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TDL 2008-313

CROSS-NATIONAL COLLABORATION TO COMBAT HUMAN
TRAFFICKING

LEARNING FROM THE EXPERIENCE OF OTHERS

Philip L. Reichel

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EXECUTIVE SUMMARY

The RFP to which this project responded called for a collaborative effort between U.S. scholars and colleagues in other countries to conduct research on a transnational crime of concern in both the U.S. and abroad. To that end, the principal investigator recruited colleagues in Austria and Canada to join the project and together they selected trafficking in human beings as the transnational crime of concern.

Two project goals were identified. First, we sought to more clearly understand how Europe-based organizations are accomplishing cross-national collaboration to combat human trafficking. Second, we hoped to use that information to develop suggestions for improving U.S.-Canada anti-trafficking efforts. Although the two goals are intertwined, they involved separate methodologies and are best explained in separate parts of this report. Part 1: Learning From Others, reviews the Europe-based aspect of the research and Part 2: Collaboration Along the U.S.-Canada Border, describes practitioner impressions of current cooperation between North American neighbors.

Data for Part 1 of the research were gathered from interviews conducted with employees of six different Europe-based organizations. Most participants were in supervisory roles (a few were management level) and had among their responsibilities the facilitating of collaboration among practitioners (e.g., law enforcement, prosecution, and NGO workers) working cross-nationally to combat human trafficking. Comments from the interviews were arranged into three subjective categories as identified in the following paragraphs with a brief summary of key findings.

Basic ingredients of cross-national cooperation. Participants agreed that cooperation among countries is a necessary ingredient in combating transnational crime in general and trafficking in persons specifically. That cooperation requires, at the outset, the support of high level political officials, but also depends on a preexisting presence of intra-country cooperation. Unfortunately, participants reported, many countries where human trafficking occurs (especially countries of origin) do not have sufficient intra-country cooperation among the various players to enable those countries to effectively participate in cross-national collaboration.

Impediments to cross-national cooperation. Even when political will and sufficient intra-country cooperation is present, effective cross-national cooperation is not easily achieved. Examples of impediments to cross-national cooperation as gleaned from the interviews were grouped under five categories. “Problems related to corruption” explain that cooperative efforts are hindered when governments, organizations, or individuals are more interested in personal gain than in achieving the broader goal of cooperation endeavors toward combating the problem. “Problems related to competition” remind us that competition among organizations for funding and recognition can hamper cooperative efforts since successful efforts by individual organizations can result in increased attention and additional funding. Comments included in the “problems related to differing legal systems” category note that lack of knowledge about roles and procedures in another country’s legal system can lead to confusion as to appropriate people to contact and procedures to follow. The “problems related to evaluation” category points to the absence proper program evaluation and the resulting difficulty of

knowing whether organizational efforts have been effective. Finally, participants noted that collaboration can be hindered by “problems related to approach” since some workers and organizations respond to human trafficking as primarily a human rights issue whereas others approach it from a crime control model. Although not inherently conflicting, the goals of each approach can clash.

Effective techniques for promoting cooperation. Although they recognized a variety of impediments to cross-national cooperation, the participants were also able to identify a variety of techniques they believe can promote collaboration. First among the three categories under which the responses are grouped is the importance of “identifying common ground.” The idea here is that most practitioners and organizations working to combat human trafficking can find areas of mutual benefit that are best advanced through collaboration. Once common ground has been found, those facilitating cooperative efforts must help the players “establish trust” in each other by providing opportunities to share information that, over time, is found to be accurate and useful. A particularly good way to identify common ground and establish trust, according to the participants, is by “facilitating networking” among the players. That can be accomplished through formal networking situation such as workshops and conferences, but must also include situations wherein players have the opportunity to interact informally. After presenting these broad categories of techniques to promote cooperation, this report comments on particular techniques such as best practice reports, the need to involve the “right” people, and the specific example of a mutual legal assistance tool.

Data for Part 2 of the project were gathered from persons working in law enforcement agencies in either Canada or the United States. Unfortunately, unexpected access problems resulted in data that was less robust and interesting for this North American component of the research.

Drawing on responses from twenty-one people who completed an online questionnaire, we offer the tentative observations that there seems a discord between the development of initiatives to curb human trafficking along the U.S.-Canada border and the implementing of legal and criminal justice measures that could help accomplish those initiatives. Further, the respondents expressed a general lack of knowledge, resources, and coordination/cooperation within and between countries. They reported that training on key issues of human trafficking was mostly of the “on-the-job” variety, and that U.S./Canada cooperation was more often the result of law enforcement subculture efforts than because of support from senior officials.

The report’s conclusion notes that Europe-based participants were able to list impediments to cooperation and to provide techniques to promote cooperation, but the North American participants seem to have given less thought to either challenges to, or strategies for, improving cross-national collaboration. In North America the concern is more with day-to-day operations for combating human trafficking, whereas in Europe there seems a greater awareness and sensitivity to dealing with human trafficking in a broader contextual framework.

Because exploratory research is designed to provide information on a topic by looking for patterns and ideas prior to conducting more thorough research, it is important to suggest additional research areas. This project identified approaches to cross-national cooperation that may not be as appreciated in the United States or Canada as they should be. Additional research is needed to identify and describe current efforts designed to facilitate collaboration between U.S./Canada agencies and organizations and to determine the feasibility of applying Europe-based techniques to anti-trafficking efforts in North America.

CROSS-NATIONAL COLLABORATION TO COMBAT HUMAN TRAFFICKING: LEARNING FROM THE EXPERIENCE OF OTHERS

NIJ Research Project: TDL 2008-313

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Introduction

A primary benefit of comparative criminal justice is the opportunity for countries to learn from each other. Social, cultural, geographic, and economic differences may prevent many successful practices in one country from being directly imported to another; but when practices are adapted to meet country specific situations; there is always the chance that effective methods can be shared. The United States has actively and effectively shared its experiences and expertise on criminal justice matters with other countries. Less often has U.S. sought out ideas from other countries in an effort to identify practices and procedures that could improve its own response to social problems.

The research project reported here was designed to identify specific methods used by several Europe-based international organizations to combat human trafficking and to see if those practices can provide new approaches to current anti-trafficking efforts along the U.S.-Canada border. This two-part nature of the project requires a report that addresses each part separately. To that end, a brief literature review is followed by a review of the project goal and objectives. Then, Part 1 and Part 2 are discussed separately with their own methodology and result sections. The report concludes with a summary and suggestions for further research.

Literature Review

The knowledge gained from comparative criminal justice research is vital in securing basic levels of cooperation among neighboring countries (Pakes, 2004) and is essential on a broader scale wherein geographically distant and culturally diverse countries learn from each other (see Reichel, 2005). Bennett (2004) describes this benefit in terms of collecting an inventory of “best practices” in criminal justice systems. Unfortunately, that provincial benefit of comparative study is not always recognized or appreciated. As Bennett explains—in relation to the United States—nationalism and national pride sometimes “blind(s) Americans to the benefits of other systems and processes not ‘Made in America,’” (2004, p. 9). He continues by explaining how unwise it is to not search out and implement—as appropriate—best practices regardless of their source. Unfortunately, there is support for Bennett's fear that Americans may not be paying sufficient attention to the experiences of other countries.

The U.S. government is clearly involved in international efforts at combating human trafficking. However, those efforts are more accurately described as being the “provider” than the “receiver” of information. When the U.S. government undertook an assessment of its activities to combat trafficking in persons (U.S. Government, 2003), it explained that its prevention activities abroad included providing financial assistance aimed at preventing human trafficking, hosting events where people from around the world can develop regional anti-trafficking plans, engaging with foreign government officials to promote cooperation and enhance anti-trafficking campaigns, and publishing an annual report (*Trafficking in Persons Report*) on efforts being taken by governments to meet their international commitments to combat human trafficking. Such efforts are laudable, but they are one-way.

More specifically, the Civil Rights Division of the U.S. Department of Justice collaborates (through its Office of International Affairs in the Criminal Division) with foreign prosecution and judicial authorities in its anti-trafficking efforts (e.g., gathering evidence from abroad or assisting foreign prosecutors in

gathering evidence located in the U.S.). In addition, the U.S. is engaged in many foreign training and technical assistance programs to foreign governments and non-governmental organizations (U.S. Department of Justice, 2006). Again, these efforts are important and helpful for both U.S. and foreign prosecutions, but the effort is one of sharing particular information for specific purposes rather than developing best practices based on the experiences of others.

Even when the concept of “best practices” is used, U.S. government documents do not place them in a “learn from others context.” For example, a recent *Trafficking in Persons Report* (U.S. Department of State, 2006) recognizes 11 “international best practices” ranging from education campaigns that involve the distribution of brochures (Bangladesh) or placing stickers with an anti-trafficking message inside local taxis (Ecuador), to conducting successful raids (Bosnia and Herzegovina) and publishing comprehensive reports (Romania). There is no mention in any of these as to how, or if, communities in the U.S. might implement these, or similar, best practices in their own communities.

Missing from all the above—from a comparative criminal justice perspective, at least—are specific programs aimed at identifying anti-trafficking efforts in other countries and regions that may be effectively used in the U.S. Admittedly, these publications are meant to explain how the U.S. is assisting foreign governments rather than how the U.S. has learned from the experiences of others. However, it may also be that Bennett is correct in suggesting that Americans tend to be blind to those things not “Made in America.”

One area where the U.S. may benefit from how other countries have tackled the problem of human trafficking is in cross-national collaboration efforts. Examples of cross-border collaboration certainly exist in the U.S. For example, the Bilateral Safety Corridor Coalition (BSCC) is an alliance of more than 60 government and nonprofit agencies in the U.S. and Latin America that works to combat slavery and human trafficking along the U.S. Mexico border. At the U.S. northern border, the Smart Border

Declaration between Canada and the U.S. endeavors to optimize the free movement of legitimate people between the countries (Sundberg & Winterdyk, 2006). However, these and similar organizations and agreements are unusual examples of the collaboration types that could be possible.

In their report on human trafficking in the U.S., Bales and Lize note that “when different official and civil society agencies work together they are most likely to achieve successful interventions and prosecutions—the reverse is also true” (2005, p. 6). Their research was specifically on the collaboration and cooperation (or lack thereof) among American law enforcement agencies and NGOs in the U.S. They note that the absence of inter-agency cooperation made effective response to human trafficking cases problematic. Instead of an “every agency for itself” type of approach, they suggest the forming of anti-trafficking task forces that would allow the various entities to work together effectively. One can only suspect that problems in cooperation among entities within the U.S. are magnified when cooperation among entities across borders is attempted. This is where the experiences of European countries may be of benefit to the U.S. and where this proposed project can assist.

Project Goals and Objectives

One goal of the request of proposals to which this project responds was to encourage collaborative research efforts between U.S. scholars and colleagues in other countries. That goal was accomplished when the U.S. researcher invited a colleague from the University of Vienna in Austria and from Mount Royal College in Calgary, Canada to join the project. Both Professor Höpfel (Austria) and Professor Winterdyk (Canada) were intrigued with the idea for such a collaborative effort and each agreed to participate. In addition, hoping to encourage such collaboration among the next generation of scholars, Höpfel and Winterdyk were able to recruit beginning researchers to join the project. These younger colleagues, Bruckmüller in Austria and Sundberg in Canada, were actively involved in the research endeavors in their respective countries and facilitated in disseminating the research findings.

In addition to linking researchers cross-nationally, the request for proposals required exploratory social science research on a transnational criminal justice issue of concern in both the U.S. and abroad. With shared interests in transnational crime in general, and human rights issues more specifically, the research colleagues quickly identified human trafficking as an appropriate “issue of concern.” The particular project goal was to more clearly understand how European countries are accomplishing cross-national collaboration to combat human trafficking and to use those European experiences to develop suggestions for improving U.S.-Canada anti-trafficking efforts.

The objectives for achieving the project goal were to: (1) Determine the techniques used by Europe-based international organizations as they work to encourage and facilitate collaboration and cooperation among countries to combat human trafficking, (2) Determine the current state of, and satisfaction with, anti-trafficking collaboration along the U.S.-Canada border, and (3) Apply the knowledge gained from techniques used in Europe to develop recommendations for improving cross-national efforts between the U.S. and Canada. Part 1 (Learning from Others) relates to the first objective, Part 2 (Collaboration Along the U.S.-Canada Border) to the second objective, and this report’s conclusion (Applying the Experiences of Others) to the third.

Two project limitations must be noted before continuing this report. First, the NIJ contract amount associated with the project was a maximum of \$20,000. Although greatly appreciated, those funds were quickly expended through consulting fees and, especially, travel compensation between and within North America and Europe for all five research partners. This point is relevant because peer reviewers of the draft final report correctly noted methodological issues (e.g., small sample size and scope) that partly resulted from limited funds. However, because this project is exploratory in nature we believe our admittedly narrow findings are helpful and relevant based largely on the consistency of data collected through the interviews and surveys conducted. The second limitation, to be elaborated upon

later, resulted from an unexpected lack of cooperation by Canadian and U.S. officials as we attempted to gain information for Part 2 of the study. After initially receiving informal positive responses from various government officials—who were directly involved with the subject matter in their official capacity—to requests for participation in the study, that cooperation was not supplied in the end when formal approval was sought. These limitations are noted here because they are overarching and it seems appropriate that this report be understood in their context.

PART 1—LEARNING FROM OTHERS

A commonly identified benefit of comparative criminal justice research is the potential for countries to learn from each other (see Dammer, Fairchild, & Albanese, 2006). This project conducted a search for such practices in terms of human trafficking.

Methodology

For purposes of exploratory research, it was deemed appropriate to rely on contacts developed over the years by the research partners. Through their previous and current research endeavors and their current professional affiliations, we identified key international organizations from which to recruit research participants.

The Organizations

Three general categories of agencies or organizations can be identified as relevant to discussion of combating the transnational crime of human trafficking. One category includes any agency or organization directly tied to a country's government. In the United States, for example, this would include the Department of State's Office to Monitor and Combat Trafficking in Persons, whereas Canada relies on the Interdepartmental Working Group on Trafficking in Persons, which is co-chaired by the departments of Justice and Foreign Affairs. Obviously, such government entities are important in cross-national efforts to

combat human trafficking. They are not represented among the organizations used in Part 1 of this report, but they are reflected in the affiliation of the participants in Part 2.

A second category of relevant agencies or organization includes those generally referred to as non-governmental organizations (NGOs). These are groups of private parties operating independent of political powers. They share a common interest in a particular policy issue and may operate at a very local level or internationally. In the area of human trafficking, international NGOs include Free the Slaves (<http://www.freetheslaves.net>), the Polaris Project (<http://www.polarisproject.org>), and The Future Group (www.thefuturegroup.org). Although NGOs are mentioned in both Parts 1 and 2 of this project, they were not included as part of this research endeavor.

The third category, international organizations, is the one upon which Part 1 of this research project most heavily relies. More specifically, the participants interviewed for this section represent international organizations that are either global or regional in scope. The global international organizations are those that accept as members any of the world's nations that agree to comply with the organization's membership criteria and are approved for membership by a general assembly or similar body. For this project, the International Organization for Migration (IOM) and the United Nations Office on Drugs and Crime (UNODC) are global international organizations. Regional international organizations are only open to members from a particular region or continent of the world. The Ludwig Boltzmann Institute of Human Rights, Eurojust, Europol, and the Organization for Security and Cooperation in Europe (OSCE) represent this grouping here. See Appendix A for a brief description of each international organization represented in the study.

The Participants

Over a period of six weeks from March to May 2007, nineteen people (8 male and 11 female) representing six different Europe-based organizations were interviewed. Using existing contacts known to the research

partners, initial requests to interview employees at UNODC and OSCE were made five months in advance of the planned data gathering period of March-May 2007. Despite repeated requests to identify in advance the dates and people for interviewing, the contacts were hesitant to confirm anything until the principal investigator was physically present in Europe. As a result, the limited time available for data gathering had to be used for both arranging and conducting the interviews. Eventually, the initial contacts at both UNODC and OSCE allowed snowball sampling that resulted in six UNODC and five OSCE participants agreeing to be interviewed. The remaining interviews used for this part of the project resulted from personal contacts at least one of the research partners had with a person in the organization. The international nature of the organizations is reflected in the nationality of the participants (Australia, Austria, Cyprus, Finland, France, Germany, Italy, Moldova, New Zealand, Poland, Russia, Sweden, United States, and United Kingdom) and in the nature of their work.

Although the personal contacts and limited snowballing techniques that were used to arrange these interviews seems acceptable for exploratory research, we were not able to recruit as broad a variety of organization employees as we would have liked. All UNODC and OSCE participants were at the same organizational level within each organization and had similar responsibilities within their organizations. Participants from the other organizations were few in number and they also represented only one aspect of their organizations. This lack of diversity within the organizations could be overcome in subsequent research endeavors by extending the time available for conducting interviews and should justify requests for funding needed to lengthen that time.

Most of the interviews were tape recorded (four participants declined) and each interview lasted about 60-75 minutes. All participants signed a consent form and the interviews themselves followed an interview schedule (see Appendix B). Rather than providing a formal interview protocol, the schedule was a set of points to establish a foundation about the organization's efforts at promoting cross-national

collaboration. The information reported here comes from the notes taken on the interview schedule during the interviews themselves and from a review of each recorded interview in order to verify and clarify the field notes. For report purposes the participants are referred to by number within one of three groupings: UN (meaning United Nations Office on Drugs and Crime), OSCE (Organization for Security and Cooperation in Europe), and OTH (including the Ludwig Boltzmann Institute of Human Rights, Eurojust, Europol, and the International Organization for Migration). The third grouping combines participants from four organizations as a means to provide anonymity since there was as few as one person from some of the agencies.

Results

When responding to the interview schedule questions, including additional questions generated by those responses, each interview's focus remained on problems and successes in facilitating cooperation across countries. The following review of responses uses a subjective categorization of headings to summarize the interviewer's observations.¹

The Nature of Cooperation

Participants agreed that cooperation among countries is a necessary ingredient in combating transnational crime in general and trafficking in human beings (THB) specifically. Encouraging cooperation is particularly difficult with THB because it is especially politicized (OTH-4; UN-3; UN-5). For example, a country from which many trafficking victims come (i.e., a country of origin) may see an admission of that fact as impugning their economy or social structure. Also, reports on the specifics of THB in a country may be quite critical of government efforts (e.g., law enforcement, prosecution, and social service agencies).

Further, under some types of political regime, government officials simply "couldn't care less" about the

¹ Whereas the field notes provided the gist of participants' comments, the recorded interviews (when allowed) could have been used to provide direct quotes in the Results section. However, we prefer paraphrasing to direct quotes as a way to preserve the central point when grouping participants' comments in the narrative.

occurrence of THB (OTH-4). Given these possibilities, it is not surprising that many participants noted the importance of having agreement and support at high political levels in the countries involved (OSCE-5; OTH-4; UN-3).

The need for involvement of high-level political officials is referred to by many of the participants as “political will.” Without political will, they argue, nothing will happen (OTH-4; OTH-5; OSCE-1; OSCE-2; OSCE-5). In that context, OSCE-4 warns that it is often a good idea to view diplomats (in their role as cooperator with diplomats from other countries or organizations) as essentially being bureaucrats acting to protect the interests of their government or organization. Examples provided include the point that ratifying treaties has little impact if domestic legislation is not changed in accordance with the treaty (OSCE-1). Political will is required for both; but it could exist for the former (showing the country is a good international partner) and not the latter (avoiding having to do anything at the practical level). Similarly, countries too often simply “cut and paste” wording from treaties or conventions without making appropriate domestic changes or distinctions such as differentiating in law between trafficking and smuggling (OSCE-2). However, even if everything is proper, conforming legislation does not assure appropriate practice (OTH-5).

That last point—proper legislation does not assure proper practice—reminds us that even with political will, effective collaboration does not necessarily follow. A country can be successful at inter-country cooperation only when it has an acceptable level of intra-country cooperation. Or, as OSCE-2 put it, we need to distinguish a willingness to cooperate from an ability to cooperate.

What might hinder intra-country cooperation to such an extent that cross-national cooperation is impeded? One problem would be a lack of knowledge within a country as to who are the relevant players. OSCE-5 suspects that officials from some countries—by going to a lot of international conferences and seminars—may know many of the international players in THB issues, but may have little knowledge

about what is happening in regions of their own country. UN-5 gave an example of discovering, while encouraging cross-national cooperation on THB, that the key people in the country being trained did not even know each other. Before even hoping to establish cross-national collaboration channels, UNODC staff had to introduce the in-country staff to each other. They did so, in part, by providing laminated sheets of contact information and clarifying jurisdictions to all the players so they would know with whom they should work on various THB issues (UN-5). However, in some countries² the turnover among those in charge is so high that today's laminated sheet of contacts may be outdated tomorrow. OSCE-1 gave the example of one Middle Eastern region that had eight or nine Ministers of the Interior over a very short period. Each Minister brings in his/her own people and as a result, OSCE-1 explained, the people you preached the "we-have-to-cooperate" sermon to last month are all gone now so you have to start over again. The constant rotation of "right people" is frustrating and counterproductive.

Other intra-country impediments to cross-national cooperation include a simple lack of "buy-in" by workers who may be aware of agreements with other countries but are nonresponsive to requests (OTH-4), or an inability to cooperate because of lacking infrastructure. On that latter point, consider an example from an OSCE worker who tells of the difficulties in facilitating cooperation between workers in some Central Asian countries and some countries in Western Europe. Upon first meeting a new professional colleague one would expect to exchange business cards. More accurately, new colleagues in Western European and other industrialized countries would exchange business cards. However, the people this OSCE representative, and others, are working with often do not have business cards to exchange. Even if they did, it is unlikely there would be a phone number or email on the card as contact

² Since reference to particular countries could compromise organization efforts when working with those countries, respondents typically referred to regions (e.g., the Balkans or the Caucasus) when providing examples during the interview. Similarly, reference to specific countries in this report is unnecessary for advancing the report's purpose.

information. As a result, any willingness to cooperate is made difficult by a lack of convenient communication technology.

Impediments to Cross-National Cooperation

Even when intra-country impediments are minimal, cross-national cooperation is not easily accomplished. When asked to describe some of the typical problems encountered when trying to promote or facilitate cooperation among individuals, agencies, or organizations in different countries, participants had little trouble coming up with examples. They included the difficulties in raising awareness among service workers, educators, and the media of THB as an important issue and of the frustrations brought on by bureaucracy (e.g., an excessive administrative load takes away from technical work and the slowness of bureaucracy makes prompt action difficult). Important as issues of awareness and bureaucracy are, other concerns received more frequent mention by the participants. These can be grouped into five categories for purposes of discussion.

Problems related to corruption. Several of the participants noted that in some of the countries they or their colleagues have had to deal with corrupt governments, organizations, and individuals. For example, OSCE-1, UN-2, and UN-5 noted situations wherein workers are expected to (but, participants assured, do not) pay officials for everything from access to key people to an escort to various locations. Of course, if money is taken from persons with good intentions, it is not surprising that corrupt individuals are equally willing to take money from those with evil intentions. In a specific example, a border guard was found accepting money to wave through border control a busload of prepubescent girls from the Ukraine (OTH-4). It is difficult enough to combat the efforts of the deliberate criminal without having to worry also about the situational ones.

Problems related to competition. Several participants also noted problems resulting when groups compete for funding and recognition. Although efforts to combat THB are receiving greater attention and more funding than in the past, those funds are still limited. Money allows for jobs and positions, whereas

recognition means the organization is more likely to get money the next time around. As a result, organizations compete for funding (UN-1; UN-3), turf battles ensue (UN-5), and it becomes difficult to find common ground upon which the organizations can work more effectively and efficiently (OSCE-2).

Another unfortunate result of this competition is that it can spawn a corrupt organization. UN-4 gives the example of some NGOs that seem to exist only to make money (get funding) and appear to accomplish nothing. Because of the occasional corrupt NGO, international organizations such as UNODC cannot encourage law enforcement to *always* cooperate with NGOs.

Problems related to differing legal systems. Differences in legal systems across countries present problems ranging from conducting appropriate investigation to providing effective training (OSCE-1; OSCE-2; OTH-2; & OTH-5). What constitutes legal investigation techniques in one country may not be acceptable in another. OSCE-1 gives examples of surveillance procedures and the use of controlled deliveries. For the former, one country requires permission from a judge—even if the person is in a public place; whereas public surveillance in another country requires no judicial permission. For the latter, some countries allow prohibited substances to be imported to, pass through, and exported from their territory in order to identify persons involved in the transaction. Other countries do not allow these controlled deliveries. Similarly, OTH-2 provides an example of being able to conduct mobile phone interceptions in some countries but in others such interceptions are either not allowed or not technologically possible.

To avoid the frustration of police in one country asking police in another country to do something they are not allowed to do (or the embarrassment of asking them to do something they do not have the capacity to accomplish), training becomes an important ingredient of cross-national cooperation. But even these efforts (which are discussed later under effective techniques) have potential pitfalls. Not only do procedures differ among countries, so too do the roles of players. For that reason, when setting up training sessions one must be aware of who are the appropriate people to involve (as discussed later

under effective techniques). As OSCE-1 put it, we have to know each other's system well enough to know what to ask for, whom to ask, and what is needed to get it.

Problems related to evaluation. Although presented in different terms and in support of different arguments, many of the participants attributed some problems in achieving cross-national cooperation to inadequate evaluation procedures. This is especially true of THB, which is notorious for its ambiguous nature and lack of data regarding its extent. Too often, participants complain, THB is confused with (or seen as no different from) illegal migration (smuggling). The confusion is caused in part by the lack of a common THB definition and lack of agreement on a common goal of action (OSCE-2). And, since it is possible that in some cases smuggling may become an instance of trafficking, countries can claim to be combating trafficking but act as if they are dealing with smuggling (OSCE-5).

Without a clear definition of the problem, it is difficult to determine its true extent. Further, in the absence of clear goals and objectives it is impossible to evaluate success. OSCE-3, who was especially informative on this topic, notes that lack of knowledge of trafficking indicators could mean that trafficking cases are not only never identified but also never officially counted. For example, when criminal justice officials investigate business owners for possible economic crimes, they may not take the additional step of looking at the workers to see if exploitation was occurring. Identifying an exploitation case could lead to the discovery of an entire chain of trafficking. When investigators stop after finding the economic crime, but before identifying trafficking offenses, the latter are never recorded.

Even when trafficking data are collected, key variables are often ignored. OSCE-3 points out that neither international organizations nor NGOs keep very good track of such information as victims' age, sex, origin, type of exploitation, or circumstances of recruitment. In addition, the validity of the evaluation mechanisms that are used may be problematic. Several years ago, OSCE sent out 55 questionnaires (the number of member states at the time) and got 52 responses. However, four countries (two European and two Central Asian) claimed no registered trafficking cases at all. Since OSCE had worked clear examples of

trafficking cases in all four of those countries the accuracy of the claims was questioned. But, reports must reflect available data, so the OSCE analysis of the questionnaire data dutifully reported the “trafficking-free” countries.

Things are often no clearer when international agreements are put forward. OSCE-5 notes that a document may proclaim that “governments should establish a national coordinator” but there is no accompanying explanation for what that position entails, what the function of the position is, what is the person’s role, etc. Or, countries are instructed to “establish a national action plan” but what does that mean? Is it a two-year plan, a three-year plan? Does everyone get involved? Since most instruments do not provide such detail, OSCE-5 suggests, it is difficult to determine the extent to which countries are meeting goals and objectives of these agreements.

Several UNODC participants also commented on problems resulting from inadequate evaluation procedures. Some of those are linked to measurable goals, which UN-2 suggests are often obscure since neither administrators nor field workers are very clear as to what they want to accomplish. For example: Is the goal to reduce the number of trafficking victims? Or, is it to get more victims repatriated? Additionally, the objective may be to gain citizenship in the destination country for the victim. Any of those could be legitimate goals, but they have to be stated as such (and appropriate data collected) in order to evaluate success in achieving them.

Another difficulty in accomplishing useful evaluation is linked to the aid business itself, suggest UN-1, UN-2, and UN-3. The financial situation between donor countries and international organizations can compromise goal-setting and/or evaluation. At one extreme the core-funders may have undue influence over the agencies’ priorities, or even their approaches. Or, the core-funder may need to show donors that their money was well spent (so more money is forthcoming) sometimes results in an outcome (often short-term) becoming a goal. In this way the organization can quickly report an outcome (e.g., 5,000 flyers were distributed that warn about recruiters in the community trying to trick children into

earning money in another country) but have no information about the impact of their effort (e.g., were fewer children recruited from the community as a result of the flyers?).

Concern about inadequate evaluation was widespread among participants, but it is also important to note that several suggested that gathering accurate data is less important than helping a particular victim. OSCE-3, even while clearly explaining the need for data gathering and evaluation, noted that numbers don't matter—it's the individual who is important. This victim-centered approach brings us to the final category of problems encountered when trying to promote or facilitate cooperation among individuals, agencies, or organizations in different countries.

Problems related to approach. Participants from all the international organizations represented in this research noted that the importance of recognizing human trafficking issues can be approached from two perspectives. One, which can be called a human rights approach, highlights the human dimension of THB—with particular emphasis on the victim. The other, often referred to by participants as a criminal justice approach, emphasizes controlling THB through efforts of law enforcement and prosecution. The participants typically noted that there is nothing inherently contradictory in these approaches (e.g., victims' interests can be served when their offender is caught and punished), but they also suggested that cooperation is hindered when the players are approaching the situation from divergent paradigms.

The participants report that the human rights approach is especially more common among NGOs; although many of the participants representing IOM and OSCE seemed partial to this approach as well. The crime control approach, not surprisingly, is more often linked to organizations such as Eurojust, Europol, and UNODC—each of which is geared toward stopping and preventing continued criminal behavior. Problems in cooperation arise, according to the human rights proponents, when criminal justice personnel promote a goal of catching and prosecuting the offender over the interests of the victim (who may not wish to assist law enforcement or prosecutors). Criminal justice personnel, on the other hand,

become frustrated when they perceive victim advocates as thwarting efforts to combat human trafficking by failing to encourage victims to cooperate with law enforcement and prosecution.

To exemplify the extremes of this conflict, UN-2 suggested a zealot/skeptic continuum wherein the zealot (human rights approach) takes the position that victims are great in number and subject to considerable harm—including harm by criminal justice officials. At the other end of the continuum one finds the skeptic (crime control approach) who views trafficking victims as mostly complicit actors who are undeserving of the special attention so many want to afford them. Although none of the respondents, including UN-2, suggested this level of divergence is commonplace when employees of international organizations and NGOs are working with each another, the frequency with which participants noted the existence of contrasting approaches suggests it is something to which attention must be paid.

The following points summarize the impediments to cross-national cooperation as perceived by those interviewed:

- **Corruption:** Cooperative efforts are hindered when governments, organizations, or individuals are more interested in personal gain than in achieving the broader goal of cooperation endeavors toward combating the problem.
- **Competition:** Competition among organizations for funding and recognition can hamper cooperative efforts since successful efforts by individual organizations can result in increased attention and additional funding.
- **Differing legal systems:** Unless organizations attempting to promote cross-national cooperation are familiar with how each country's legal system distributes roles and responsibilities among its legal actors, efforts to encourage collaboration may be stymied.
- **Evaluation:** Absent a common and clear definition of the human trafficking phenomenon, it is difficult to have agreed upon goals and objectives. That, in turn, makes difficult any reliable and valid evaluation of general efforts or specific programs by those organizations.

- **Approach:** Underlying conflict between a human rights approach to human trafficking and a crime control approach can make it difficult for organizations to find a common ground as to the appropriate response to human trafficking victims and offenders.

Effective Techniques for Promoting Cooperation

One reason for identifying problems is to encourage solutions. The participants representing these six international organizations were just as forthcoming in highlighting what they believe to be effective ways to encourage cross-national cooperation as they were in identifying impediments to that cooperation. To be more accurate, the lack of formal evaluation of these techniques encourages reference to ones “believed” or “presumed” to be effective. However, the qualifier will be dropped in deference to these professionals and the expertise they bring to a search for ways to facilitate cooperation. Based on the responses obtained from those who participated in the study, seven techniques for promoting cross-national cooperation were identified.

Generally speaking, these techniques are used to identify common ground and mutual benefit, to establish trust, and to facilitate networking. These, the participants seemed to agree, are key ingredients in facilitating cross-national cooperation.

Identifying common ground. A key to cooperation, UN-4 explains, is to identify areas of mutual benefit for the countries, agencies, and people involved. This may be especially difficult when encouraging people or organizations taking a human rights approach to find something in common with those promoting a criminal justice response. Not always easy, admits OSCE-2, but possible when using such techniques as multi-agency training and focusing on very specific issues.

Establishing trust. It is not enough to simply bring people together. Facilitating cooperation also requires the players to trust each other. That trust can be encouraged by having people work together in small groups, sharing information that, over time, is recognized as being accurate and useful, and being realistic in what level of cooperation can be achieved. An example of being realistic is mentioned by OSCE-

2 when highlighting the importance of finding common ground. That is clearly important, but searching for the one, very small point on which everyone will agree may not be worth the time. Instead, there may be some issues for which one must realize that, even though common ground will not be found, the issue is worthy of time and effort (OSCE-2).

Importantly, trust is established by admitting shortcomings as well as by showing successes. Eurojust provides particularly good examples of this trust-building technique in its 2005 Annual Report (Eurojust, 2006), which includes a section on “barriers to casework.” Included in the list are problems with member countries being slow in providing assistance to others, losing requests for mutual legal assistance, providing poor quality translations of requests for assistance, and being generally inefficient in their cooperation. The Eurojust respondents in this research project believe such forthrightness serves to build trust among the national members of Eurojust because they understand and appreciate that the organization will be open about both problems and accomplishments.

Facilitating networking. One of the most frequently mentioned goals for the techniques favored by the participants was to provide both formal and informal networking opportunities. Networking is deemed crucial to cross-national cooperation not only because it can facilitate the identification of common ground and establish trust, but also because it is essential in achieving goals. Even when formal networking situations are set-up (e.g., workshops, conferences, and training sessions) the respondents agreed that informal interaction among participants was something to be fostered. Several participants noted that informal networking can help speed up the formal process since people who know each other can use personal contacts to get movement in the formal process (UN-3; UN-5). As OTH-2 explained, through networking they can call colleagues in another country, explain that they have received no response from their official inquiry and ask if the colleague can check on its status for them. OTH-4 also told of cases that were moved along (i.e., resolved or advanced) primarily because of informal interactions among people attending workshops and conferences.

The following points summarize effective techniques for promoting cross-national cooperation as perceived by those interviewed:

- **Find common ground:** By using multi-agency training and focusing on specific issues, even organizations or agencies approaching the human trafficking phenomenon from different perspectives can find common interests that collaboration can advance
- **Establish trust:** Because cooperative efforts require collaborators to trust each other, facilitators must provide opportunities for organizations, agencies, and individuals, to share information that, over time, is found to be accurate and useful.
- **Facilitate networking:** Common ground can be found, and trust established, through formal and informal networking opportunities.

Examples of Techniques

Some of the favored techniques for identifying common ground, establishing trust, and facilitating networking are easily anticipated. As mentioned above, the international organizations provide a variety of workshops and training sessions, sponsor conferences, and share information as ways to promote cross-national cooperation. However, there were also mentioned some techniques that could be readily overlooked. For example, OTH-3, OTH-4, OTH-5, and UN-4 explained that role playing can be an especially effective way to both impart information and encourage networking. One respondent provided the example of a role-playing exercise wherein a male participant, who had seemed rather skeptical of the idea that THB victims are really victims, played the role of a victim. As the exercise ended, the respondent was very pleased with the way the man explained why he needed protection. The respondent felt the role playing provided the man with both information and an emotional experience that enabled him to appreciate better the THB victim's situation.

Another important technique that may not be immediately apparent is assuring that all agencies and organizations involved in setting up conferences, workshops, and training sessions receive

appropriate recognition. As noted above when discussing impediments to cooperation, competition among international organizations for resources is a reality. Things as simple as crediting other agencies both in print and in announcements, acknowledging speakers' affiliation, and listing the organizations represented by attendees can have remarkably positive results in both short- and long-term benefits when it comes to promoting cooperation (OSEC-4 & UN-4).

Best practices and tool kits. Several of the respondents expressed the opinion that tool kits and reports on best practices can be beneficial and several of the participants have helped develop such items. UNODC seems especially likely to use tool kits, best practice reports, and other items to help field workers accomplish their duties (UN-1) and the staff members typically try to develop tools and best practices for the area in which they work (UN-5).

Although preferring the term “good practices,” OTH-1 believes one can typically take 80 percent of how something is done and transfer it to other settings. Other respondents were more circumspect in their appraisal of best practices. UN-3, while relating personal experiences in preparing a best practices report, noted that too often a best practice is little more than something that someone finds interesting or assumes to be relevant. It is not always clear, according to UN-3, on what basis the thing called a best practice is being chosen. For example, it is not clear what criteria are used to assess a “best”/ “good” practice as the criteria have not been standardized in any coherent manner.

OSCE-4 seems to agree that tool kits and best practices should be approached with caution. Suggesting there may be a tendency to place too much emphasis on such items, OSCE-4 is not sure how useful they can be on a broad scale. A tool or practice found effective in one setting, by one organization, at a particular time, may not have widespread application—especially given the constantly changing nature of human trafficking (OSCE-4).

Assuring the right people are involved. Many of the participants noted that the best techniques around will only have the desired impact if they are used with the right people in the right context. By

“right people,” the participants are referring to those individuals who actually work with the issue of concern (e.g., THB victim services, investigating/prosecuting THB cases, and developing domestic legislation) or have a direct role in relation to those staff workers (e.g., supervisors, mid-level managers, etc.). By “right context,” the respondents were commenting mostly about workshops, training sessions, and conferences. For example, the need for political will was mentioned earlier in this report and participants agreed that politicians are certainly the “right people” to involve, but not necessarily in the context of workshops and similar events. As OSCE-4 put it, politicians must be “on board” but not necessarily in attendance.

Involving the right people is an issue, in part, because participants in workshops and training sessions are often paid for the trip and may even receive a per diem that could be high enough for some people to make a profit. A paid trip away from the office—and the possibility of even making money while away—could mean that mid-level or higher managers send themselves to training sessions rather than sending staff who actually do the work (OTH-4; UN-3).

The right people must also be considered in terms of their role in conjunction with the event. Eurojust, for example, quickly discovered that having the right people attend training sessions does not necessarily mean inviting people in similar positions. Although all criminal justice systems tend to have similar jobs that need doing, they may not have the same people doing those jobs. An interviewee from Eurojust, using investigation of terrorism as an example, noted that in the United Kingdom terrorism investigation is the responsibility of the Metropolitan Police Antiterrorism Command. However, in France the investigation falls to an investigating judge and to a federal public prosecutor in Germany. As a result, when Eurojust (or any other group) brings together the right people for training on cross-national investigation of terrorism, there should be police officers from the UK, prosecutors from Germany, and judges from France. A terrorism investigation training session that involved only police from the UK, Germany, and France would be ineffective. Hence, similar awareness of who plays what role in which

country is key to ensuring that the “right person” is identified and invited to participate in any related training, dissemination of information, and so on.

The Mutual Legal Assistance Request Writer tool. To conclude this summary of practitioner views, one particular technique should be noted. During several of the interviews, a number of the respondents referred to a tool developed by UNODC that many consider a good example of how technology can assist in facilitating cross-national cooperation. As noted above, respondents highlighted the problems inherent in working across countries with different legal systems. Delay and frustration is the inevitable result of not knowing who has what role in the system, what procedures are acceptable and unacceptable, or how requests must be made. Resolving those problems is the goal of Mutual Legal Assistance Request Writer Tool (MLA tool) developed by the Legal Advisory Section of UNODC.

To some extent, the MLA tool accomplishes via technology what the Eurojust national members do through formal and informal contacts. In both instances, a person from one country is requesting something of another country. That request must conform to exact requirements. For example, the request must be made to persons in a particular role, must include certain information, and must be supported by specific documents. The Eurojust national member from the country making the request is instructed in these matters by the Eurojust national member from the country receiving the request. The MLA tool provides similar assistance through a software program that asks the requestor specific questions then progresses through a series of options ending with a document that includes all the information needed by the authorities in the receiving country to act on the request. Detailed information, including a video demonstration, of the tool is available at <http://www.unodc.org/mla/>.

PART 2—COLLABORATION ALONG THE U.S.-CANADA BORDER

As noted earlier, research related to this part of the project did not proceed as smoothly as planned or anticipated. Several attempts were made to gain official approval from both the Canadian and United States governments to conduct research involving border security staff. The U.S. Federal Bureau of

Investigation (FBI), U.S. Customs and Border Protection (CBP), Canada Border Services Agency (CBSA), and Royal Canadian Mounted Police (RCMP) all declined to participate, each stating that their involvement could compromise their investigative efforts. Along with the request, a copy of the questionnaire was forwarded to respective authorities in both Canada and the United States.

Follow up e-mails were sent to each government contact asking if the proposed questions could be modified to obtain approval. Both the FBI and RCMP stated definitive “no’s” with statements to the effect that they did see value in the research and felt the topic was an important one; no replies were provided by the CBSA or CBP. E-Mail letters were also sent to CBSA (no response), CBP (no response), RCMP (negative response) and FBI (negative response). In total two e-mails were sent to each agency (CBSA, RCMP, FBI, & CBP) asking for assistance. It was stated by the RCMP and FBI that the survey could compromise national security in that investigative techniques could be exposed. The CBSA Director responsible for human trafficking investigations stated in a telephone conversation that in their opinion the survey was not in the best interest of the CBSA.

In the absence of support from government officials, the researchers decided to rely on personal contacts in the various organizations. The following section describes the methodology used.

Methodology

A survey consisting of 31 closed- and open-ended questions was prepared in both English and French and made available electronically via Zoomerang.com. Absent official support for the project, the researchers relied on snowball sampling starting with personal contacts of one of the Canadian research team who made his contacts aware of the survey's availability. Accompanying the invitation to participate, which was sent to the participants' personal email account, was a statement about the nature of the questionnaire and about the lack of official sanctioning from government agencies for this project. The survey site was accessed by clicking on an "I consent" link at the end of the email. Once at the survey's introduction page, participants again read about the voluntary nature of the survey and had to show consent by clicking "Start survey." In this manner, persons choosing to complete the questionnaire were aware that the researchers were soliciting the participants' views on a purely volunteer and confidential basis and without official support from the agency employing the participant.

In addition to the survey, face-to-face interviews were conducted with four other individuals having knowledge of human trafficking issues. The information gained from these interviews was helpful but not significantly different from that gathered in the more standardized survey. To facilitate discussion, this review presents data only from the surveys.

The Sample

Twenty-one questionnaires were completed by the end of August 2007 at which time the survey was taken offline. Despite the low participation rate, the results are still believed to be useful and informative for exploratory purposes.

Most respondents (N=16: 20%) were employed by the Canada Border Services Agency with the remainder (N=5, 24%) from U.S. Customs and Border Protection. The majority worked in an enforcement/investigation role while three were supervisors and one a Senior Inspector. Most were male (18, compared with 3 females) and almost 44% were between the ages 30 to 40 and 33% were between

40-50 years-of-age. The remainder were 50 years of age or older. Only 5 had less than a college diploma while the majority had at least a college diploma (N=4, 19%), an applied degree (N=4), or a BA (7), with one respondent having a Master's Degree.

When asked how many years they had been working in their current position, the majority (90%, N=21) said over 5-years. However, when asked how much specific training they had received to perform their current position, 5 (24%) said "none," whereas 38% (N=8) had received "less than one week of departmental training," and 33% (N=7) had "learned on the job."

Almost 90% (N= 18) had never attended a "national/international conference on human trafficking." Further, 14 (67%) had never attended a related workshop since being employed in their current position. One person indicated that they had participated in a national conference on human trafficking, but that it had been at least 10-years ago. Two had attended a full day workshop in which only about 2 hours was dedicated to human trafficking.

The Survey Instrument

The survey (see Appendix C) was launched electronically via www.zoomerang.com and was available to respondents from May to August 2007. Participants were notified of the survey's availability via email in May 2007 with reminder emails sent several times before the survey was deactivated in August 2007. After reading consent information on the first page of the survey site, participants indicated their consent to participate by advancing to the next page where the questions began. All surveys were completed anonymously.

The data were analyzed using SPSS 14.0. In addition to descriptive analysis we also subjected the data to chi-square analysis, but given the small Ns there were no significant differences between the Canadian and American respondents. Therefore, none are presented.

Results

As noted above, the final sample included 16 participants from Canada and 5 from the United States. Obviously, any conclusions to be drawn should be viewed with considerable caution. However, given the general themes that persisted, the results can be viewed as at least suggestive of views held by staff employed in the respective countries. Bearing in mind the small sample size of both groups, there were no notable differences between the countries' respondents so all analysis is presented as a "unified" response.

Perceptions of Gravity of the Problem

With all the respondents working directly with border security, it was interesting to observe that 67% felt that "issues of human trafficking along the Canada/United States border" was either a "very serious" or a "serious" issue. Only 10% felt the issue was "not serious" at all.

In terms of how they viewed *public* perceptions of the problem, 81% expressed that they did not think the public was very aware of human trafficking issues between the two countries. Only 19% felt that the public was "somewhat aware."

Question 19 asked respondents to share their perception how aware officials in their agency/department were about human trafficking. Seventy-six percent felt that the officials were "very aware" or "somewhat aware" while only 24% felt they were only "somewhat unaware."

When asked about how they formed the perceptions they have about the public and the officials they worked with, most respondents noted their impressions were based on personal observations drawn from the cases they have dealt with over the years. As one respondent noted: "Known cases I have dealt with. Suspected cases I have dealt with. Knowing that is less than 100% detection rate."

Performance Related Questions

When the respondents were asked to comment on which areas their agency excelled at in relation to combating human trafficking, the majority of responses pertained to law enforcement tasks. As the respondents were invited to list as many options as they felt appropriate, they provided multiple responses.

For example, 61% thought that “actively investigate allegations” followed by 44% feeling that “developing reliable intelligence” were key areas in which they excelled. Only 17% felt that they excelled at “assisting victims.” A majority (76%) indicated that their organization does little to support/promote training or education activities with their Canadian/American counterparts.

Respondents were also asked how and why they became involved/interested in human trafficking. Over half noted that it was not a conscious decision. Rather, it was “part of my job.” Only two respondents expressed a conscientious choice based on personal experience and/or reading about the problem in some particular context.

In terms of how the respondents felt the public was informed about human trafficking issues, the majority made reference to the high profile cases that make it into the mass media. Yet, a few of the respondents indicated that regardless of media attention, the public was still largely naive about the extent and gravity of human trafficking.

When asked to rank order six different strategies for combating human trafficking, the most important strategy was how to effectively “conduct raids,” followed by providing “education programs for groups;” and third, the dissemination of information/reports on human trafficking.

An open ended question asked respondents to describe what “preventive measures does your agency take to combat human trafficking.” The responses ranged from “none” to mini-presentations by another agency/organization, to a few joint Canada/USA exchanges. One U.S. respondent noted: “we

have the world's best border security program with high trained inspectors, state-of-the art computer systems, excellent men and women."

Organizational Issues

One of the open-ended questions in this section asked respondents what, if any, "major organizational challenges" face their agency/organization in combating human trafficking. Virtually everyone identified challenges. They ranged from such expressions as failure in the immigration enforcement area to poor information dissemination and sharing, to sheer size of the country, to lack of resource and coordination and even not having sufficient powers. No one suggested there were not any major organizational challenges at hand.

In terms of legal challenges confronting their agency and country in combating human trafficking, the responses again tended to share a common theme. The legal system is viewed as cumbersome, lacking "teeth," lacking sufficient resources to support legal actions. Participants also noted there are insufficient cases upon which to develop case histories and concern was expressed that the law is simply being too complex to effectively and efficiently deal with human trafficking cases.

Another question dealt with the respondents' perception of which of their "respective agency's and nation's efforts/methods" they considered to be most effective in combating human trafficking. Again, the tone was generally negative, with comments ranging from "We don't have anything, so nothing," and "Honestly, I don't know that we are being effective at all"; to "Hire more people." Although one respondent did indicate that "our use of computers, training, military background of most inspectors" is an asset.

Respondents were also asked "what specific methods or activities not currently being used could your organization implement to help combat human trafficking." While the responses were quite diverse, they were nevertheless forthcoming. Responses included a call for more training and resources, more

organized training, etc. In essence, the responses expressed a call for building greater commitment to combating human trafficking through building more capacity at a national and cross-border level.

A similar question asked the respondents for their views about specific methods or activities their nation or country could implement to help combat human trafficking. The responses generally called for more training and resources. Specifically, responses included: “more training,” “drone planes,” “inform the public better,” “add actual border patrols,” to such statements as: “less refugee claims permitted inland,” and “reduce the things that attract illegal migration in the first place.”

When asked whether their organization conducts joint Canada/American training and/or educational activities the general response was “yes,” but in a limited capacity and often for persons in the upper levels of the organization rather than the working level.

In terms of collaboration with NGOs in Canada and the United States, fifteen (71%) people responded to the open-ended question. Those who responded expressed the view that little if any concerted effort was made to collaborate with NGOs. The responses were generally phrased in the context of “not aware of any.”

Another question asked about official collaboration efforts between government agencies in both countries. Here there was a greater degree of variability in the limited number (N=16) of responses. Nine of the responses indicated little to no collaboration that they were aware of. The remaining responses indicated that there was *modest* collaboration between the Royal Canadian Mounted Police and the Department of Homeland Security in some regions of the country, and some *notable* collaboration between the two countries in terms of alien smuggling and/or suspected traffickers.

The final question was an open-ended one, inviting respondents to comment on “any other observations about human trafficking that (they felt) the study could benefit from.” The comments ranged from wishing us luck with the project to “they (human traffickers) will never be stopped 100%, but any solution must seriously affect the bottom line of the traffickers to be effective . . . human trafficking

will flourish wherever there are large profits to be made.” Another comment called for greater initiative by CBSA—“after 20 years I haven’t seen any improvement or change. Sad really.”

The following points summarize the general observations from the interviews and surveys conducted in Canada and the United States.

- Legal initiatives in both Canada and the United States while commendable do not appear to have translated into capacity building for those who are charged with combating THB on the “front lines.” There appears to be a discord between developing initiatives to curb the THB and the implementation of legal/CJ measures
- Staff generally expressed a lack of knowledge, a lack of resources, a lack of strong co-ordination and cooperation within their countries and with their respective neighbour
- Training was largely dependant on learning on the job
- Specific knowledge of how to detect, investigate, and process a human trafficking case is limited and often dependant on “experience”
- Most cooperative efforts between Canada and the United States appear to be linked more to law enforcement type sub-culture than support being initiated through senior officials
- Based on the data provided through the surveys and interviews, there appears to be little that can be learned from one or the other country. Instead, the data suggest that there needs to be stronger initiatives established to facilitate and support better cooperation between the two countries.
- Canada appears to have little to offer its American counterparts and visa versa.
- The current state of affairs, as perceived by those who participated in the study suggest that while respondents feel they are doing the best they can with the resources and skill sets available to them, the overall level of satisfaction with job performance appears to be seriously compromised.

- Both Canadian and American counter-parts greatest asset is their respective ability to engage in case investigation, and to some degree the opportunity on some levels to work with their international counterparts on a case-by-case basis. However, the relationship appears more reactive than proactive.
- Although no direct data was obtainable on techniques used at the organizational level, the feedback collected in the interviews and surveys suggest a notable gap.
- Notwithstanding the previous point, both Canada and the United States have attempted to strike a “balance” between criminalizing those who engaging in THB and providing appropriate supporting for the victims of THB. Yet, the respondents all noted that education and information dissemination was not what they focused on and/or knew much about.

Conclusion: Applying the Experiences of Others

As explained earlier, this project’s goal was to more clearly understand how European countries are accomplishing cross-national collaboration to combat human trafficking and to use those European experiences to develop suggestions for improving U.S.-Canada anti-trafficking efforts. Keeping in mind the exploratory nature of the study, we comment in this section on the degree to which the project goal has been met.

The interviews conducted with 19 participants representing six Europe-based international organizations provided interesting and informative data, as did the surveys completed by 21 North American participants. One point that seems apparent upon comparing data from the Europe interviews and the North American surveys is that the interviews provided more elaborate and more instructive information. That is due, at least in part, to differences in interviewing and survey methodologies. The ability to ask follow-up questions during interviews enabled the researcher to delve more deeply—and to obtain more qualitatively rich information—into the respondent’s experience and knowledge. But is

seems also possible that the differences in information gathered may reflect a greater appreciation for, and understanding of, the need for cross-national cooperation among Europeans.

Whereas the Europe-based participants were able to rather easily list impediments to cooperation (see page 12) and to provide a rather rich list of techniques to promote cooperation (see page 18), the North American participants seem to have given less thought to either challenges to, or strategies for, improving collaboration (see the organizational issues section at page 29). This could be explained as a result of there being no challenges of note, and of the participants being sufficiently satisfied with current cross-national collaboration efforts between the U.S. and Canada. Of course that explanation is quickly dismissed upon noting the respondents did in fact express frustration with such things as lack of resources, having to work within a cumbersome legal system, and a general absence in effective techniques for combating human trafficking.

While the Europeans are commenting on such problems as corruption (page 12), competition among groups (page 12), difficulties in working with different legal systems (page 13), the lack of adequate evaluation (page 14), and the importance of recognizing philosophical differences in approach (page 16), the North Americans limit their comments to concerns about resource and coordination problems (page 29), complex trafficking laws (page 29), insufficient staff (page 29). Based on the information collected, the results indicate that in North America staff are more concerned with the basic day-to-day operation of combating THB while in Europe there appears a greater awareness and sensitivity to dealing with THB within a broader contextual framework. Similarly, the Europeans are aware of such effective techniques for cross-national collaboration as the need for identifying common ground and mutual benefit (page 18), establishing trust (page 18), and facilitating networking (page 19); but the North Americans do not think much beyond the need for training at the operational level (page 30). The findings reflect the broader cross-national need and effort of cooperation among the European respondents as opposed to a more provincial approach as expressed by the North American respondents.

Appreciating our compromised sample size, our qualified conclusion is that the United States, and Canada also, could benefit from knowing more about how the Europeans and European based organizations have gone about cross-national collaboration to combat human trafficking. Without doubt, there are law enforcement officers, supervisors, and agency officials who have a broader appreciation of the impediments to, and effective strategies for, cross-national collaboration than is reflected by the practitioners represented in our North American sample. But, even so, a problem remains since that information seems not to be getting to the front-line staff.

Exploratory research is undertaken to gain more information about a topic by looking for patterns and ideas before conducting more thorough research. To that end, we believe our research has indeed identified some intriguing approaches to cross-national cooperation that may not be as well known in the United State or Canada as they should be. Additional research on this topic should first identify and describe current efforts designed to facilitate collaboration between U.S. and Canada agencies and organizations, then it should be objectively determined if techniques used by Europe-based organizations could be adapted in North America. Any future research efforts (including those in Europe-based organizations) must assure proper evaluation—grounded in objective and informed criteria—to determine if the techniques are effective.

Disseminating this Research

Aspects of this research have been presented at several professional meetings. The paper titles and authors are:

Bruckmüller, K., Höpfel, F., & Reichel, P. (2008). "Cross-National Collaboration to Combat Human Trafficking: Learning from the Experience of Others." Academy of Criminal Justice Sciences, Annual Meeting, Cincinnati, OH.

Reichel, P. (2008). "Cross-National Collaboration to Combat Human Trafficking." Academy of Criminal Justice Sciences, Annual Meeting, Cincinnati, OH.

Reichel, P. (2008). "Creative Correctional Teaching Techniques." Academy of Criminal Justice Sciences, Annual Meeting, Cincinnati, OH.

Winterdyk, J. (2007). "Human Trafficking: An international observation. Results from a preliminary examination of prevention/intervention strategies." European Society of Criminology, Annual Meeting, Bologna, Italy.

Winterdyk, J. & Reichel, P. (2007). "Human Trafficking Along the U.S.-Canada Border: Results from a Preliminary Examination of Prevention/Intervention Strategies." Academy of Criminal Justice Sciences, Annual Meeting, Seattle, WA.

Winterdyk, J., Sundberg, K., & Reichel, P. (2008). "Cross-National Collaboration to Combat Human Trafficking: Applying the Experience of Others." Academy of Criminal Justice Sciences, Annual Meeting, Cincinnati, OH.

Drawing on feedback received from colleagues at these meetings, the authors will make appropriate modifications to the papers then submit them for publication consideration in such journals as the *International Criminal Justice Review* and the *International Journal of Comparative and Applied Criminal Justice*.

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APPENDIX A

INTERNATIONAL ORGANIZATIONS REPRESENTED IN THIS STUDY

Global International Organizations

- **International Organization for Migration (IOM)**. With 122 member states, a further 18 states holding observer status and offices in over 100 countries, IOM is dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants (<http://www.iom.int/jahia/Jahia/pid/2>).
- **United Nations Office on Drug and Crime (UNODC)**. The UNODC, a global leader in the fight against illicit drugs and international crime, operates in all regions of the world through an extensive network of field offices (<http://www.unodc.org/unodc/en/about-unodc/index.html>).

Regional International Organizations

- **Ludwig Boltzmann Institute of Human Rights (BIM)**. BIM is an independent academic human rights research and service institution focusing on research activities in the field of human rights. BIM's main objective is to offer a link between academic research and legal practice. The BIM staff member serving as a participant in this research was charged specifically with a BIM project on combating trafficking in Croatia. A particular goal is to enhance the cooperation between the Croatian Police and State Attorney's Office in detecting the trafficking cases (http://www.univie.ac.at/bim/php/bim/index_eng.php?level=10&id=323).
- **Eurojust**. Eurojust is a permanent network of judicial authorities that serves to enhance the effectiveness of the competent authorities within the EU Member States when they are dealing with the investigation and prosecution of serious cross-border and organized crime (<http://eurojust.europa.eu/>).

- **Europol.** Europol is the European Union law enforcement organization that handles criminal intelligence. Its mission is to assist the law enforcement authorities of the EU Member States in their fight against serious forms of organized crime
(<http://www.europol.europa.eu/index.asp?page=atagance&language=>).
- **Organization for Security and Cooperation in Europe (OSCE).** With 56 States drawn from Europe, Central Asia and America, the OSCE is the world's largest regional security organization, bringing comprehensive and co-operative security to a region that stretches from Vancouver to Vladivostok
(<http://www.osce.org/about>).

APPENDIX B

INTERVIEW SCHEDULE

BE SURE CONSENT FORM HAS BEEN COMPLETED BEFORE PROCEEDING

Date: _____ #: _____

Location of interview: _____ [e.g., UN-1; OSCE-2; Europol-1]

Interviewer: _____

1. Gender (observation)

a. Female

b. Male

2. In which of the following ranges does your age fall?

a. Under 24

b. 24-30

c. 30-40

d. 40-50

e. Over 50

f. chooses not to answer

3. What is your citizenship?

4. What is your current position with _____?

5. How long have you been in your current position?

6. Briefly describe the job duties associated with your current position?

7. Over the last 3 years, how many field assignments have you had where promoting or facilitating cooperation among agencies or organizations in different countries was an important duty?

8. What training have you received about how to promote or facilitate cooperation among agencies or organization in different countries?

9. Do workers in agencies and organizations that are combating a similar problem, such as trafficking in human beings (THB), automatically want to cooperate with their counterparts in other countries or must they be encouraged to do so?

9a. If they must be encouraged, what techniques do you use to encourage that cooperation?

9b. If they automatically want to cooperate, what techniques do you use to facilitate that cooperation?

10. What are some typical problems you have encountered as you try to promote or facilitate cooperation among agencies or organizations (or even individuals) in different countries?

11. What techniques have you found to be especially useful in promoting or facilitating cooperation among agencies or organizations in different countries?

12. What suggestions do you have for how cooperation among agencies and organizations working on a similar problem, such as THB, can be better accomplished?

13. When compared with promoting and facilitating cooperation among practitioners in different countries, does the problem of THB present any unique problems? If so, please explain some of the differences and how they are handled.

14. If you wish to offer any other observations about the problems and pleasures of getting practitioners in different countries to cooperate, please provide them now.

THANK YOU VERY MUCH FOR PARTICIPATING IN THIS PROJECT.

APPENDIX C

Human Trafficking - National Institute of Justice Research Survey

Thank you for your consideration in completing this survey. Should you decide to participate in this survey, your answers will remain confidential and identity anonymous. The United States Government - National Institute of Justice (NIJ) sponsored this survey, with researchers located in the United States, Canada, and Austria. It is anticipated that the findings from this research project will contribute to the academic study of human trafficking as well as assist North American and European law enforcement investigate allegations of human trafficking.

Merci de votre considération envers ce sondage. Si vous décidez de participer, soyez assuré que vos réponses demeureront confidentielles et votre identité anonyme. Le gouvernement des États-Unis – L'Institut National de la Justice, est le commanditaire principal de ce sondage. Ils font des recherches aux États-Unis, Canada et en Autriche. Nous espérons que les résultats de ce projet vont contribuer aux multiples recherches sur le trafic humain tout en aidant les agences de la loi de l'Amérique du Nord et de l'Europe qui font beaucoup d'investigations sur ce sujet.

1 What is your primary nation of citizenship? De quel pays avez-vous reçu votre première citoyenneté?

- Canada
- United States / États-Unis
- Other, please specify / Autres (veuillez préciser)

2 What is your gender? De quel sexe êtes-vous?

- Male / Masculin
- Female / Féminin

3 What best describes your age group? A quelle catégorie d'âge appartenez-vous?

- Under 24 ans et moins
- 24 - 30
- 30 - 40
- 40 - 50
- Over 50 ans et plus

4 What agency/department do you work for? Dans quelle agence/département travaillez-vous présentement?

- FBI
- DHS (ICE)
- DHS (CBP)
- DHS (Border Patrol)
- CBSA / ASFC
- RCMP / GRC
- Other, please specify / Autres (veuillez préciser)

5 What is the highest level of education you have completed:

- College Diploma / Diplôme d'un collège ou CEGEP
- Applied Degree
- Bachelor's Degree / Bach
- Master's Degree / Maîtrise
- Doctorate Degree / Doctorat
- Other, please specify / Autres (veuillez préciser)

6 What year did you complete your highest level of education, and what was the major area of study? (i.e. 2002, Criminology) En quelle année avez-vous complété ce diplôme et quel en était le sujet principal?

7 How many years have you been working in your current position? Depuis combien d'année avez-vous occupé votre emploi actuel?

- Under 1 year / moins d'un an
- 1 - 3 years / ans
- 3 -5 years / ans
- Over 5 years / plus de 5 ans

8 What is your current position title? Quel est le titre de votre position?

9 How much specific training on human trafficking have you had for your current position? Dans votre emploi actuel, combien de formation avez-vous reçu concernant le trafic humain?

- None / Aucune
- Less than 1 week during department training program / moins d'une semaine, en classe
- Learned on the job / appris sur le tas
- Less than 3 months / moins de 3 mois
- 3 months to a 1 year / entre 3 mois et 1 ans
- More than 1 year / plus d'un ans

10 Have you ever attended a national/international conference on human trafficking? Avez-vous déjà assisté à une conférence nationale ou internationale sur le trafic humain?

If "Yes", when and where was conference? / Si oui, quand et où?

11 Have you ever attended a training workshop on human trafficking since being employed in your current position? Avez-vous déjà participé à une session de formation sur le trafic humain dans le cours de votre emploi présent?

If "Yes", how long ago and where was the workshop? Si oui, il y a combien de temps et a quel endroit cela s'est-il dérouler?

12 What are your job responsibilities as they relate to human trafficking (please specify)? Au travail, quel sont vos taches en relation avec le trafic humain?

13 How and why did you become interested in human trafficking? Y a-t-il une raison pour laquelle vous êtes devenu intéressé à notre sujet?

- 14** Drawing on your personal knowledge and professional experience, how serious is the issue of human trafficking along the Canada/United States border? En rapport avec votre professionnelle et personnelle expérience, à quel degré jugez-vous la situation du trafic humain au niveau des frontières Canada/États-Unis?

Very Serious (trafficking levels are very high and are unmanaged) / Très sérieux (le trafic est extrêmement élevé et aucunes mesures sont en place)	Serious (trafficking levels are high and are managed at taxed level) / Sérieux (le trafic est élevé et les mesures en place sont en proportion du budget)	Moderately Serious (trafficking levels are moderate and managed at workable level) / Moindrement sérieux (le trafic est modère et relativement facile à contrôler)	Not Serious (trafficking levels are low and are managed at effective level) / Pas sérieux (le trafic est très bas et facile à contrôler)
1	2	3	4

- 15** Upon what do you base your observations (e.g., number of trafficking victims that cross the border each year, cases you might have dealt with, etc.)? Sur quoi basé vous votre dernière réponse? (ex : nombre de victimes croissant la frontière chaque année, cas rencontrés)

- 16** What preventative measures does your agency take to combat human trafficking (i.e., community education programs, inter-agency training, advanced border technology, etc.)? Quelle mesure préventive utilisez-vous à votre travail pour combattre le trafic humain? (ex : programme d'éducation dans la communauté, cours de formation interne dans votre agence/département, technologie des frontières avancé)

- 17** What level of awareness currently exists among the PUBLIC in your respective country? À quel niveau pensez-vous que le public de votre pays est au courant de ce sujet ?

Very Aware / Très au courant	Somewhat Aware / Au courant	Somewhat Unaware / Pas vraiment au courant	Very Unaware / Pas du tout au courant
1	2	3	4

18 What type of cases/incidents do you think helped to create the level of awareness that currently exists among the PUBLIC the PUBLIC in your respective country? Quel genre d'incident, a votre avis, a contribuer à ce niveau de connaissances?

19 What level of awareness currently exists among OFFICIALS in your respective agency/department? A quel niveau pensez-vous que les Fonctionnaires de votre agence/département sont au courant de ce sujet ?

Very Aware / Très au courant	Somewhat Aware / Au courant	Somewhat Unaware / Pas vraiment au courant	Very Unaware / Pas du tout au courant
1	2	3	4

20 What type of cases/incidents do you think helped to create the level of awareness that currently exists among OFFICIALS in your respective agency/department? Et encore, quel genre d'incident pensez-vous a contribuer à ce niveau?

21 Please select ALL those areas you consider your agency to EXCEL at in relation to the combating of human trafficking: Veuillez sélectionner tous les choix donc vous considérez votre agence très compétente en relation avec le combat du trafic humain:

- Developing Reliable Intelligence / développer de l'information fiable
- Actively Investigative Allegations / recherché active des "ALLEGATIONS"
- Prosecuting Traffickers / amener en cours les trafiqueurs
- Disrupting Traffickers / déranger les trafiqueurs
- Educating Others / éduquez les gens
- Assisting Victims / assistez les victimes
- Other, please specify / Autres (veuillez préciser)

What, if any, do you consider to be the major ORGANIZATIONAL challenges confronting your agency and country in combating human trafficking? Quelle est le problème majeure que votre organisation doit affronter pour combattre le trafic humain?



23 What, if any, do you consider to be the major LEGAL challenges confronting your agency and country in combating human trafficking? Quelle sont les problème légaux que votre organisation doit affronter pour combattre le trafic humain?



24 Which of your respective agency's and nation's efforts/methods do you consider to be most effective in combating human trafficking? - Quel effort/méthode utilisé par votre agence/nation considérez-vous la plus effective contre le trafic humain?



25 What specific methods or activities not currently being used could your ORGANIZATION implement to help combat human trafficking? Quelle méthode en particulier pensez-vous que votre ORGANISATION pourrais implémenter pour combattre le trafic humain?



26 What specific methods or activities not currently being used could your NATION implement to help combat human trafficking? Quelle méthode en particulier pensez-vous que votre NATION pourrais implémenter pour combattre le trafic humain?



27 Does your organization conduct training or educational activities with your Canadian/American counterparts? Est-ce que votre agence/département offre de la formation ou des activités éducationnelles en collaboration avec les contrepatries Canadienne/Américaine?



Survey Page 1

Human Trafficking - National Institute of Justice Research Survey

- 31** If you wish to offer any other observations about human trafficking that you feel the study could benefit from, please enter them in the comment box below. Si vous avez des commentaires additionnels qui pourrait nous aider a combattre le trafic humain, s'il vous plait veuillez les inscrire dans la boite ci-dessus.



Survey Page 2