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Thursday, October 26, 2006

—
Chair

The Honourable Judy Sgro

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• (1110)

[English]

The Vice-Chair (Mrs. Joy Smith (Kildonan—St. Paul, CPC)): I'd like to call this meeting to order. We're a little late starting this morning because the other committee was a little late leaving the room. So we'll get started right away.

I would like you to take a look at your documents in front of you. You should have several documents. One is the statement of Vivita Rozenbergs' hearing before the Standing Committee on the Status of Women.

Another piece of information you should have in front of you is prepared for the House of Commons standing committee on trafficking in persons from the Parliamentary Information and Research Service.

Another document you should have, from the Parliamentary Information and Research Service, is a discussion document, "Defining the Parameters for a Study on Trafficking of Persons".

Also, you should have, again from the Parliamentary Information and Research Service, witnesses who have appeared or who have been invited to appear as of October 23, 2006. That should be in your package as well.

Also in your package should be the additional witness suggestions, and also the notice of motion of Ms. Minna. The last thing would be your schedule of meetings.

Those should all be in your package in front of you this morning.

Ms. Sgro, the chairperson, will be late because she had another commitment, but she will be arriving in a timely manner, so we'll go through the first part, which is the witnesses' presentations on human trafficking.

Perhaps we could begin, because we're about fifteen minutes late and we don't want to miss any of our witnesses.

I would like to welcome you here today. It is indeed a pleasure to have you present on this very important issue to the status of women. We have in front of us the International Organization for Migration. Vivita Rozenbergs is the head of the Counter Trafficking Unit. Welcome, Vivita.

I don't know if I'll pronounce this right. I'm going to try. Niurka?

Mrs. Niurka Piñeiro (Regional Coordinator, Media and External Relations, International Organization for Migration): Niurka.

The Vice-Chair (Mrs. Joy Smith): Niurka—what a beautiful name—Pineiro. That's almost musical. Beautiful.

Niurka is the regional coordinator, and we're very, very pleased to welcome her here.

We also have the International Labour Organization. Armand Pereira, welcome. I'm so glad you could make it. Armand is the director of the Washington office, so we feel very privileged to have him here this morning, and we are very interested in hearing what he has to say.

We also have Jean Bellefeuille. Did I pronounce that right, Jean?

Mr. Jean Bellefeuille (Member, Comité d'action contre le trafic humain interne et international): Bellefeuille.

The Vice-Chair (Mrs. Joy Smith): Okay, thank you. He is the member of the...how do you say this?

[Translation]

The Clerk of the Committee: The Comité d'action contre le trafic humain interne et international.

[English]

The Vice-Chair (Mrs. Joy Smith): She says it more beautifully than I would. Welcome.

And also Aurélie Lebrun—is that right?—member and researcher.

We welcome you all to a discussion of this very, very important issue.

Ms. Vivita Rozenbergs, perhaps you would like to begin with your presentation.

Mrs. Vivita Rozenbergs (Head, Counter Trafficking Unit, International Organization for Migration): Yes. Thank you, Madam Chair, for this opportunity to appear before the committee today.

I'm privileged to speak to you about the International Organization for Migration's concerns about human trafficking.

Trafficking is a coercive and exploitative process related not only to migration but also to gender, labour, human rights, and security issues.

Today, I'd like to highlight some of IOM's programmatic responses to human trafficking and share with you some of what we've learned through providing direct assistance to victims and how we can improve on meeting victims' needs worldwide.

Within our work as an intergovernmental international organization, the IOM promotes orderly and humane migration for the benefit of all migrants, working closely with governmental, intergovernmental, and NGO partners to respond to diverse needs of migrant populations worldwide.

IOM has a membership of 118 states, including Canada. Our organizational structure is highly decentralized and service oriented, with 280 field locations around the world. IOM's extensive geographical presence, along with the directive to assist governments in migration management and to ensure the safety and well-being of migrants, puts us in a unique position to also advise on policy and provide assistance to victims of human trafficking through the IOM network worldwide.

For over a decade, IOM has collaborated with partners to develop a comprehensive victim-centred response. We aim to strengthen the tools and resources available to organizations providing direct services to victims and to law enforcement in the conviction of traffickers.

It's estimated that at least one million men, women, and children are trafficked across international borders and forced into involuntary servitude. Many more people are trafficked within their own countries, in and out of local communities, generating huge profits for criminals operating in many parts of the world in relative impunity.

It's against this backdrop that the IOM is currently carrying out more than 150 counter-trafficking projects in some 70 countries of origin, transit, and destination. To date, IOM has provided direct assistance to over 100,000 persons. IOM is able to carry out counter-trafficking activities only through the financial support we receive from governments and other donors. Currently, the highest portion of funding for IOM's global counter-trafficking activities comes from U.S. government agencies, followed by Sweden, the EU, and Australia. In the past five years, IOM has received approximately \$488,000 from the Canadian government. That has allowed IOM to carry out counter-trafficking activities with local partners in 11 countries and regions.

As a reflection of Canada's own response to the growing challenges of addressing human trafficking within its borders, law enforcement training activities have been conducted with IOM participation involving Canadian immigration officers, border officials, police, prosecutors, and policy advisers within government agencies to build capacity and techniques for investigating and prosecuting trafficking cases.

Last year, an IOM representative from Costa Rica presented some of the successful community-level practices to combat human trafficking at an event hosted by the Canadian Red Cross and the Canadian Council for Refugees, together with other concerned individuals and organizations in British Columbia, to shed more light on the problem.

These are examples of federal, provincial, and local efforts to mobilize civil society to work together to gain a common understanding and to better define each actor's role in a coordinated response.

In IOM's experience, such collaboration is necessary if the problem is going to be addressed comprehensively.

The capacity of individuals and institutions is crucial in developing a response and long-term strategy that will address human trafficking in a sustainable manner. Ongoing training and information exchange is necessary.

Despite good efforts to bring attention to the issue, human trafficking remains one of the most serious challenges to migration policy makers and practitioners worldwide.

When a person falls prey to a trafficker, the consequences for the individual are extremely serious. Victims often do not know where to go for assistance and may be too scared to seek help. Sometimes victims who do escape traffickers are re-victimized by authorities who deport them due to their irregular migratory status, rather than granting victims the protection they deserve.

- (1115)

Staff of IOM and local partnering agencies know firsthand the heartbreak and suffering inflicted on victims of trafficking, individuals whose hopes for a good job or for safety from persecution or violence have been shattered. It's heart-wrenching to think about the people enslaved who we have not reached. Globally, the needs of trafficking victims greatly outnumber the resources available to help. This provides even greater reason for organizations to share experiences, as human trafficking remains an ever-changing phenomenon.

In recent years, IOM has made efforts to document and share its experience on the ground working in real-life settings. For example, through the financial support of the U. S. Department of State's Bureau of Population, Refugees, and Migration, IOM has developed counter-trafficking training modules to provide an introduction to essential components of counter-trafficking activities, including information campaigns, cooperation and networking, return and reintegration, and capacity building. The next three topics under development are direct assistance, children, and victim identification and interviewing techniques. This interrelated series of educational materials has been designed to be easily modified to allow for different contexts; thus, government, non-governmental organizations, and donors have quick and cost-effective access to training on activities related to counter-trafficking through IOM.

Another example is IOM's internal "Direct Assistance Handbook", which will soon be available in an adapted version for external partners, and our counter-trafficking module database, the only global database with information from primary sources. It's widely used by governments, law enforcement agencies, NGOs, and others as an important source of data.

Certainly, other actors in the fight against human trafficking may have equally effective strategies and approaches. What's important is sharing what we have learned from common experiences. The IOM finds that a well-established process for the return and reintegration of victims of trafficking lies at the heart of building a comprehensive counter-trafficking response. This process inherently involves constant contact with a victim; therefore, it's critical that service delivery organizations are identified and their capacity strengthened to ensure the safety and protection of the victim while maintaining a humane approach to care.

Based on our experience, we encourage institutions to adopt basic principles that guide direct assistance, including a respect for human rights of all assisted victims; a victim's informed consent; the right to privacy; and self-determination and voluntary participation, especially in regard to returning victims to their origin country or community.

Providing services in an environment that safeguards dignity and fosters both a sense of well-being and trust between the victim and the service provider can also facilitate information exchange that might lead to the apprehension and punishment of traffickers and others who are complicit in the trafficking situation. Most importantly, proper handling of victims of trafficking in the return and reintegration process leads to successful recovery of the victims and reintegration into society. It also greatly diminishes the chance of re-trafficking.

As an example, the IOM office in Washington, D.C., runs a unique program that assists foreign national victims of trafficking who are identified in the United States. The IOM's return, reintegration, and family reunification program facilitates voluntary return and reintegration of victims of trafficking, enabling their safe return home. The program also reunites victims who have been granted T visas and permission to remain in the U.S. with their immediate family members.

The victims have been men, women, and children forced to work as domestic servants, prostitutes, skilled labourers, and in the agriculture and restaurant sectors. To date, 48 persons from 15 countries have been returned home or reunited with family members. Many of those who have been returned to their family members are children who have not seen their parent in years. We are currently assisting an additional 50 individuals.

Regardless of the level of socio-economic development, many states are continually striving to enhance their capacity to effectively manage population movements, including finding acceptable counter-trafficking mechanisms.

• (1120)

IOM believes that this political commitment, together with support from agencies such as IOM and others, is the most effective way to combat trafficking and put an end to the exploitation of its victims.

Madam Chair, thank you for having me appear before you today.

• (1125)

The Vice-Chair (Mrs. Joy Smith): I want to thank you very much for your very insightful presentation this morning.

Now I would like to ask the International Labour Organization to present as well.

Mr. Armand Pereira (Director, Washington Office, International Labor Organization): Madam Chair, ladies and gentlemen, good morning.

My short presentation today can only highlight some of the major points that you can find in the paper I produced for this meeting. The paper provides a quick overview of major trends and new developments and some of the gaps and some priorities, including those that have to do with the ILO instruments and experience.

ILO is a tripartite organization. It's the oldest organization of the UN system, and it has been in place since 1919. We have a particular dimension of combining representatives of governments and employers' and workers' organizations, and that puts us sometimes in a very special position to try to negotiate consensual interventions and agreements for taking action. We have a number of instruments, including treaties—two of them on forced labour—that include trafficking. They have special importance in the context of fighting sexual exploitation and other forms of forced labour, although, through our experience, we also know that, depending on national legislation, these may not be enough, because we're dealing here with questions of crimes and therefore not just with questions of labour law.

In any case, this is just a very brief introduction.

At the outset, I'd like to say yes, together we can go about cracking down on sexual exploitation and related trafficking, which, specifically in the case of sexual exploitation, targets particularly women and girls. When I say "together", I mean that parliamentarians, policy makers, journalists, researchers, officials of international and national agencies, as well as the donor community, consumers, and employers' and workers' organizations can all play a role in this.

In recent years, we have all been very outraged and disgusted by the sorts of films and news about how gangs can exploit women and girls, and, of course, as a result, we have been developing a number of initiatives concerning that exploitation.

Yes, let's put the scavengers in jail. Let's put them behind bars. But the question is why there aren't many scavengers engaged in this business behind bars. That, obviously, is where we start. We have few people behind bars. We have to be more effective in closing the circle and the gaps and legal loopholes. To do that, we must know exactly what we are fighting against to be able to close down the circle.

On the global dimensions of this problem, we don't have very good figures for anywhere in the world. Last year the ILO, with the global report on forced labour, presented the first attempt internationally to come up with some estimates. We're not proud of these estimates, but they show some very key things, which are very important to put this whole business that we are discussing into perspective.

When we're talking about an estimate of 12.3 million victims of modern forced labour, including 2.5 million victims of human trafficking, that means that trafficking is about one-fifth of the total of our estimates. We're talking about very moderate numbers. We also know that almost 10 million of these victims are in Asian-Pacific countries. There are about 1.3 million in Latin America.

What we are really concerned with is trying to understand what this all means in terms of characteristics. Although victims of forced labour are not always victims of trafficking, the trafficking victims almost always end up in some form of forced labour. Among the victims of trafficking, most end up in labour for commercial sexual exploitation. Some 95% of them are women and girls. At least one-third are also trafficked for other forms of economic exploitation, and the numbers of these are underestimated. For forced economic exploitation specifically, other than sexual exploitation, we estimate that about 56% of the victims are women and girls. About 40% of the overall victims of forced labour are under 18 years old.

• (1130)

The interesting thing is that over the years there's been a change in the question of who's the exploiter. In the past, most of the exploiters of forced labour were the states, because of prison labour, and today we find that four out of five cases are really private. So this is a big change. We see more sexual exploitation on the radar now, whereas in the past we didn't see as much of that, maybe because of the lack of information.

Based on these estimates, we have to make an appeal to address the plight of women victims of trafficking for sexual exploitation, not as a stand-alone issue, but rather as a subset of a much wider problem of forced labour and trafficking practices.

The more we reflect on our experience in the ILO, the more we recognize that trafficking for forced sexual exploitation is part of broader problems that are related to forced labour and trafficking. These practices are tightly connected with deficiencies in labour markets and migration and related laws and policies.

Why is this so? Where is the connection? Indeed, the significant part of the trafficking for sexual exploitation is a result of false promises and illusions about jobs, better jobs. The typical stories get repeated over and over. It's the girl, the young woman, who gets offered or attracted to a specific job, and then she travels, and when she gets there she realizes she's trapped.

It is an interesting phenomenon that doesn't just apply to women; it also applies to men. The women who get trapped are not just getting trapped into forced sexual exploitation; they can also get trapped into other things. In some cases they may be the victims of trafficking, but in some cases they may not be the victims of trafficking. There may be a case of an illegal migrant who is already in situ and who then gets trapped. So for us this means what? It means that we should stop putting the focus just on trafficking alone and put the focus on the much wider perspective of issues that go beyond trafficking. There are a number of people who fall prey to these practices who are not necessarily trafficked.

We're not saying implicitly that these things are related only to labour markets. They may be related to labour markets and to migration, but what we have here is that the problem of both false

promises and illusions are really rooted in the growth of a labour market informality, including illegal labour practices. Why? Because if that girl or woman was not promised a better job elsewhere and she didn't have the illusion of going there, she wouldn't fall into this situation. The reason they fall into this situation is when they get there, chances are they will find an illegal job, and they know that, because their cousins and friends have found illegal jobs without any legal papers. So we get into a vicious circle; it is a real problem. We have the illusions and the promises that are rooted in the informality, the growth of informality, in illegal labour practices, and this is partly related to the excessive deregulation of the labour markets.

In turn, as a result, we have a promotion of illegal migration, and as a result, we have a promotion of trafficking, because without illegal migration, you don't have a place for trafficking. So we have to close the circle by looking at these issues together. This is why it is important to focus on trafficking from the perspective of labour markets, migration, and immigration laws, legal and illegal—legal immigration laws and illegal migration practices.

We need, in this process, first of all, a better mapping of the roots, of the patterns, of the trafficking, both for sexual exploitation and for other forms of forced labour. Much like drugs and arms trafficking, trafficking in persons for sexual or other forms of exploitation has both a supply side and a demand side. The major gap here is that most of us in the last few years have tended to focus excessively on the supply side and not enough on the demand side. As a result, we don't get the picture together and we end up going around in circles. Sometimes the innovative initiatives don't really add up to close the gaps, and—

• (1135)

The Vice-Chair (Mrs. Joy Smith): I'll have to interrupt you for a moment. Time is up, but you might like to finish your sentence.

Mr. Armand Pereira: What I want to say, having given you these basics, is that we all have comparative advantages. International organizations each have particular advantages. With international banks, for example, we're getting more and more the situation where they can play a major role by conditionality in lending to prevent situations where they're promoting these directly or indirectly, and so on. But the real lesson is that we need to close off the circle and work together, rather than just focusing on bits of the process.

The Vice-Chair (Mrs. Joy Smith): Thank you so much, Mr. Pereira. I must say that your presentation was submitted only in English, so we haven't received it at this point in time. All committee members will receive this presentation as soon as it is through translation. Thank you very much for your presentation, with your very insightful comments.

Now I would like to hear from the CACTHII organization.

[Translation]

Mr. Jean Bellefeuille: Madam Chair, ladies and gentlemen members, we thank you for inviting us to testify before this committee as part of the research being conducted into the trafficking issue.

First, allow me to tell you briefly what the CATHII group is. It's an action committee against the domestic and international trafficking in human beings. Here we're talking about an association of religious communities represented at the United Nations, academic researchers—such as Ms. Aurélie Lebrun, who is with me today—representatives of NGOs such as the Canadian Religious Conference, the Montreal police department, the Association des religieuses pour la promotion des femmes, the Service Intercommunautaire d'Animation Franciscaine, the Centre justice et foi, in short groups whose goal it is to join forces to fight domestic and international trafficking in human beings.

Our objective, among other things, is to coordinate awareness initiatives. For example, our sessions have reached hundreds of people across Canada over the past two years. As regards information, we are in contact with a number of networks across the country. Lastly, in the area of mobilization, we have conducted a lobbying effort. Some of you have received petitions or letters from members of CATHII or religious communities with ties to us.

In addition, our partners are very important. Among others, they include the RCMP Human Trafficking National Coordination Centre, the Association du personnel domestique and the Centre d'aide et de lutte contre les agressions à caractère sexuel.

It's important to tell you that CATHII has adopted the neo-abolitionist approach, the one used in Sweden, in particular. It consists in decriminalizing prostitutes, while criminalizing prostitution and clients, after first putting in place prevention, awareness and support programs, particularly for clients. It's clear in our minds that legalizing prostitution would open the door to considerable growth in trafficking in women. It's also clear that prostitution is sexual exploitation and that, although prostitution is a job for at most five percent of prostituted persons, for 95 percent, it is an activity that destroys them, that they feel forced to engage in and that they want to abandon.

CATHII is currently focusing on all matters pertaining to the protection of victims, such as enforcement of the Palermo Protocol, temporary visas, emergency shelters and client demand. Ms. Aurélie Lebrun will tell you about the client aspect, the new priority we want to focus on. I will discuss three other issues.

In May 2002, as you know, Canada ratified the Palermo Protocol, which urges signatory countries to adopt measures designed to protect victims. However, until quite recently, few concrete measures had been taken, except as regards offering temporary living permits to alleged victims of trafficking. We understand that it is important to prosecute traffickers in order to eliminate the problem at its source, but we believe it is also important to implement actual protection measures, without which victims will never agree to cooperate with police and testify. As much out of respect for the victims' humanitarian rights as for reasons of legal efficiency, it is important to protect the victims.

As regards the granting of temporary resident permits, we admit that this is a step in the right direction. However, we believe that it entails some weaknesses, in particular the fact that victims are not clearly told that they will not be required to testify if they do not yet feel able to do so. No provision is made either for work permits. In addition, it is provided that if police officers deem that the person is a

victim of trafficking, they must direct that person to her embassy. In our view, this is a troubling aspect of the directive. We know of one case in which the victim of trafficking was in fact exploited by her embassy.

As for the term of the permit, we think that a 120-day permit would scarcely enable the victim to really recover from physical or mental trauma. We think that completely new statutory provisions enabling victims to obtain a visa would solve these problems in addition to granting legal status to persons who do not have it.

Lastly, we see that granting a temporary resident permit does not provide housing for trafficking victims. In fact, it provides for no services, except health services that the permit would financially enable the provinces to provide.

It was the Vancouver division of the RCMP that first asked the people at CATHII if they could provide emergency shelter, since their services had no budget for this purpose, or for supervision, interpretation or rehabilitation. The religious communities of Canada can provide these victims with temporary housing. Some NGOs are also prepared to take in this type of clientele.

However, who will fund the related services required? That's the main problem we have to resolve. Since Canada signed the Palermo Protocol, we think it must also agree to approve the budgets that will make it possible to meet its commitments toward victims.

I now turn the floor over to Ms. Lebrun.

● (1140)

[Translation]

Mrs. Aurélie Lebrun (Member and Researcher, Comité d'action contre le trafic humain interne et international): Thank you.

One of CATHII's priorities is to examine demand. It must be understood that prostitution and trafficking are organized, developed and directed on the basis of demand by clients, who are increasingly called prostituting clients. I am starting a research project at the University of Ottawa as part of a post-doctoral fellowship funded by CATHII. It's a project on prostitution clients in Quebec.

Many researchers agree that prostituting clients are the driver of the sex industry. Without that demand, the increasing entry of women and young girls into prostitution would not be necessary. It's from this standpoint that trafficking in human beings for purposes of prostitution must be understood.

The express demand by Canadian men for so-called exotic women and young girls, particularly Asians and Russians, who work in massage parlours and escort agencies of the major Canadian cities, explains the organized importing, not only internationally but locally as well, of women and young girls into the Canadian sex industry.

I said local organization because the demand for what is called exotic women is also one of the reasons why Quebecers go to strip bars in Ontario. This is what's called domestic or internal trafficking. The lack of visibility of prostituting clients in the debate on trafficking in human beings for purposes of prostitution and prostitution is surprising. They represent at least 90% of the prostitution world.

This silence and lack of visibility, however, are relative. In the many forums conducted on Canadian Web sites promoting prostitution, prostituting clients exchange advice and experience about their purchases: breast size, firmness of buttocks, skin colour, diligence on the job, techniques used, eagerness to please. All the women's "qualities" are discussed, then carefully given a dollar value. In these e-mail exchanges, racial stereotypes are legion: Thai masseuses are the best, Asians are the gentlest but can also be cheapskates, and the Russians love it. The arrival of new products, that is new women, is always good news that prostituting clients are quick to spread through these forums.

The presence of women and young girls recruited and transported from outside Canada to meet Canadian demand is one aspect of the sex industry. In our view, it is incorrect to believe that decriminalizing prostitution would put a stop to trafficking in human beings, quite the contrary. In all countries where the sex industry has been given the green light, trafficking in women has increased. The more you trivialize the buying of women, the more normal the merchandising of women becomes; the more the sex industry advertises in the newspaper classifieds, on the Internet or in the yellow pages, the more Canadian society in general, and men in particular, learn to think that paying for a woman to submit to their desires is normal, indeed even desirable.

The act of prostitution cannot in any case be considered an exchange between two consenting adults. In Web exchanges between prostituting clients, women are rarely mentioned as full-fledged individuals, but rather as body parts or an ability to please. What clients are buying is the opportunity and the right to subject a woman to their own desires. They're paying for someone to tell them yes. However, women's right to say no has been and still is a major demand of the feminist movement.

It therefore seems false to draw a distinction between voluntary and forced prostitution, the latter being trafficking in human beings and the prostitution of minors. Women victims of trafficking for purposes of prostitution find themselves in the sex industry in Canada. They're in contact with Canadian women. Whether they come from Montreal, a native reserve or China, these women all wind up together in the sex industry to meet the demand of Canadian men. It's pointless to claim that these are two separate realities. Some international experts whose work concerns trafficking in human beings for purposes of prostitution sometimes go so far as to say that trafficking victims are treated better than the women of the destination country. On this point, we recently learned that Quebec women, for example, could be chained in rooms, living in situations similar to slavery. And yet here we're talking about Quebec women.

Drawing a distinction between voluntary and forced prostitution is tantamount to focusing all the analysis and understanding of prostitution on women, without every questioning what clients

want, express and do when they base their sexual desires on submission and violence.

● (1145)

[English]

The Chair (Hon. Judy Sgro (York West, Lib.)): Excuse me, Ms. Lebrun. Could you just come to a close quickly, please?

[Translation]

Mrs. Aurélie Lebrun: Consequently, if Canada wants to stop trafficking in human beings and to protect trafficking victims, it seems urgent that we examine those who motivate it: Canadian prostituting clients. It also seems important to understand and to analyze prostitution and trafficking as related phenomena and forms of violence against women.

Thank you.

[English]

The Chair: Thanks to all of you for your important information. It's a difficult subject, so it's hard to keep things short, but let's try. The committee has a lot of questions that I'm sure they want to get answers to.

Ms. Minna

Hon. Maria Minna (Beaches—East York, Lib.): To the ILO and Madam Rozenbergs, could you tell me how many people are actually trafficked into Canada? Do we know the exact numbers and where they're going when they get here? Do we have a handle on what's coming into the country on a yearly basis?

● (1150)

Mr. Armand Pereira: I have no clue.

Hon. Maria Minna: Ms. Rozenbergs, do you know?

Mrs. Vivita Rozenbergs: I don't have that information. But I understand the RCMP has come up with some estimates. I believe it's 600 to 800 a year.

Hon. Maria Minna: I wanted to see if there was a handle on the international scene, because I understand some of the programs.

Ms. Rozenbergs, you said that your organization is funded primarily by the U.S., but you're based in Canada. Did you mean your head office, or something else? Where are you based?

Mrs. Vivita Rozenbergs: The International Organization for Migration has its headquarters in Geneva.

Hon. Maria Minna: But you, yourself, are based in Canada?

Mrs. Vivita Rozenbergs: I'm from the mission in Washington, D. C., which is responsible for North America and the Caribbean.

Hon. Maria Minna: We've had testimony before on this issue with respect to immigration and the criminalization of the user. I want to see what you're saying. I hear you saying that the temporary visa is too short a period of time. They can't actually work and there's no protection. What if we were to give a work visa to the victim for, say, two years, just as we give work visas to others who come here to work? Could we then allow that person, if employed, to apply for landed status just as any other person with a work visa? Some people will say that women will use this as a way of entry. But actually, they're doing it anyway. That's one question I have.

I want to clarify that you are saying not to criminalize the women but the users, the men. Am I hearing you right?

[*Translation*]

Mrs. Aurélie Lebrun: Yes. We advocate criminalizing the clients, as in the Swedish model, in fact. It's obvious that the act alone won't address the problem. It must be combined with prevention and education programs. We can't start criminalizing clients overnight, when society constantly sends out messages that it's normal to buy women. So the idea of criminalizing demand and decriminalizing women at the same time, yes.

Mr. Jean Bellefeuille: We can take the example of what happened in Canada with the legislation against spousal abuse. There was a time when it seemed somewhat natural for a man to be able to beat his wife. Today, it's no longer socially acceptable, because an act was passed to criminalize such acts, but also because awareness and education programs have been put forward, so that, today—in any case, in the minds of many men—it's no longer considered socially acceptable and it's no longer an act that is perceived as cool. So the same principle could apply.

As regards the work visa issue, I believe we should create a kind of visa that would first recognize the status of people who have none because they have been victims of trafficking or because the documents they had were false. In any case, the documents that were removed from them were not valid. They should be given legal status, because, being deprived of status in Canada, they are in a criminal situation. So that would already be one step forward. Obviously, the problem is work. How do you enable people to stay here for three, four or five months, sometimes longer, and to survive in the meantime? Because, in some instances, it can take a number of years before they can testify at trial. These people must have access to the labour market. A work permit would definitely solve part of the problem.

Mrs. Aurélie Lebrun: I think a work visa would be a promising temporary solution, particularly since what we've learned from the research on trafficking in persons in Canada, regarding women who have been victims, is that Russian women, in particular, are highly educated and could easily find work. There is a myth that these women wind up in these conditions because they have no other choice.

These women are in tough financial situations, but they have an education that will enable them to find work and to have enough points to apply for permanent resident status.

• (1155)

[*English*]

Hon. Maria Minna: So at the core of the problem, as some of us have said before, is the economic issue; the base issue is economics, which is what drives them to come here in the first place.

[*Translation*]

Mrs. Aurélie Lebrun: In fact, we're talking about a favourable context, a context of women's poverty, pauperization and migration. These conditions are the cause of trafficking. As regards sexual exploitation and prostitution, they also result from inequalities between men and women. At bottom, it's poverty. There are also the inequalities between north and south.

Mr. Jean Bellefeuille: Since the fall of the Berlin wall, thousands of women, who were professionals—occupational therapists, medical secretaries and in all kinds of other occupations—live in poverty with an average of \$30 a month in order to survive, not in a warm country, but in Bulgaria and in Eastern Europe. It's impossible for them to make ends meet, so they can't refuse an offer they get to come to America or to go to Europe. They're thus caught in all kinds of traps that lead to prostitution.

[*English*]

The Chair: Thank you very much.

Ms. Mourani is next.

[*Translation*]

Mrs. Maria Mourani (Ahuntsic, BQ): Good afternoon, everyone, and thank you for your testimony, which is very interesting.

We've met and heard from a number of witnesses. After doing some reading—correct me if I'm wrong—I noticed a major problem with the definition, at the outset, of trafficking in persons. The term, as defined, poses a problem, even at the international level, if you refer to the protocol. Article 3 refers to work; it refers to trafficking in persons for work purposes, because prostitution is considered as work. It states that it is illegal to traffic in persons for the purpose of making them work as slaves. And everything's lumped in there: agriculture, prostitution, domestic work; any kind of work. Already from the outset, there's a problem with this definition.

Humbly, having conducted research as well, I'll cite the example of street gangs. We know how many gangs there are in Montreal. And yet these are individuals who carry on illegal activities. How is it that we are unable to assess, approximately, the scope of trafficking in persons? Is it a matter of definition, as a result of which everything is lumped together and we can't make progress on a problem of major importance? If we look at criminal gangs, trafficking in persons represents a burgeoning market for street gangs, bikers and so on. So my first question concerns the definition of the term.

My second is for Ms. Rozenbergs. Why does Canada invest so little in the fight against trafficking in persons? Some countries cooperate to an enormous degree; you mentioned the United States, Sweden and Australia.

Most of the funding for anti-trafficking activities, according to the brief you submitted, currently comes from the U.S. government, Sweden, the European Union and Australia. Canada is mentioned, but I don't think its contribution is very large.

If we consider only the fight against street gangs in Montreal, it's estimated that \$40 million would make it possible to eradicate this phenomenon. I'm not using the word "eradicate" in the sense of making it disappear, but more in the sense of controlling it. So why does Canada allocate so little money to a problem of global scope? Perhaps that's a highly political issue that you may not want to answer. Those are my two questions.

Mrs. Aurélie Lebrun: I'm going to answer first.

The definition problem is an abomination; no one perceives in the same way what a victim of trafficking is, particularly when we're talking about prostitution. That's what I tried to address briefly in my text, the idea that there is forced prostitution and voluntary prostitution; that confuses matters, especially when the police don't really have the resources to question people. There's also the entire conception that we have of the victim and of what it means to be forced to perform acts. The image that people have of a person held prisoner, struck, raped, in fact applies to very few situations. Trafficking may be highly invisible, in fact, and a victim is not necessarily identifiable by marks on her body or her way of speaking.

There's also another problem: until quite recently, as long as a woman had legal status, she wouldn't be questioned by police who came across her in the street for one reason or another. Today, I think that's changed at the RCMP. A woman who is a victim will take weeks, months, before deciding to talk about it. There's no reason why she'll suddenly open up to someone she doesn't know and tell that person about her life and the violence she has experienced, about something she isn't even aware of. So in fact, these are definitely questions that required a lot of field investigation. That's why, if we put the emphasis solely on the victims, it's already a lost cause because, first, there aren't enough resources in the field to meet all the women and because, if you consider that prostitution is a job, there's a whole prostitution sector that we'll never investigate. In fact, these women are there and they don't necessarily seem...

One Montreal police officer told me that, from the moment they're well exploited, there's no need to rape them. In fact, a good exploiter is someone who can make it so that his victim seems normal. She's exploited in her mind, but in fact... And the definitions, the criteria for defining what a victim is... It's very complex when you're dealing with a person in distress, who is in an environment that's unfamiliar to her. That's why, if we focus more on the demand for prostitution services, that would enable the victims to take their time. In fact, they wouldn't be the ones who had to testify, to prove that they are really victims.

● (1200)

[English]

Mrs. Niurka Piñero: I wanted to add something. IOM has come across many women all over the world who have been victims of trafficking, and as Armand said and you were saying, this is labour-related. Indeed it is labour-related, because most of the women are willing to leave their country because they need a job and need to support their families.

But where the definition comes in—and you were asking. There's coercion and deception. There is non-payment for the services that they either agree to do or are forced into. So that's where it comes in. They are working, but there is coercion; there's non-payment and deception.

The Chair: Thank you very much.

Just quickly.

Mr. Armand Pereira: Yes, I want to quickly say one thing. If we're going to be able to have great success in fighting these crimes, we have to have very clear-cut concepts about and approaches to the nature of the beast. What really is the cause of trafficking? Is it

economic need? Is poverty the cause of criminal trafficking? Or is it just an oxygen that helps out the problem?

What we've learned is that the key cause of what we can call crimes is impunity more than anything else.

There are international standards that define forced labour, whether or not it's for sexual exploitation. And I'm not implicitly arguing that by calling it forced labour for sexual exploitation, and other forms of economic exploitation, prostitution or any kind of sexual activity should be legalized as a job. That's not my argument; that's not the ILO argument.

The Chair: Okay. Thank you.

Mr. Stanton.

Mr. Bruce Stanton (Simcoe North, CPC): I was going to defer to Mrs. Smith, Madam Chair, thank you.

Mrs. Joy Smith: Thank you, Madam Chair.

I thank everybody for your presentations today. It's really great to hear your expertise here at committee, and it's very important.

There are a few things that I had a bit of trouble understanding. The question was asked by my esteemed colleague, Ms. Mourani, why isn't Canada having more resources put in to stop this horrific crime? You seemed to have two arguments, one of which was that this kind of thing is an industry, which I don't believe. I think it's not an industry; it's a crime. I know one of our witnesses yesterday said that raising the age of consent in this country is very important, because when you raise the age of consent, then it's a crime if you violate a child.

Right now, we're having some difficulty in the Senate, with seven bills on crime being disputed. It's all around what is best for these young people, what is best for Canada. Being exploited, from your presentations, is not something that should be happening on Canadian soil, period. I really appreciate all of your comments when you say you have to have clear guidelines.

Could you comment, anyone who wants to comment, on what your feeling is about this being used as a sex industry, as an industry, sexual exploitation of children? Please tell me what you think of that. One comment was made with one witness that sometimes they can earn more in prostitution than they can in something else. I think that's shocking. You have been in the field for a number of years, all of you, so briefly, could I have your comments on this?

● (1205)

The Chair: Whoever wants to, please start.

Mrs. Vivita Rozenbergs: I can start. I think we're in agreement that any child, defined as someone under 18, should never be engaged in sexual exploitation. There should be protections in place. If indeed they have fallen victim to such exploitation, there should be a full range of services, from education, to health care, to counselling, psycho-social services, and protections in place. As a society, as a global community, I think we can agree upon the children's right to protection and their well-being.

Mrs. Joy Smith: So you would say that legalizing prostitution or refusing to raise the age of consent is not a good thing. On our side of House, what we've been trying to do is raise the age of consent. I need your opinion on it, because there seemed to be dissenting voices on this issue.

[*Translation*]

Mrs. Aurélie Lebrun: Laws obviously make it possible to send important signals to society, but a single law obviously can't really change attitudes. For example, if you raise the age of sexual consent, but don't teach young girls to know what they're doing, to say yes when that's what they really want and they know what they're doing, that may not be so helpful.

Sexual exploitation occurs at the age of 12, 13, 14, 15, 15, 17 years, 18 years less a day as well, 18 years plus an hour too. So in fact, age of consent obviously has to be established in order to protect young women, but the earlier they're educated, the earlier we can prevent this and the better it will be. As for decriminalizing prostitution, that will definitely send a message that buying women and young girls is all right.

I don't know whether you ever visit Web sites or look at certain advertisements. People talk about hypersexualization; I would simply call it the sexualization of young girls. It's everywhere. Models in fashion shows can be 12 years old. Advertisements show us girls who really look increasingly young. This is an entire culture that promotes the sexualization of young girls. So, ultimately, we have to work on all levels; we have to educate young women and educate young men as well. If, in terms of sexuality, pornography and prostitution are acceptable, then we're not headed in the right direction.

[*English*]

The Chair: If someone else would like to respond, we still have a minute and a half.

• (1210)

Mrs. Joy Smith: Thank you.

My second question is in terms of gathering data. I know witnesses we've had come to our committee are increasingly saying that they know it's there; it's increasing. The RCMP are saying that; the NGOs are saying that. Looking at it, what would be your idea of resources that need to be put in this initiative? From my point of view, and I'm very biased here, I think it should be stopped, period.

We have to look at solutions. Could you please tell me, in your professional opinion, what some of those solutions are?

Mrs. Vivita Rozenbergs: I can speak first.

In my testimony I made reference to IOM's global database. The information we collect as an organization is almost a case management system; it in turn has provided us with great insight into the conditions of the people prior to being trafficked and what their needs are, and it also provides insight necessary for law enforcement to try to pursue prosecution of the traffickers.

In terms of a dollar amount, I'm not able to say how much Canadian resources should be dedicated to this, but it is true I think that this information must be collected from the very grassroots—

from local communities on upward—to be able to come up with some national figures.

Mrs. Joy Smith: Thank you very much.

The Chair: Ms. Mathysen is next.

Mrs. Irene Mathysen (London—Fanshawe, NDP): Thanks, Madam Chair.

Thank you for your presentation.

I have a few questions. First, I was quite interested in what IOM said about the consequences of deregulation of the labour market and the obligation of the banks in terms of addressing what's going on in developing countries. Could you talk about specific things that really privileged countries like Canada should be doing in regard to addressing this?

Mr. Armand Pereira: What I am saying is the following. I'd like to see banks putting conditionality on lending, rather than having beautiful cosmetic campaigns about how to call in to help the girls and so on. That is something churches or NGOs can do.

There is a lot of investment in the tourist business—in hotels, in tourism, in all sorts of things—that can be or cannot be promoting or condoning the sex trade. In some cases it may promote illegal practices involving trafficking of persons, and so on.

What parliamentarians can do, for example, is to press their banks, the international community, and international banks to promote conditionality on, for example, fundamental human rights that include all these questions we're talking about.

For that we need clarity about what is really a crime—what practices are criminal from an international standpoint and what are not, whether we're talking about children or not, whether we're talking about forced labour trafficking or not, or whether we're talking about whether it's consented to or not.

I think when we're talking about labour markets, we're also talking about having a minimum floor on trade and globalization. At a minimum floor, we have universally accepted standards—core labour standards—that have been defined. It's in the ILO Declaration on Fundamental Principles and Rights at Work, so parliamentarians can be promoting that as part of trade agreements. Some of the trade agreements have made passing references to these things, but they are not always being pushed forward in all bilateral agreements either, depending on the country, so you could have a role there too, and on and on.

The ILO has two conventions that deal with forced labour, and they have been highly ratified by its member states. One has been ratified by 170 member states and the other one by 166.

A number of changes in national legislation have to occur. Our experience is also telling us that we have a tendency these days to have a lot of social assistance, helping the victim kinds of initiatives. In many of our projects in the ILO we find that things can work for a while, but then they don't work anymore because the police at the local level get interested and then all of a sudden they don't have support from above, or, as someone has said, those who demand the sex services from the girls go on and nothing happens; there is pure impunity, and they travel back home. Sometimes they're caught by the police but have to be released. So there is a need for international and national integrated work.

My key piece of advice on all this is that whatever a particular country is thinking of doing, they should do it together with the international and the national communities—different actors—because we all have different kinds of advantages in this process.

• (1215)

Mrs. Irene Mathyssen: So we need to have a discussion about these international trade agreements and what they mean for those who are exploited.

I was quite interested in your brief. You talked about the consequences of human trafficking as being serious for communities. We have focused a great deal on the horrendous experiences of those exploited, but I wonder whether you could talk about the communities from which they're wrested and could give us a sense of what happens in those communities.

Mrs. Vivita Rozenbergs: Just to be clear, do you mean from communities where the victims are rescued?

Mrs. Irene Mathyssen: No, from where they're taken, wrested.

Mrs. Vivita Rozenbergs: Oh, taken. Well, if the victims have come from overseas, frequently there are conditions of poverty, but I think we can't ignore the fact that in the situation of women, perhaps women are also escaping gender discrimination or violence in the family. Those are so-called push factors. It's important to recognize the whole of feminization of migration: that women are travelling—moving or migrating—primarily for work purposes; they are sole bread winners for their families. There is also a certain level of acceptance that women are suitable for work in informal sectors that are not regulated and are poorly paid. That alone has put women in a particularly vulnerable situation when, upon arrival, wherever it might be, they go into markets that are unregulated.

For example, in the case of domestic service, they are isolated in individual homes. While the primary purpose for their migration for work was to provide domestic service in individuals' homes, it leaves them vulnerable too—and isolated—to violence that could take place in such environments.

The Chair: Thank you very much.

Ms. Neville and Mr. Dhaliwal are going to share their time.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Thank you.

I'm going to put a question out there. I know my colleague has a question as well.

Two of you I think made some reference to the use of the Internet in the whole matter of trafficking of persons, nationally and internationally. What I'm interested in is what recommendations you

would make to this committee for legislation we could propose that would regulate or provide tools to the officials—to police, nationally and internationally—to curtail human trafficking.

It's not an easy answer, and if you don't want to answer today and want to send us a submission on it...but I think it's important that this committee be able to put forward some recommendations in that area.

But my colleague has a question as well.

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): No, you can go ahead and take as much time as you want.

Mr. Armand Pereira: I'll answer with one example. Microsoft International, for example, has developed some innovative initiatives to crack down on cyber-café-related sexual exploitation, trying to identify those who demand services, usually from youngsters. I can tell you that the people who develop these innovative activities would like very much to get letters from parliamentarians to ask them questions on exactly what they're doing and any questions about things they could do more, if they had support at the top of their corporation and from their board of directors.

The people who are doing these things would like to be able to continue, but they have pressure from their boards of directors, with people saying, "Why is Microsoft International getting into this business and subjecting itself to pressures from the government? It's not our business." Parliamentarians can help corporations in this kind of thing, in a positive sense, in giving support to them to do this kind of thing, which is something we in the ILO cannot do, because if we do it, they may be involved in other kinds of things with workers, and it might seem that we in the ILO were condoning these companies. This is just given as an example.

There are all kinds of things that are going on, done by companies or corporations and also by international institutions, that could be helped out by people like yourselves.

• (1220)

Mr. Sukh Dhaliwal: Thank you, Madam Chair.

And thank you, panel, for coming here and giving presentations, because this is affecting many innocent individuals, particularly women.

There was a case in my riding recently. There were three women who came to this wonderful country to have a good life as nannies. They were engaged in an illegal labour situation. The immigration department sent them back immediately. I'd like to know whether you would consider that a case of human trafficking as well, in this particular situation.

Mrs. Vivita Rozenbergs: As a point of clarification, because I'm not familiar with this case, you were saying the nannies were here legally. Were they coerced?

Mr. Sukh Dhaliwal: They were here legally, but they were working in a labour situation that wasn't legal, because they couldn't go out of the house to work. Would you consider a case like that to be human trafficking or not? The women were exploited because they came here.... They can work for two years. After the second year, when they go to the third year, they can get the immigration....

Mrs. Vivita Rozenbergs: From the information you are sharing with me, I wouldn't interpret that as a trafficking case.

Mr. Sukh Dhaliwal: Okay.

To carry on, Ms. Smith was saying raising the age of consent and bringing in criminal legislation is very tough. If I hear correctly, you don't agree that is the only perspective, that there should be social programs in place as well. Do you agree with that?

Mrs. Vivita Rozenbergs: Yes, I would agree with that.

The Chair: I'm sorry, Mr. Dhaliwal, your time is about up.

Perhaps you could quickly respond to Mr. Dhaliwal, and then Mr. Bellefeuille.

Mr. Sukh Dhaliwal: What should this committee be doing in particular to help this situation?

Mrs. Vivita Rozenbergs: I think the other panellists here were very specific in what Canada could do to address the problem.

[Translation]

Mr. Jean Bellefeuille: Yes.

Ultimately, we could say that a person who is virtually treated like a slave at the place where she goes to work may be a victim of trafficking, to the extent that she has been misled from the outset. That person comes here to work legally and properly in a manner respectful of her human rights, then that's not what happens. Ultimately, she's been misdirected, in a way, and to that extent, it can be said that she's been mistreated from the outset. She's therefore a victim of trafficking in persons.

Trafficking in persons isn't just a matter of crossing the border legally or illegally; it's a matter of being deceived. This person has been deceived, in a certain way. It may be considered that she is a victim of human trafficking and that she may have recourse to various measures that are established to assist her.

Normally, we shouldn't simply send her back because she hasn't agreed to spend the anticipated two years in her employer's service, even if she had committed to that.

[English]

The Chair: Thank you very much.

Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Madam Chair.

Thank you all for your time and your presentations.

Mr. Bellefeuille, your presentation was very insightful. Could you please give a copy to the committee so that all of us could have it?

In 2005, I put a motion in the House to raise the age of consent from fourteen to sixteen. It was debated and voted upon. I think people are taking advantage of our weak laws.

My question is, what proportion of trafficking involves minors, and what methods are used to attract these young people?

• (1225)

Mr. Jean Bellefeuille: I cannot answer that.

Mrs. Nina Grewal: What proportion, do you know, of trafficking...?

Mr. Armand Pereira: The information we have and believe from our estimates is that about 40% under eighteen years old are victims of forced labour and related trafficking. I go back to the same old problem of trafficking versus forced labour.

If there is more time later, there is something related to another question that was asked before, but you have your time allotment, so I'll wait.

Mrs. Nina Grewal: All right.

What factors make a person vulnerable to trafficking? Do different factors come into play for young people and children?

Mr. Armand Pereira: In the case of the ILO, we have a number of projects that focus on the trafficking of children. This is happening partly because of the interest of the donors but also because it's part of the reality in a number of countries.

We've lately been concerned with, and have been focusing on, domestic workers. When we started doing projects on domestic workers years back, we were concerned mainly about the problems of age minimums and of kids being able to fit into transition programs that could gradually get them away from work and to school. Now we're getting more concerned with the problem of children and adolescents in domestic work being actually abused, as my colleague was just mentioning.

At the ILO we're also very much concerned—this is related to the previous question, which I can now answer—about restrictive visas. In some conditions, these restrictions, compared with other countries, can be a promoting factor for forced labour, for some type of forced labour. Forced labour is really a question of working in freedom versus not working in freedom—workers being restricted, being coerced or afraid. That is the element of forced labour, whether it's for one kind of activity or another.

Mrs. Nina Grewal: Madam Chair, do I have some more time?

The Chair: You have less than two minutes.

Mrs. Nina Grewal: Perhaps my colleagues can avail themselves of the time remaining.

Joy, do you have a question, or Bruce?

Mr. Bruce Stanton: I have a quick one.

To Mr. Bellefeuille, I think you made a very poignant point about the notion that the demand side is really what needs to be addressed. I think other witnesses touched on this as well. What types of remedies do you see helping to change that culture, to actually curtail the demand? We've heard much testimony that what's driving a lot of trafficking is in fact prostitution. We need to get right to the demand for prostitution.

What do you contemplate mitigating the spread of this blight against society in prostitution, especially as it relates to going after the exploiters, the demand, in fact the men who are pushing?

[Translation]

Mr. Jean Bellefeuille: Your question is excellent. There's only one problem: it may have come a year too soon. It's precisely on these questions that we want to start working. This year, we've chosen to work on demand with regard to the same concerns as you have. We've hired Ms. Lebrun specifically to work on these questions.

We know that there is a way of doing something, because a country like Sweden worked in this area a number of years ago. It finally came up with legislation and achieved results. Naturally, nothing's perfect, but this is probably the best of the less than perfect, and it's definitely not by legalizing prostitution that they got there, on the contrary. Now a few distinctions must be made, and there must be programs that are well directed. That's what we want to work on.

With your permission, I'd like to take a few moments to respond to Ms. Grewal. If I understood correctly, one of her questions concerned minors. One of our associates, a nun, works in Vancouver for Citizenship and Immigration Canada and deals with unaccompanied children. She knows a number of children who come from Latin America, from El Salvador and Honduras. These children work in Vancouver for organized crime, transporting and delivering drugs to clients. Young minor children are being used to do this work because they're not targeted by police officers; they look innocent; they don't look like much. A number are on the street doing this kind of work, trafficked by organized crime and exploited by it on a regular and daily basis.

There are other phenomena. I witnessed one personally: a young girl 12 years old arrived in Montreal with her alleged parents, who left her in Montreal at the home of an aunt, who wanted to use her to help take care of her children. Knowing the situation, we quickly managed to have her go to school, have a normal life and have her rights respected. However, she had come to take care of young children, somewhat like a slave, but, ultimately, she had come to help her aunt. Perhaps in her culture, that was something that might be acceptable, but it was a form of trafficking and exploitation. This has often happened to these types of children, who have become orphans as a result of all the wars there have been in Central Africa.

•(1230)

[English]

The Chair: Thank you so very much. Unfortunately, our time is up. Every time we have these sessions I think we need to find more time because there are more questions.

Thank you very much for being very informative this morning in helping us with what we all very much care about. It is a very important issue that we want to be able to make some recommendations on. Thank you all very much for coming.

[Translation]

Mrs. Maria Mourani: Madam Chair, could we get a copy of Ms. Lebrun's research paper?

Mrs. Aurélie Lebrun: I'm starting.

Mrs. Maria Mourani: As soon as it's ready, it would be good to have it. We'll be here for a few years.

Mrs. Aurélie Lebrun: Definitely.

[English]

The Chair: Anything you have in writing that you can leave with the committee will be helpful. Thank you.

[Translation]

Mrs. Aurélie Lebrun: I simply want to tell you that I took part in a study on trafficking in persons in Quebec and that the findings should be known soon.

Mrs. Maria Mourani: It would be good to send us that.

[English]

The Chair: We still have several issues on the table for us to deal with this morning.

If the witnesses wouldn't mind carrying on the conversation outside the room, or at the back of the room, we would appreciate it. I am sorry about that.

We have several issues here. We need to spend a few minutes with our researchers this morning. We have a motion by Ms. Minna on the table.

Ms. Minna, would you like to speak to your motion, please?

Hon. Maria Minna: Yes, Madam Chair. Thank you very much.

Does everyone have a copy? I gather not everyone has a copy today.

The Chair: Does everyone have a copy of the motion we are about to look at?

Some hon. members: Yes.

The Chair: Would you like to speak to your motion, Ms. Minna?

•(1235)

Hon. Maria Minna: Thank you, Madam Chair.

I drafted this motion because, as you know, we have had some discussion around this committee for some time with respect to the cuts. We had witnesses and we had the minister in as well during the estimates and so on to discuss the changes to the Status of Women program.

I, and I know my colleagues, do not feel comfortable that in fact the changing of the future direction of the program is acceptable to us. Quite frankly, I think the future and the vision of the program is extremely limiting, by eliminating the criterion for the equality of organizations for women and also by limiting the ability for the Status of Women Canada to actually act as a strong voice within government.

My motion is basically saying that—

The Chair: Could you read it into the record, please?

Hon. Maria Minna: Okay. It states:

That,

Whereas the recent \$5 million in cuts to the operating budget of the Status of Women Canada places in jeopardy the valuable work done in this department to promote the equality of women and;

Whereas these cuts will make it harder for women across the country to participate in the economic, social, cultural and political aspects of society and;

Whereas the draconian changes to the Terms and Conditions to the Women's Program under Status of Women undermines the very basis of democracy—the ability to advocate on behalf of vulnerable groups and;

Whereas removing “equality” as one of the goals of the program sends a chilling message to the dedicated equality-seeking organizations throughout the country;

Pursuant to Standing Order 108(2), that the Standing Committee on the Status of Women (SWC) recommends that the government reverse the \$5 million in cuts to the operating budget of SWC and re-instate the original Terms and Conditions of the Women's Program and that the Chair report the adoption of this motion to the House without delay.

The Chair: Is there discussion on the motion?

Ms. Guergis, would you like to speak to the motion.

Ms. Helena Guergis (Simcoe—Grey, CPC): Yes. I have a couple of comments. Thanks very much, Madam Chair.

Correct me if I'm wrong, but have we not had a motion that is very similar to this around the table before, or is this just déjà vu for me?

The Chair: No. We did have one introduced by Ms. Mathysen a couple of meetings ago, I believe.

Ms. Helena Guergis: What happened with that one?

The Chair: It was adopted by the committee.

Hon. Maria Minna: It did not deal with certain aspects that this one does.

Ms. Helena Guergis: I don't want to see us wasting time going over the same motion every week. I'm sure we have really important things to do around the table, and doing the same thing over and over again doesn't appeal to me.

Please explain to me what's different.

The Chair: Ms. Minna.

Hon. Maria Minna: The previous motion did not explicitly talk about the changes to the criteria in the program that affect the equality-seeking organizations. I want to make sure that this motion is a bit more comprehensive and addresses both the \$5 million and the changes to the criterion that affect the equality-seeking organizations in our country. It deals specifically with the terms and conditions of the women's program, as being rewritten by the current government.

The Chair: Is there any further discussion?

Ms. Helena Guergis: Yes. I have a few points here.

I don't recall, when we had the minister here in front of us, having a detailed discussion about criteria and changes in criteria. If I've missed something, would you mind clarifying that for me in detail? Just to say draconian changes and going on—

Hon. Maria Minna: Sure. I can answer that.

I understand that the minister was here with us, unfortunately, for just an hour, but when the minister left and the officials were here, we did discuss the changes in terms and conditions. This committee has discussed and raised those here before.

As part of the estimates and documents is the vision on the future direction of the department, which includes the elimination of these terms and conditions, it's quite relevant for us as a committee to say that we disagree with those changes.

●(1240)

Ms. Helena Guergis: As I'm reading the motion—obviously it's pretty heated in the House right now, and we're all politicians around the table—it's very one-sided, of course, and very political. I believe that the sole purpose of the motion is to really attempt to not just label us on this side of the House, but to label the entire Conservative Party as maybe being anti-women or against women. To be really honest with you, I find that very offensive.

I am a woman, and there are many women across the country who are part of the Conservative Party of Canada who would also believe that this was very offensive. I emphatically resent this motion because it is so one-sided. I feel as though I'm being attacked, to be really honest with you here.

I know that the opposition seems to expect that Canadians really believe that every single government program that was operating from the previous Liberal government was running smoothly, was delivering on exactly what it intended to do, and there were no problems whatsoever. That's just not realistic, and I know that Canadians know it's not realistic to suggest that everything was just tickety-boo and delivering what Canadians expected and deserved.

I don't think that addresses the reality of the situation for everybody, even in their own individual home situations with their own finances. We don't always make the best decisions and the best purchases at home, so I don't think this is really realistic of the situation.

In the past thirteen years, as I've pointed out before, there haven't really been a lot of changes for women in some areas. So I submit that our party is trying to find other areas where we can maybe improve things with a different strategy. All my female colleagues are very involved in developing that process. I want to assure everyone here that that is the focus of the party. It may be a different approach, but there is a certain approach. I point out that the \$11.8 million, of course, will still go to the programs. That is not intended to change.

Hon. Maria Minna: All I'm saying—

Ms. Helena Guergis: I still have a couple more points. If you want to interject—

The Chair: I think Ms. Minna has been pretty clear. Perhaps you can just sum up, Ms. Guergis.

Ms. Helena Guergis: As I pointed out at committee before, we over here really believe in the strength of women and the power of women. I really need to see some kind of a change in the wording of the motion, because it suggests that all women are weak, really, or that there's nothing out there at all, or that they're completely incapable and have no abilities, that they're just victims, and that they're weak all across Canadian society.

I do believe in the strength of women. I believe that barriers that are suggested, of course, are barriers to all Canadians, and that we have a responsibility collectively to work and to find some solutions to these problems.

So obviously I don't agree with the motion. Obviously, I believe that my colleagues all have an opportunity to voice their opinions. We have the right to do that, whether it's strictly for political purposes right now or not; we do have the right to do that around the table. But I absolutely insist that we stop labelling women as being weak, that we recognize that there is strength in women and that we are determined. When we want something, we're determined, and we set our minds to it. We can accomplish things, regardless of barriers. We've seen many examples of many women who were able to do great things, even though there were barriers.

I really would like to see some wording in here that acknowledges the strength of women and the ability of women, and acknowledges that there is some progress made here in Canada, and that we do have some really good things going on here—some acknowledgement of women's strength and ability.

I don't think I could support this. If my words are ignored here for political reasons, I would really like to see some sort of a dissenting motion or a dissenting report that at least recognizes what I've been speaking about here.

The Chair: Ms. Guergis, you are clearly within your ability and your rights to do that at any time.

I have Mr. Dhaliwal, Ms. Smith again, and Ms. Neville. It is 12:45, and we have some important issues about human trafficking that we must discuss. So if there are some brief comments to the motion itself...

Yes, Mr. Dhaliwal.

• (1245)

Mr. Sukh Dhaliwal: Thanks, Madam Chair. I'll be very short.

When I look at this, Madam Chair, I don't see mention anywhere of Liberal, Conservative, Bloc Québécois, or NDP. It seems as though this motion deals entirely with women's issues, because I'm sure they are the most vulnerable group of people in Canada. I think we should all address this in a very non-partisan fashion, and I would be fully supportive of this motion.

The Chair: Thank you.

Ms. Smith.

Mrs. Joy Smith: [*Inaudible—Editor*]...because of time.

The Chair: That's fine.

Mr. Bruce Stanton: Thank you, Madam Chair, and thank you, Ms. Smith.

I'm also speaking against this motion. I find the words and the rhetoric in this motion to be highly speculative. It's essentially presupposing what outcomes might come from the changes. I think we need to be mindful of the terms and conditions of the women's program, a program that has not been cut in fact. In fact it has an additional \$1 million dedicated to it over and above the \$10.8 million that was allocated to it last time, and we recognize that the extra \$1 million was for the Sisters in Spirit program. These terms and conditions were approved by the Treasury Board Secretariat. These are all part of a normal conditioning and review of government programs. And to suggest that just because this government has made changes with respect to the administrative

side of Status of Women Canada and has put an emphasis on making sure that funds get to community-based organizations that are actually doing work on the ground for women in the communities, as opposed to those that would be consuming greater amounts of public dollars for things that ultimately don't end up improving access and equality for women...I believe that's an approach the government is in a good position to take.

So for those reasons, I strongly disagree with this motion, and I hope we can incorporate some of those objections into a dissenting opinion, should this motion pass the committee.

The Chair: It's certainly up for amendment at the same time. I'm reminded by the clerk that what we are to speak to here at the committee is not the preamble but only the actual recommendation that's in here.

I have Ms. Neville and Ms. Mathysen, and then I'm going to ask that we call a vote on this motion.

Ms. Neville, go ahead, please.

Hon. Anita Neville: Thank you, Madam Chair.

I'm speaking to the issue of the terms and conditions, and I acknowledge that the dollar amount left in the program is the same as what was previously in it. But I am very concerned about the shift in the terms and conditions that were brought about. They are substantial. They were done without consultation. They were done without any indication to women's groups.

I have, Madam Chair, a summary of the notes taken by an individual who attended the round table with Ms. Oda in early July in her consultation with women's groups across the country. It's quite clear from the comments made by the individuals who attended that round table—and I don't know how many women there were, fourteen or fifteen—that the issues they were concerned about are the issues that were addressed by the previous terms and conditions of Status of Women.

So if the terms and conditions are to be altered—and I understand there's a new government in place and there's a different ideological base—when we're serving women, I think it's important, or it's incumbent upon us, to do a consultation with them on any major shift in the terms and conditions. That did not happen.

In fact, the notes I have here really reaffirm the importance of the previous terms and conditions. I believe the changes were substantial, and I think it's important that we discuss this motion in the House.

The Chair: Do you want to table the notes you have?

Hon. Anita Neville: No, I don't.

The Chair: Okay.

We'll go to Ms. Mathysen.

Mrs. Irene Mathysen: Thank you, Madam Chair.

I would support this motion inasmuch as it does indeed underscore and support the two motions I made two meetings ago, first, in regard to restoring funding, and second, in regard to reviewing the mandate and restoring the mandate of Status of Women Canada. That is for a number of reasons, but it is essentially because I've heard from women's groups all across the country, and they're very concerned about the fact that funding cuts will restrict the work of SWC in a very real way and that the new mandate restricts their work and their ability to ensure equality for women.

So indeed, I see this as important in terms of discussing the barriers that are indeed being placed before women because of this new change.

• (1250)

The Chair: Thank you, Ms. Mathysen.

Unless there are any suggestions for amendments.... Ms. Guergis, do you have an amendment?

Ms. Helena Guergis: I do have an amendment. But if I need to, I can make this a point of order.

I do have a question. Maybe the clerk can clarify it for me. It's been my understanding that motions cannot be worded to be argumentative, and I do find this one to be very much so. I also find that it's very much in a speech format, and I understand—correct me if I'm pronouncing this wrong—that in Marleau and Montpetit, there's actually wording to this effect.

So I was wondering if the clerk could answer some questions for us, specifically about it being argumentative, or tell me how I can address that, because I really feel that it is.

The Chair: Again, I'll go back to the fact that the preamble is what we're not to speak to. I think the preamble is part of what is causing some concern.

Ms. Helena Guergis: So will that be removed?

The Chair: We are actually voting on the actual recommendation that is here.

Would you like to comment, Madam Clerk?

The Clerk: Motions, you are correct, Ms. Guergis, are not supposed to be argumentative. What the committee should be speaking to right now is what is in bold at the bottom of the motion, which is the actual motion.

The preamble—in other words, the sentences that begin with “whereas”—becomes part of the report based on this motion. So typically, in the past, because it was a comment made by one of the members in a previous motion to include the preamble in the motion, I've been consistent with all the members. But procedurally speaking, the preamble—the “whereases”—should not be included in the motion.

Ms. Helena Guergis: Well, I would like them not to be included in the motion, because I find them argumentative. I do.

A voice: Absolutely.

The Chair: As the clerk indicated, she—

Ms. Helena Guergis: How do I propose an amendment to that?

The Chair: She had already indicated that in previous motions she had accepted the preamble and was being consistent, as we moved forward, rather than making a change.

If you're suggesting that you want us to vote on the motion without the preamble, on a separate vote, I'm not sure that can happen, because effectively, we aren't voting on the preamble at all. We are simply voting on—

Ms. Helena Guergis: Effectively we are because it is being included, and it is not normal procedure to do that. We're not supposed to be addressing it, but obviously it is a problem at this table. I fully expect that I might lose it. It's obvious. I'm not foolish enough to think that's not going to happen, but we should go through the process of doing that and having it recorded as well.

The Chair: Okay, I think we need to go to a vote on it and—

Ms. Helena Guergis: It is an amendment I requested, so I'd like my amendment to be tabled to have it removed.

The Chair: So you're moving an amendment that we take the preamble out of the report.

Ms. Helena Guergis: Yes.

Mr. Bruce Stanton: That the report not include the preamble to this motion.

Ms. Helena Guergis: I have one other amendment as well that I spoke to earlier—the wording of it.

The Chair: Okay, if you could give me your amendment to the....

Ms. Helena Guergis: Sure.

Excuse me, what did he just say?

The Chair: I'm sorry, no conversations back and forth. Ms. Guergis had the floor.

Ms. Helena Guergis: We will address your comments when I'm finished here.

It would read:

Whereas we recognize that all women are equal in Canada under the Constitution, and we recognize the strength of women in Canada;

I wouldn't mind, if we're going to wipe that out, can we somehow add...?

The Chair: Then you're adding another preamble of your own.

Ms. Helena Guergis: This is open for discussion at the table. There shouldn't be a hammer brought down and everything you guys want. We should have a conversation here.

The Chair: You're suggesting we include that in the preamble?

Ms. Helena Guergis: If we can add it in the bolded comment, if we can add that to the motion....

The Chair: It then becomes a complete motion on its own. At the next meeting, you might want to bring in a motion of your own stating your objectives and concerns. That's a possibility, to try to get the issues you want on the record, if I could suggest that.

• (1255)

Ms. Helena Guergis: Madam Chair, could we vote on the first amendment and then see what the result of that is before we vote on my second amendment, which may be valid?

The Chair: So the first vote is going to be.... Would you clarify what your first amendment is on the record?

Ms. Helena Guergis: Sure. The first amendment is to have the preamble removed from the report and to go with the bolded as the motion, because it is the motion.

The Chair: Okay. Do you want a recorded vote on that—

Ms. Helena Guergis: Yes, please.

The Chair: —or do we just vote on it? A recorded vote.

Ms. Guergis—

[*Translation*]

Mrs. Maria Mourani: I want to understand one thing. Earlier, the clerk said that the preamble, the “whereases”, aren't part of the motion. Is that correct? So we're voting on an amendment that doesn't exist?

[*English*]

The Chair: It's not part of the motion, but it becomes part of the text of the report.

[*Translation*]

Mrs. Maria Mourani: Ah, that's part of the text! Okay.

[*English*]

The Chair: So Ms. Guergis has moved an amendment that the report not include the preamble. Can we have a recorded vote?

Ms. Helena Guergis: Madam Chair, my second amendment—

The Chair: And your second amendment, Ms. Guergis, please.

Ms. Helena Guergis: —was to add to the preamble.

The Chair: Would you read it out, please?

Ms. Helena Guergis: Sure. It reads:

Whereas we recognize that all women are equal in Canada under the Constitution and we recognize the strength of women in Canada;

The Chair: Do you want that included in—it's up to Ms. Minna, it's her motion, if she'd like that included in the preamble.

Could you read it out again, Ms. Guergis?

Ms. Helena Guergis: It reads:

Whereas we recognize that all women are equal in Canada under the Constitution—

—and perhaps “and the Charter of Rights and Freedoms”—

and we recognize the strength of women in Canada;

The Chair: And where would you like that put in?

Ms. Helena Guergis: It can be at the bottom or the top or in the middle—just somewhere.

The Chair: Do we need Ms. Guergis to read it out again?

Who would like to speak to the amendment? Would you repeat that again slowly, please?

Ms. Helena Guergis: It reads:

Whereas we recognize that all women are equal in Canada under the Constitution and the Charter of Rights and Freedoms and we recognize the strength of women in Canada;

The Chair: Does anyone...?

Mr. Dhaliwal.

Mr. Sukh Dhaliwal: The intention here, I would like to be clear, through the chair, is that it's not that women are weaker, but we're trying to say that they're not treated equally.

The Chair: Okay.

Speak to the motion then, Ms. Mourani.

Yes, Ms. Minna, to the amendment.

Hon. Maria Minna: Yes. Thank you Madam Chair.

I have to say that I oppose the amendment because it has nothing whatever to do with the motion. It's universally known that women got equality, whether by fighting for it in the Charter of Rights.... That does not automatically give them equality or mean that they have it. It says so in the document, which doesn't mean they are equal.

The reason for establishing Status of Women Canada was in fact to ensure that what the Charter of Rights says actually becomes the reality in the lives of women across Canada, through the programs of the Status of Women Canada.

The Status of Women Canada terms and conditions have been changed. Therefore, stating that women have equality in this amendment is rather redundant. It doesn't make any sense because that's not the intent of my motion.

Yes, a lot of women are strong in this country, Madam Guergis. So was my mother. But she was discriminated against badly and paid peanuts to raise my family, and she was mistreated and abused badly in her factory. The fact that she had rights didn't matter much, and the fact that she was a strong woman did matter. So, yes, women in Canada are strong, but that doesn't change the fact that this motion addresses a specific issue.

I'm not accepting the motion because that doesn't change.... The intent of the motion has nothing whatever to do with whether or not women are strong.

● (1300)

The Chair: Ms. Mourani and Ms. Smith.

Then I'm going to call the vote on the amendment and then the motion.

[*Translation*]

Mrs. Maria Mourani: Thank you, Madam Chair.

I'd like to make an incidental remark, Madam Chair, because I've watched the time fly by and I really would have liked to continue discussing a number of points concerning trafficking in women, that is to say the point that is on the agenda here called “Planning a future business”. So I admit I'm a bit disappointed at the turn of events in the past 30 minutes, on the one hand. I find that disappointing.

Before finishing my remark, I would like to file a complaint with you. I would like the Bloc québécois to have a second round because witnesses have appeared here twice—even three times—and we haven't had our second round. I have a lot of questions to ask the witnesses and I can't ask them because we're wasting time. I apologize for saying it like that, but I find it a bit insulting for us, and even for the NDP, which can't ask as many questions as it would like. That was my first point. I'm going to finish my remark in a few seconds.

Furthermore, I've very concerned when I receive important documents for the committee and I note the use of unobjective words and phrases, in view of the fact that this committee is considering trafficking in persons for the purpose of coming up with a meaning of the definition. We're talking about sex work, etc. Consequently, I'd like to have some neutral documents that don't already suggest a definition.

I've finished my comment and I'll continue.

[*English*]

The Chair: Ms. Mourani, if we could just deal with the motion....

[*Translation*]

Mrs. Maria Mourani: That's because I'm trying to take the time allotted me, like everyone. I finished my remark. I hope you'll take my complaints into account.

The Chair: Yes, madam.

Ms. Maria Mourani: Thank you very much, Madam Chair.

Now, as regards madam's amendment: "Whereas all women are equal in Canada", when you talk about the word "equality", you compare, you make comparisons. Now, when you compare, what are you comparing? Are you comparing men and women? Or women and women? What are you comparing? I don't understand this amendment. I'm sorry.

"All women are equal in Canada under the Charter." They are equal among themselves? Is that what you mean? Which is true. Women aren't all equal; otherwise we wouldn't be here. This committee wouldn't be here if all women were equal. Furthermore, men aren't all equal, and women aren't equal to men. "We recognize all the strengths of women." What does that mean, "recognize the strengths of women"? Is it muscular strength, intellectual strength, mental strength? So I understand nothing in this amendment, Madam Chair, and it's 1:15 p.m.

Thank you, Madam Chair.

[*English*]

The Chair: Ms. Mourani, thank you for your issues.

I'm going to call a vote. We have an amendment that's put on the table. I'm going to call a vote on that amendment, and I'm going to call a vote on the motion, which Ms. Minna properly put before us a week ago.

We now have Ms. Guergis. Would you mind quickly reading it again, just for the sake of the report, strictly your—

Ms. Helena Guergis: I would read it again, but I do remind the clerk that there have been other committees that have ruled motions like this out of order for being argumentative. I really think we should refer back to other examples from other committees before we proceed with something like this, since it has already happened, instead of being forced to accept something here when I've made a very valid point.

If you want to use the words "in compliance", it's not. We're not to be passing motions that are argumentative or in the form of a speech. And that's exactly what this is. The other rulings were specific to preambles from other committees, so I really would like some comments from the clerk that she is solid on this, that she knows that what's happening right now is 100% okay, that she hasn't called and asked somebody to give her any more advice to tell her that she is doing the right thing, and that we should proceed.

Hon. Maria Minna: Madam Chair, I thought there was an amendment.

The Chair: We have a motion duly put before us. You can call it whatever you like. If you're looking at the exact recommendation that's in here, it is "Pursuant to Standing Order 108(2), that the Standing Committee on the Status of Women recommends that the government reverse the \$5 million in cuts to the operating budget of SWC...."

• (1305)

Hon. Maria Minna: Madam Chair, then I would like to bring it back when we come to the next meeting.

The Chair: The first item on the agenda for Tuesday morning's meeting will be this. Then we will have to delete some of our witnesses in order to have time to deal with some of the other issues.

The meeting is adjourned.

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