

Linking Global, National and Local Action against Trafficking in Persons

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Thank you.

We are here to have a good look at the problem of human trafficking and, among others things, how it is present in our cities. We can have a quick look together at what we are dealing with here and how we can best respond to the problem.

There are links to be made between this problem and urbanization in general. There is often a link of course between patterns of human trafficking and the movement or displacement of populations to cities where they have no access to real opportunities, are isolated if not excluded, alienated, and condemn to despair and hopeless. There also a number of difficult questions we should all be asking about foreign victims of human trafficking and illegal migrants and their undesirable place in our cities. However, what I will focus on during these few comments is our response to the problem.

Today, organized trafficking in persons is reaching every region of the world and is recognized internationally as a major law enforcement, human security, and human rights issue.

Women and children are particularly vulnerable. Each year, tens of thousands of victims are trafficked. They are tricked, coerced, abducted, sold and, in many cases, forced to live and work under slavery-like conditions as prostitutes, domestic workers, sweatshops labourers or wives. The trafficking occurs for diverse purposes but it is usually a result of the victims' undesirable life situation and their vulnerability to exploitation.¹

Various means can be used to entrap victims, including persuasion, deception, threats and coercion, and these can involve different actors, including recruiters, intermediaries, transporters, employers, and even families and friends. These methods of entrapment can vary considerably from country to country and, to be honest, they often also involve an element of self-deception on the part of the victims themselves.

With the *United Nations Protocol against Trafficking in Persons, Especially Women and Children*, there finally is an agreed upon international definition of human trafficking and that's a giant step

¹ See: Report of the Special Rapporteur on violence against women, its causes and consequences, Ms Rhadika Coomaraswamy, 12 February 1997. E/CN.4/1997/47 p. 15. See also Addendum on the Report on the mission of the Special Rapporteur to Poland on the issue of trafficking and forced prostitution of women (24 May to 1 June 1996). E/CN.4/1997/47/Add.1 10 December 1996.

forward. The main purpose of this protocol and its parent convention is of course to help States cooperate with each other in the fight against human trafficking. As we will no doubt be hearing this afternoon, some real progress is being achieved already in some countries: laws are being adopted, the business of these traffickers is being criminalized and we are going after their assets, and we are taking various other measures to prevent the crime and to protect the victims.

Let me pause here to make a comment about that new definition of human trafficking:

That international definition emphasizes the transnational aspect of the problem, the moving across borders is being seen as an element of the crime. This was perhaps to be expected since the whole initiative was meant to help countries work more closely with each other to fight the problem, particularly when the crime is committed across borders. However, by inadvertence perhaps, that new definition may have made us lose sight of the real core of the problem of human trafficking. The real core of the problem is not about borders, nor is it all rooted in a problem of illegal immigration.

No, in fact, the core of the problem is about violence, intimidation, enslavement, shameless human exploitation, and about criminals who use deceit, violence and intimidation to profit from the exploitation of human misery and hopelessness.

Where are potential victims recruited? Wherever you find people who hope against hope for a better future and are liable to get caught in some web of false promises and betrayed hopes. In the cities you find them among the marginalized, the disenfranchised, those who have limited access to real opportunities to make a better life for themselves or their family. We all know where to find these vulnerable individuals and groups in our cities and our communities. We are not always prepared nor equipped to help them, to prevent their dreams of a better life be shattered, turned against them and betrayed.

The victims, once they have been recruited and enslaved, are also found most often in our cities, in their underbellies, among those who have been excluded and are powerless to help themselves or reach other.

Because of the renewed attention human trafficking is receiving worldwide, in particular because of the adoption and implementation of the *UN Convention against Transnational Organized Crime* and its protocols on trafficking in persons and human smuggling, special attention is now being given to the nature of the patterns of victim exploitation by human traffickers and their implications for effective prevention, law enforcement and prosecution.

For sure, one should still approach this area with caution. The information which is available on these patterns of deceit and exploitation is still incomplete. What we know is based on the

testimony of victims who escaped their tormentors or on successful police investigations. All in all, however, known cases most likely represent only a very small fraction of the crimes committed. What is true of these cases may not be true of all cases. There is much more to be learned about these patterns and studying them is proving itself to be much more difficult than expected.

During this panel, we will hear more about the new international instruments that have been adopted and provide a framework for action at both the national and the international levels. We will also be hearing about recent attempts to map out the problem. Rob Boone, Head of the Human Security Branch at the UNODC will talk about the Global Report on Human Trafficking and some of the things we are beginning to understand about the problem. As he will no doubt remind us, getting good information on patterns of activity and the methods used by human traffickers has proven somewhat difficult².

We are also getting a little wiser about how best to respond to the problem. The UNODC will soon be publishing a toolkit on measures against human trafficking which highlights some of the best practices already identified.

We have learned, for instance, that the protection of victims must be paramount and must be placed as the center of the preoccupations of

² I.O.M (2005) *Data and Research on Human Trafficking: A Global Survey*. Washington, D.C.: International Organization for Migration. Lehti, Martti. (2003). *Trafficking in Women and Children in Europe*. Helsinki: European Institute for Crime Prevention and Control.

all those involved in responding to the problem. We also know that law enforcement cannot act alone and must reach out to a broad network of victims assistance and other services providers. Many of them are part of civil society. Many of these agencies do not necessarily have a strong history of collaboration with law enforcement. They may even have legitimate reasons to doubt the commitment of certain law enforcement agencies.

International cooperation is necessary to protect national borders. International law enforcement and judicial cooperation is no doubt also crucial to our future success in dismantling international criminal networks involved in human trafficking. It is required in order to share criminal intelligence, secure evidence, arrest and when necessary extradite offenders, and successfully prosecute offenders.

International cooperation, both between law enforcement agencies and between other crime prevention and victim assistance agencies, is also important when it comes to protecting victims and their family and facilitating their repatriation when appropriate. Countries can and must offer each other various forms of assistance.

But, I would suggest to you, that the real battles against human trafficking are fought at the local level, often in our cities, where we must find ways to convince victims that someone cares about what is happening to them, that protection is available, that they can dare to trust another human being again.

I would like us to focus for a couple of minutes on some of the challenges that are typically encountered in mobilizing ourselves and our institutions to deal more effectively with the problem.

According to a report on human trafficking produced by the Organization for Security and Co-operation in Europe, it would seem that “even when reasonably good laws exist, trafficking in human beings remains a relatively low law enforcement priority in most OSCE destination countries”³. The following were some of the main problems noted in the report:

1. trafficking in human beings tends to be seen as a far less serious problem than other forms of trafficking (e.g. drugs or firearms);
2. few law enforcement agencies seem to fully recognize the brutality of the crime or address the involvement of organized criminal groups;
3. unspoken biases, confusion and disbelief over the issue contribute to a lack of determination to combat the phenomenon;
4. trafficking is often characterized as nothing more than “foreign prostitution” or black-market labour rather than a form of slavery;
5. the consent of the trafficked person is presumed;
6. the problem is dismissed as an abuse by private

³ Trafficking in Human Beings: Implications for the OSCE, 1999, p. 40.

- individuals for which States have no responsibility; and,
7. the laws that are enforced are far more likely to be enforced against the trafficked persons than the perpetrator of the trafficking crimes.⁴

There are places and cities where, under the right kind of law enforcement leadership, this is changing rapidly.

On the other hand, mobilizing civil society and victims assistance agencies is not necessarily easier and we are likely to hear today about the experience of some agencies in that area.

Getting all of these people to work together, that's even more daunting and yet, if we want to succeed, we don't have a choice but to learn to do so and to do it well.

I am glad that you will also have a chance to hear some presentations about our experience in Canada. This country has recently adopted, in December 2005, new criminal legislation on human trafficking. You will hear a speaker from the Department of Justice Canada explain what that new legislation is purporting to achieve. Our other speakers from Vancouver and British Columbia will be able to give you a real sense of how interagency collaboration is being developed slowly, painstakingly, but with very encouraging

⁴ Ibidem.

results. All this, at the level where it matters to victims and potential victims, the local level.