

**Submission to the Standing Committee on the Status of Women
for its study on Human Trafficking of Women, Girls and Gender Diverse People**

May 2, 2023

The Evangelical Fellowship of Canada (EFC) is the national association of evangelical Christians in Canada. Established in 1964, the EFC provides a forum for collaboration and engagement among the roughly 1.7 million evangelicals who are part of its constituency.

What is human trafficking?

The definition of trafficking in Canada's *Criminal Code* includes exercising "control, direction or influence over the movements of a person, for the purposes of exploiting them or facilitating their exploitation."ⁱ The *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (the Palermo Protocol)* defines the exploitation in human trafficking as including, "at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation" along with forced labour or services, and slavery.ⁱⁱ The definition also describes a list of activities, including the abuse of power or of a position of vulnerability, for the purpose of exploitation.ⁱⁱⁱ

The exploitation of women and girls in prostitution is a form of systemic violence against women. It is a grave violation of human rights, including the rights of women and children to live free from violence, and a fundamental barrier to women's equality.

What is the connection between human trafficking and prostitution?

Prostitution and sex trafficking are not the same, but they are inextricably linked. Statistics Canada data indicates that, in Canada, it continues to be primarily Canadian women and girls who are trafficked, and they are being trafficked into the commercial sex trade.^{iv} Prostitution is the most common end point for trafficking in Canada. This is not conflation, it is reality.

Our laws and policies must deal effectively with individual acts of exploitation, but also take into account the systemic nature of commercial sexual exploitation and the factors that make women and children, in particular, vulnerable to it. While there are transactions within that system that may be consensual and non-coercive, these are nonetheless situated within a system of exploitation that is based on structural inequalities and preys on vulnerabilities. Understanding this system of exploitation is essential to addressing trafficking for sexual exploitation.

Pimps and traffickers exploit people, primarily women and girls, for material benefit. It is crucial to address the demand for trafficked women and girls, because it is this demand that fuels and supports sex trafficking. If there was no demand for paid sex, traffickers wouldn't have a financial incentive to sexually exploit those in vulnerable situations. In short, sex trafficking happens

because buyers pay for sex from trafficked women and children. Decreasing the demand for paid sex is a crucial element of any efforts to eliminate trafficking for sexual exploitation.

Canadian laws and initiatives related to human trafficking

Human trafficking remains a relatively low-risk, high-reward endeavour for traffickers. As a society, we want to significantly reduce this kind of exploitation, to deter and discourage it by all means possible. As such, the penalties for trafficking offences in Canada must reflect the seriousness of the crime and serve to deter those who would profit from the exploitation of others. We note recent legislative changes have lessened the penalties for certain trafficking offences. This must be reversed.

- **Canada must maintain and impose more serious consequences for traffickers, rather than further reducing or minimizing risk for traffickers by allowing lesser penalties for trafficking offences.^v**

Canada's laws that prohibit purchasing sexual services, procuring and profiting from the sale of another person's sexual services take direct aim at eliminating the demand that traffickers supply with trafficked women and girls. This legislation plays a critical role in protecting women's rights and combating sexual exploitation. Article 9.5 of the *Palermo Protocol* obligates signatory countries, including Canada, to adopt or strengthen legislative or other measures to discourage the demand that fosters all forms of exploitation.

- **Canada must uphold and support provisions that reduce the demand for paid sex that fuels sex trafficking, including the *Protection of Communities and Exploited Persons Act*.**

Canada's National Strategy to Combat Human Trafficking ends in 2024. It is essential that Canada enact a permanent, yet responsive, national strategy. Time-limited strategies can result in gaps in funding, policy and response. One of the commitments of the national strategy, the survivor advisory committee, is expected to be set up later this year, in the final year of the national strategy.

- **Canada should create a permanent strategy to combat human trafficking with stable funding and strategic, detailed goals. The permanent strategy should include stable funding for victim services, ongoing funding for a survivor advisory committee, as well as training for law enforcement and frontline personnel.**
- **Canada should create a position of National Anti-Trafficking Coordinator to oversee the implementation and operation of the national strategy.**

Senator Ataullahjan's private member's Bill S-224 would improve the law and address the complexity of trafficking by removing the requirement of a fear for one's safety from the *Criminal Code* definition.

- **We urge the committee to support Bill S-224 and recommend its adoption.**

What are Canadian statistics on trafficking?

As noted above, Statistics Canada data shows that, in Canada, it is mainly Canadian women and girls who are being trafficked, and they are being trafficked into the commercial sex trade.^{vi} The data also shows that the prosecution of human trafficking offences remains a challenge. From

2011 to 2021, less than half of detected incidents of human trafficking resulted in the laying or recommendation of charges.^{vii} Just 12% of cases resulted in a guilty verdict for a human trafficking charge. Of those found guilty of trafficking, 11% resulted in probation as the most serious sentence and 11% received another type of sentence, such as community service.^{viii}

- **Canada must scale up its efforts to identify and assist victims, and to detect, deter and prosecute trafficking offences.**

Finally, Canada should collect more data on trafficking, including whether an incident is related to sex trafficking or labour trafficking; on victims and vulnerability factors, including the means used to ensnare victims; and on the barriers to enforcement and prosecution.

- **Canada should mandate and provide resources for better data collection on the nature, prevalence, scale and scope of trafficking in Canada.**

ⁱ s. 279.01, *Criminal Code of Canada*

ⁱⁱ Article 3 (a), the *Palermo Protocol*.

ⁱⁱⁱ Article 3 (a), the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children* (known as the *Palermo Protocol*).

^{iv} <https://www150.statcan.gc.ca/n1/daily-quotidien/221206/dq221206c-eng.htm?CMP=mstatcan>

^v Former [Bill C-75](#) (passed in 2019) and [Bill C-5](#) (passed in 2022) reduced the consequences for trafficking-related offences.

^{vi} <https://www150.statcan.gc.ca/n1/daily-quotidien/221206/dq221206c-eng.htm?CMP=mstatcan>

^{vii} <https://www150.statcan.gc.ca/n1/daily-quotidien/221206/dq221206c-eng.htm?CMP=mstatcan>

^{viii} <https://www150.statcan.gc.ca/n1/en/pub/85-005-x/2022001/article/00001-eng.pdf?st=SG-DPujM>