

**CANADA (2017-2018)**
**THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR**
**Protocol of 2014 (P029) to the Forced Labour Convention**

<b>REPORTING</b>	<b>Fulfillment of Government's reporting obligations</b>	Yes.	
	<b>Involvement of Employers' and Workers' organizations in the reporting process</b>	<b>2017 AR:</b> Yes: the Canadian Employers Council (CEC), the Canadian Labour Congress (CLC), and the Confédération des syndicats nationaux (CSN) have been consulted in the reporting process.	
<b>OBSERVATIONS BY THE SOCIAL PARTNERS</b>	<b>Employers' organizations</b>	No.	
	<b>Workers' organizations</b>	<b>2017 AR:</b> Observations by the CLC and the CSN.	
<b>EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL</b>	<b>Ratification</b>	<b>Ratification status</b>	Canada has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		<b>Ratification intention</b>	<p><b>2018 AR:</b> The Protocol is likely to be ratified. In close collaboration with Canadian jurisdictions and social partners, the Government is pursuing extensive efforts towards the ratification of the ILO Protocol 29 at the earliest possible opportunity. The Government seeks the agreement of the provincial and territorial governments before ratifying such instruments, and the key objective is to complete the technical review in a timely manner by continuing to address promptly any concerns or questions Canadian jurisdictions may have on the Protocol's provisions.</p> <p><b>2017 AR:</b> A technical review is ongoing to assess if federal, provincial and territorial legislation and practices are in line with the Protocol's provisions. The Protocol deals in large part with issues falling under provincial/territorial jurisdiction. The Government of Canada seeks the agreement of the provincial and territorial governments before ratifying such instruments. The Protocol is likely to be ratified.</p>
	<b>Existence of a policy and / or plan of action for the suppression of forced or compulsory labour</b>	<b>2017-2018 ARs:</b> There are national policies and plans of action aimed at suppressing all forms of forced or compulsory labour as well as setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour.	
	<b>Measures taken or envisaged for systematic and coordinated action</b>	<b>2018 AR:</b> The Government is in the process of developing Canada's next strategy to address trafficking in persons. Meanwhile, all relevant departments are still active domestically and internationally to end this crime. Specifically, a national consultation process was undertaken to support the Government of Canada in determining priorities in its next strategy to end human trafficking. Three regional roundtables (Vancouver, Winnipeg, Montreal) served to identify key regional issues, emerging trends and gaps. The regional roundtables have culminated in a National Summit	

		<p>held in Toronto (September 2018). An online questionnaire was also made available to stakeholders to share additional feedback and to allow stakeholders unable to attend the in-person sessions to provide input. Results of the formal evaluation of Canada’s now-expired 2012-2016 National Action Plan to Combat Human Trafficking will also be taken into account in the development of this new strategy. The objective is to release the new Strategy in 2019. The Human Trafficking Taskforce, led by Public Safety Canada and comprised of key federal departments including the Labour Program of Employment and Social Development Canada, is the focal point for all federal efforts to address this crime, including: law enforcement training, general and targeted public awareness campaigns, research, provision of support for victims through funding of not-for-profit and local agencies, and engagement with domestic and international partners.</p> <p><b>2017 AR:</b> Canada’s National Action Plan to Combat Human Trafficking (NAP) (adopted in 2012) consolidates ongoing efforts of the federal government to address human trafficking and introduce aggressive new initiatives to prevent human trafficking, identify victims, protect the most vulnerable, and prosecute perpetrators. In line with internationally accepted best practices. Canada focuses on four core areas, known as the 4-Pillars (the 4-Ps): 1) the prevention of human trafficking, 2) the protection of victims, 3) the prosecution of offenders, and 4) working in partnership with others both domestically and internationally. A Human Trafficking Taskforce, led by Public Safety Canada and comprised of key federal departments, is responsible for overseeing the implementation of the National Action Plan commitments under the 4- Ps and for coordinating the federal anti-human trafficking response and reporting annually on progress to the public. The National Action Plan expired in March 2016; however, the work of federal departments and agencies to combat human trafficking has continued. A horizontal evaluation of the NAP is currently underway and should be finalized in the Fall 2017, the outcomes of which will help to inform the Government of Canada’s way forward on this important issue.</p>
	<p><b>Measures taken or envisaged to prevent forms of forced labour</b></p>	<p><b>2018 AR:</b> The following measures have been taken or envisaged: a) <i>Information, education and awareness raising targeting especially people in vulnerable situation and employers:</i> the Government states that it has continued to contribute funding to awareness raising efforts such as a partnership with the National Association of Friendship Centres for the development of a national awareness campaign on the domestic sex trafficking of Indigenous peoples living on and off reserve and in rural, urban and northern communities, in order to help prevent victimization. This campaign, which includes four human trafficking public service announcements developed by Aboriginal youth from different regions in Canada, is available across the country. The Government also indicates its participation in the funding of an online training course which provides information on how to recognize, protect, and assist a person who may have been trafficked in Canada.; b) <i>Strengthening and broadening of the coverage of legislation, particularly labour law:</i> the Government’s department for public procurement (Public Service and Procurement Canada-PSPC) is embarking on a number of new initiatives to address human trafficking in the federal procurement supply chain. This includes reviewing and updating the current Code of Conduct to include ethical and socially responsible behaviors. With these changes to the Code, PSPC will be encouraging suppliers to come forward when they identify vulnerabilities in their supply chains; c) <i>Regulation and supervision of the labour recruitment and placement process;</i> d) <i>Supporting due diligence by the public and private sectors;</i> e) <i>Addressing the root causes that perpetuate forced labour;</i> f) <i>Promotion of safe and regular migration;</i> g) <i>Education/vocational training;</i> h) <i>Capacity building for the competent authorities:</i> the Government indicates that the Royal Canadian Mounted Police (RCMP), in consultation with law enforcement, lawyers and service providers has partnered with the Canadian Police Knowledge Network (CPKN) to design an introduction to human trafficking on-line course for Canadian law enforcement. This course continues to be made available in both official languages to all Canadian law enforcement personnel through the CPKN website and the RCMP internal website. The primary goal of this learning initiative is to provide learners, particularly frontline police officers who have limited knowledge and</p>

		<p>experience in dealing with human trafficking investigations, with an overview of human trafficking including legislation, victim assistance, basic investigative techniques, and referral mechanisms. The Government further reports that the RCMP, in consultation with law enforcement partners, lawyers and service providers has partnered with the Canadian Police College (CPC) to develop a five-day Human Trafficking Investigator’s Course for Canadian law enforcement. This course includes information such as an in-depth session on the human trafficking legislation, effective investigative techniques, the effects of trauma on victims, interviewing techniques, how to build trust and obtain cooperation from victims, and successful human trafficking case studies. Justice Canada’s officials also contribute to the Human Trafficking Investigator’s Course by providing training on the specific human trafficking offences contained in the Criminal Code of Canada and the Immigration and Refugee Protection Act. In 2016-17, a total of 68 candidates from the RCMP, other Canadian police services, and police officers from Hong Kong and Central America attended the course. Presentations were provided by the RCMP, Justice Canada, NGOs (e.g. Toronto-based East Metro Youth Services, The Woman’s Association of Canada). The five-day Human Trafficking Investigators Course continues to be offered to law enforcement personnel annually; i) <i>Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers’ organizations</i>; and j) <i>Basic social security guarantees</i>.</p> <p><b>2017 AR:</b> Under the National Action Plan to Combat Human Trafficking, prevention is one of the key pillars. Many preventive initiatives have been implemented throughout the country during the reporting period. For instance, the Ministry of Labour of Ontario, in collaboration with an official from the Labour Program at the federal level, completed awareness training for approximately 450 Occupational Health and Safety Inspectors and Employment Standards Officers to increase inspectorate awareness of the indicators of human trafficking and to allow, when appropriate, possible referrals to the appropriate agencies. Under the National Action Plan, the Government of Canada has also funded several activities and research projects through federal grants and contributions programs. Two research reports commissioned by Public Safety: “Uncovering Labour Trafficking in Canada: Regulators, Investigators and Prosecutors”; and “Labour Trafficking in Canada: Indicators, Stakeholders, and Investigative Methods” (Annette Sikka, 2013); The Action Coalition on Human Trafficking Alberta’s “Labour Trafficking in Edmonton”, a research project designed to increase capacity of service providers to respond to victim’s needs and create a baseline of knowledge about labour trafficking; and funding provided to the West Coast Domestic Workers’ Association to develop and provide public awareness and education about labour trafficking. These trainings were developed with a focus on migrant workers and other vulnerable workers and their networks of social supports and other service providers. The aim of the project was to provide training and workshops in communities throughout British Columbia, with a focus on communities with limited access to legal services. In addition to these, federal efforts under the National Action Plan have also included: Training and awareness sessions and tools developed for labour inspectors, domestic workers employed by diplomats, parents, youth, teachers and service providers, among others. Development of awareness products for temporary foreign workers, employers, third parties, and Service Canada officers, including updating and translating into seven foreign languages a brochure informing temporary foreign workers of their rights and providing important contact information.</p>
	<p><b>Measures taken or envisaged to protect victims of forced labour</b></p>	<p><b>2018 AR:</b> The Government indicates that the following measures have been taken or envisaged: a) <i>Training of relevant actors for identification of forced labour practices</i>: the Government reports that guidelines are used by Immigration, Refugees and Citizenship Canada (IRCC) and Canadian Border Services Agency (CBSA) officers to take action to ensure the safety of possible victims and to coordinate with partners to ensure victims are made aware of community, police and legal services available to them, as appropriate. Consistent with international best practices, the guidelines, which were developed by IRCC and used in the assessment of whether a foreign national may be a victim of human trafficking, contain a checklist of</p>

		<p>indicators to assist an officer in distinguishing a possible victim from a routine instance of irregular migration. When, in the judgment of the officer, an adequate number of indicators are present, the officer can issue a Temporary Resident Permit (TRP) to the possible victim. The guidelines instruct immigration officers to treat possible victims with tact and sensitivity. The Government further reports that the CBSA's Trafficking in Persons Manual assists officers who come into contact with potential victims of human trafficking by providing detailed information on the identification of victims, their special needs, and proper referral protocols. CBSA officers are instructed to exercise reasonable care for the protection and well-being of potential victims, taking into consideration their special needs and vulnerabilities. CBSA refers potential victims to partners including local law enforcement and IRCC; b) <i>Legal protection of victims</i>; c) <i>Material assistance for victims</i>: The Government indicates that it announced in Budget 2018 \$14.51 million over five years and \$2.89 million per year ongoing to implement a National Human Trafficking Hotline that will allow victims to easily obtain the help they need. The proposed National Hotline would be a toll-free line, referral service and resource center that receives calls about potential human trafficking in Canada; refer victims to services and law enforcement; develop and disseminate research, training and information; and, build data management capacities to assist law enforcement to collect data on the incidence of human trafficking in Canada. By linking to service providers and law enforcement, the National Hotline will minimize the barriers for witnesses and victims of trafficking to seek assistance and gain access to targeted support. This initiative will enhance the Government's capacity to increase the identification and protection of victims of human trafficking; provide referral services to human trafficking victims using victim-centered and trauma-sensitive approaches; notify police services of potential cases of human trafficking; collect anonymized aggregated data; and document trends to map human trafficking in Canada; d) <i>Medical and psychological assistance for victims</i>; e) <i>Measures for the rehabilitation and social and professional reintegration of victims</i>; f) <i>Protection of privacy and identity</i>; g) <i>Appropriate accommodation</i>; h) <i>Specific measures for children</i>; and i) <i>Specific measures for migrants</i>.</p> <p><b>2017 AR:</b> Throughout Canada, numerous initiatives have been put in place with regards to assisting victims. For instance, the Government of Alberta works with victims to provide referrals to all available community and governmental supports, as well as enforcement agencies where appropriate. The Government of Alberta provides other resources/services to assist victims, some of which are administered through the Ministry of Community and Social Services as well as the ministry of Children's Services. For example, the Government of Alberta has specific Income Support policy to support victims of human trafficking under the authority of the Income and Employment Supports Act, Part 2, Division 1 and the Income Support, Training and Health Benefits Regulation, Section 10(2)(e). Foreign Nationals with a Temporary Resident Permit (TRP) issued under and who are recognized as Victims of Human Trafficking by Immigration, Refugees and Citizenship Canada (IRCC) are eligible to receive Income Support up to the duration of their TRP, including any extension granted by IRCC. These individuals are also eligible for Health Benefits under the Alberta Works program if they are not receiving health care benefits under the Interim Federal Health Program.</p>
	<p><b>Measures taken or envisaged to facilitate access to remedies</b></p>	<p><b>2018 AR:</b> The following measures have been taken or envisaged: a) <i>Information and counselling for victims regarding their rights</i>; b) <i>Development of forced labour indicators</i>; c) <i>Access to remedies and compensation</i>: the Government reports that offenders sentenced for human trafficking offences under the Criminal Code may receive a restitution order as part of their sentence. Restitution orders require the offender to pay an amount directly to the victim of the offence to cover the victim's monetary losses up to the time of sentencing or damage to property caused by the crime. Under the Canadian Victims Bill of Rights, every victim has the right to have the court consider making a restitution order. The Government specifies that civil redress by victims against the perpetrators of crime is a matter of provincial/territorial responsibility in Canada. Additionally, some provinces have enacted legislation which establishes compensation or</p>

		<p>financial benefits programs for victims of a crime that occurred in that province. Such programs vary widely in terms of eligibility and compensable expenses and are not available in all jurisdictions; d) <i>Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges;</i> e) <i>Provision for authorities not to prosecute victims for acts which they have been compelled to commit:</i> the Government indicates that foreign national victims of human trafficking who are issued a Temporary Resident Permit (TRP) may receive a subsequent longer term TRP if circumstances warrant. While a victim is not required to testify or cooperate in an investigation to receive a TRP, the issuance of these documents can facilitate a victim’s ability to stay in Canada for purposes of cooperating with an investigation or prosecution. Whether an individual is a witness in a court case has no bearing on whether they are able to work in Canada. Foreign national victims of trafficking who have been issued a TRP of six months or more are also eligible to apply for a work permit, allowing them to seek employment in Canada; and f) <i>Provision of penalties such as the confiscation of assets and criminal liability of legal persons.</i></p> <p><b>2017 AR:</b> In Canada, offenders sentenced for human trafficking offences under the Criminal Code may receive a restitution order as part of their sentence. Restitution orders require the offender to pay an amount directly to the victim of the offence to cover the victim’s monetary losses up to the time of sentencing or damage to property caused by the crime. Under the Canadian Victims Bill of Rights, every victim has the right to have the court consider making a restitution order. A restitution order can be issued for certain losses: (a) to cover the cost of damage to, the loss of or destruction of the property of any person as a result of the commission of an offence; (b) to cover all pecuniary damages, including loss of income or support, to any person who has suffered bodily or psychological harm as the result of the commission of an offence; (c) to cover the cost of all actual and reasonable expenses incurred by a member of the offender’s household associated with a person having to move out of that household to cover temporary housing, food, childcare and transportation. Restitution may be ordered regardless if the offender received a custodial sentence and/or (d) to cover the cost of removing an intimate image of the victim from the Internet. Civil redress by victims against the perpetrators of crime is a matter of provincial/territorial responsibility in Canada. Additionally, some provinces have enacted legislation which establishes compensation or financial benefits programs for victims of a crime that occurred in that province. Such programs vary widely in terms of eligibility and compensable expenses and are not available in all jurisdictions. Examples of initiatives seeking to facilitate access to remedies throughout the country include: In 2016, the province of Ontario launched its \$72 million Strategy to End Human Trafficking. On May 30, 2017, Ontario’s Prevention of and Remedies for Human Trafficking Act, 2017 received Royal Assent. In early 2017, Ontario made two regulatory changes that made it easier for human trafficking victims to access compensation and supports. It amended regulations under the Victims’ Bill of Rights, 1995 and the Civil Remedies Act, 2001. The Government of Alberta has Income Support policies to support individuals who require emergency financial assistance, including those who may be victims of domestic human trafficking. Specifically, the Ministry of Community and Social Services provides escaping abuse benefits to ensure the ongoing safety of victims of abuse. This includes ongoing Income Support when appropriate as well as an additional personal benefit for telephone and transportation costs and an escaping abuse benefit to establish a household in the community and remain independent from their abuser. These benefits are available at all Community and Social Services offices, and are available after hours through an emergency telephone contact centre at 1-866-644-5135. In Newfoundland and Labrador, the provincial government has committed annual funding to the Safe Harbour Outreach Project (SHOP) created by the St. John’s Women’s Centre to support individuals engaged in sex trade activities in St. John’s. Services include: peer support; safety and exit planning; crisis support and management; navigating the system of public services; housing support; referrals for health and addictions issues; referrals to educational programs; one-on-one counselling; legal advice; employment skills and; life development skills.</p>
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	<p><b>Non-prosecution of victims for unlawful acts that they would have been forced to carry out</b></p>	
	<p><b>Cooperation with other Member States, international / regional organizations or NGOs</b></p>	<p><b>2018 AR:</b> The Government cooperates with other member States, international, regional and non-governmental organizations. It is also active in international efforts to end forced labour, mainly through participation in international fora, provision of support to capacity-building projects, and international development work. Canada is an active proponent in regional and multilateral processes such as the UN, the OAS, the OSCE, the ILO, the Regional Conference on Migration (RCM – Americas), the Global Compact for Migration, the Global Compact for Refugees, and the G7 Roma-Lyon Group, where Canada shares best practices and strategies to combat human trafficking, promotes the use of international legal instruments and supports work on emerging trends such as human trafficking in global supply chains, along migration routes, in conflict zones or during humanitarian crises. Canada’s Feminist International Assistance policy also aims to address the high rates of gender and sexual-based violence experiences by women and girls, particularly those in exploitative situations. In addition, through its Anti-Crime Capacity-Building Program, Canada is committed to implementing capacity-building initiatives aligned with Canada’s security interests to help countries that require assistance in their fight against transnational organized crime, including human trafficking. Most recently, as part of Canada’s presidency of the Group of Seven (G7), Canada hosted a meeting of the G7 Security Ministers during which Ministers made several commitments to the fight against human trafficking. These include coordinating efforts and sharing best practices to address the criminal misuse of the Internet in facilitating human trafficking, improving information and data exchange, and partnering with the private sector and civil society to counter illicit financial flows stemming from human trafficking.</p> <p><b>2017 AR:</b> Throughout its work at the bilateral, regional and international levels, the Government undertakes diverse cooperation activities to eliminate human and labour trafficking. For instance, the Empowering and Supporting the Human Rights of Children and Youth project (Ryerson University, 2012-2018) aims to improve the safety and quality of life for 10,000 boys and girls, often of Haitian origin, in the poorest and most vulnerable communities of the Dominican Republic. It supports enhancing the capacity of government agencies and civil society organizations that are responsible for protecting these boys and girls from abuse, and sexual or labour exploitation. The project has resulted in the creation of local community organizations for child protection and over 30 persons working in the field of psychology, social work, as well as regional and municipal coordinators were trained in the foster family system contributing to increasing the capacity of community and youth organizations that can participate in the protection of children and youth. The Understanding Children's Work (UCW) project aims to end violence, exploitation and abuse of children, with a focus on the progressive elimination of child labour. This includes the sale and human trafficking of children as a worst form of child labour. The UCW Programme (a joint ILO/UNICEF-World Bank initiative) provides a global platform for child labour policy dialogue, partnership building and research cooperation. The work of UCW will provide input to the Global Child Labour Conference in Argentina in 2017. Through the ASEAN Triangle Project, Canada is enabling a collaborative approach among ASEAN governments, workers and employers to reduce the exploitation of migrant workers and provide decent work opportunities across the region. This four-year initiative with the International Labour Organization aims to provide legal and safe migration for labour migrants across the ASEAN region through enhanced regional migration policy and governance mechanisms. The project has delivered valuable tools and knowledge products for labour migration training and decision-making, such as curricula and manuals for migrant worker resource centres, survey tools to measure migration costs, and an ASEAN Labour Migration Statistics</p>

		<p>Database. It has also supported ground-breaking efforts in such areas as the mutual recognition of skills and the portability of social services for ASEAN migrants. Finally, the project has provided essential support to the annual cycle of ASEAN exchanges on priority migrant labour issues, which culminates in the annual ASEAN Forum on Migrant Labour, where senior labour officials and ASEAN representatives set the way forward on these issues.</p>	
	<b>Promotional activities</b>		
	<b>Special initiatives/Progress</b>		
<b>CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL</b>	<b>According to the social partners</b>	<b>Employers' organizations</b>	
		<b>Workers' organizations</b>	
	<b>According to the Government</b>	<p><b>2018 AR:</b> The Government identifies the following difficulties: a) Lack of awareness; b) Lack of information and data; c) Lack of resources in the institutional framework; and d) Challenges linked to the labour recruitment and placement process.</p> <p><b>2017 AR:</b> The Government identified that lack of lack of awareness, information and data and resources in the institutional framework are the main obstacles. However, the Government looks forward to continued collaboration with the vast array of experts and stakeholders at home and abroad engaged in combating the crime of forced or compulsory labour. Continued efforts are needed to ensure further collaboration and information sharing among all levels of government, law enforcement, NGOs and the full range of stakeholders.</p>	
<b>TECHNICAL COOPERATION NEEDS</b>	<b>Request</b>	<p><b>2018 AR:</b> The Government does need technical cooperation.</p> <p><b>2017 AR:</b> The Government stated that it is always interested in exchanging experiences and best practices between countries or regions within the ILO since these discussions could lead to productive partnerships. The tools drafted by the ILO to help raise awareness on forced labour (i.e. Forced labour and human trafficking: handbook for labour inspectors) are also very useful and have been used in awareness activities in Canada. The Government of Canada is also highly appreciative of the data produced by the ILO on forced labour and for the support provided by the ILO Office in terms of interpreting the Protocol's provisions. Technical cooperation with the ILO is required in the area of: a) awareness-raising and mobilization activities; b) collection and analysis of data and information; and c) exchange of experiences between countries or regions.</p>	
	<b>Offer</b>		