing gaps in service provision/delivery for trafficked populations in rural and/or urban areas?

2.b) From your own experiences in this field, can you specify gaps or alternatively, suggest promising practices?

3. How are the current policies feeding the phenomenon of trafficking for forced labour – think about both front end policies that are shaping risks to trafficking, and the policies that are aimed to protect victim/survivors but in fact perpetuate vulnerability? How do intersecting oppressions

particularly disadvantage some victims/survivors in accessing protection? What advocacy do you believe would be effective in countering this?

Please see attachment for the compiled list of recommendations and desired future actions.

Wrap up

Presenter: Francisco Rico-Martinez

We must note the absence of those who are not given adequate voice. We need to create an open space for discussion of the issues, such as those covered in this forum, which would include trafficked persons, women, academics, refugee claimants, LGBTQ community, unions, etc. We also need a holistic, multidisciplinary commitment, with increased local response to the issue of trafficking and its prevention.

We need a national strategy against human trafficking (incl. statistics) that is more than enforcement. The commitment from the federal government is lacking in this area; federal commitment is based on enforcement. Immigration and forced labour/exploitation must be the focus of such a strategy. The current federal government is employer-focused, and therefore perpetuates the exploitation and potential for forced labour. We don't have a program that upholds human rights of the workers, only the rights of the employers.

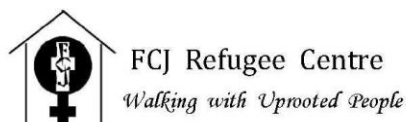
We need to be able to discuss uncomfortable topics (borders, national security) more openly. More people are being accused as terrorists when people only want to migrate for human security needs. We need to influence the discussions held on issues of national security. We need to have a discussion in employment oriented situations to move toward human security and protect humanity. We need to believe that the Canadian government has created policies that encourage human trafficking (even though it is unintentional). Lack of knowledge of numbers and whereabouts of persons without status is itself a national security risk.

We need to bring together all the information we have on forced labour and human trafficking to present to the Canadian Government to change their policies and laws that ensure the security of human beings. Information collection and collaboration with media is key to countering human trafficking, especially on the local level.

PowerPoint Presentations from the forum:

<http://www.fcjrefugeecentre.org/our-impact/publications/>

Recent article on the forum:



http://www.elcentronews.ca/3753_opinion/2032724_comunidad-hispana-esta-afectada-por-la-trata-de-personas.html

Translation of this article:

Hispanic Community Is Affected by Trafficking in Persons

Lorena had just turned 20 years old when she found what seemed to be the path to realizing all her dreams: An announcement searching for models for television commercials that was published in one of the most important newspapers in her country.

She called the number indicated and they gave her an appointment, during which they explained to her that one of the requirements to work as a model in this company was the willingness to do it outside the country. This looked to her to be even more attractive.

Her mentor in the modeling agency was in charge of arranging several photography sessions for her, and later [her mentor] helped her to obtain her passport and gave her money. A few weeks thereafter, she found herself landing at the airport in Montreal. This was at the time when citizens of her country did not need a visa to travel to Canada.

They picked her up at the airport and took her to a hotel, in order to move her to Toronto two days later, where they would put her up in the basement of a house in a residential neighbourhood. There were also two other young women there: One Ukrainian and the other Israeli.

They treated her very well; they gave her sufficient clothing and food, and the only thing she found strange at the time is that they asked for her travel documents, “so that you will not have problems with the police, since you cannot work because you are as a visitor in the country,” they explained to her.

But her ordeal began when she had to present herself for her first day of work: Modeling nude in a nightclub. Eventually, she had to attend to clients privately.

At barely 20 years old, without speaking English, alone and without money in a foreign country, Lorena was left with no other option than to confront her new life and to wait for the right moment at which she could get out of it. It was not easy; it took her five years to achieve this, and she assures that she still cannot say with certainty that this period in her life is now behind her.

But her case is not the only one, and is no more than the surface of a much larger problem that afflicts Canadian society. It is not reducible only to cases of sexual exploitation like that of Lorena, but includes other industries like the service sector and that of temporary agricultural workers. This is precisely what experts on the topic spoke of during the Forum, “Human Trafficking for Forced Labour: Raising Awareness and Building Response.”

This activity was organized by the FCJ Refugee Centre, and was part of the 2013 National Victims of Crime Awareness Week, initiated in April by the Department of Justice of Canada.

In this forum, noted experts brought an ample perspective on the problem; one that particularly affects citizens of Latin American countries. This is why among the presenters was Marisa Méndez Berry, Settlement Policy Director for the Canadian Council for Refugees (CCR), Samanta García Fialdini, Trafficking Project Coordinator of the CCR, and Alfredo Barahona, Migrant and Indigenous Rights Program Coordinator of the organization Kairos.

Loly Rico, President of the CCR, said that the objective of the Forum was to create a series of recommendations to confront, to raise awareness about, and to prevent the problem of trafficking in persons, particularly in Canada, since it is a great problem that affects thousands of people annually.

She explained that it is important to differentiate between “human smuggling” and “human trafficking,” because “smuggling,” she said, is when someone pays another person to assist them in crossing the border of a country and, once on the other side, makes the corresponding payment and thereby ends the relationship.

However, “trafficking” is when a person is recruited in a foreign country, whether with lies or voluntarily, and is taken to Canada to work in a kind of work in which she or he is exploited.

Traditionally, cases like that of Lorena have been considered under “trafficking in persons,” wherein women are taken to Canada under false pretenses and later are sent to work in brothels or in nightclubs to benefit organized human trafficking networks. Nevertheless the concept is broader, it was explained in the forum, and includes trafficking in persons for forced labour and trafficking in persons for trafficking in organs.

“Trafficking in persons is a crime that must be denounced,” said Rico, adding that “if the person who has no immigration status is recognized as a victim of trafficking, this person can receive a temporary residence permit for 180 days with an open work permit, with which one can decide whether or not to stay, and if one will collaborate with authorities,” she said.

As an example, there is the case of Lorena.

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Samanta García Fialdini, Trafficking Project Coordinator for the Canadian Council for Refugees (CCR), during the Forum on “Human Trafficking for Forced Labour: Raising Awareness and Building Response,” in Toronto.