



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development**

---

SDIR • NUMBER 090 • 1st SESSION • 42nd PARLIAMENT

---

**EVIDENCE**

**Thursday, December 7, 2017**

—  
**Chair**

**Mr. Michael Levitt**



## Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development

Thursday, December 7, 2017

• (1305)

[English]

**The Vice-Chair (Mr. David Sweet (Flamborough—Glanbrook, CPC)):** I call the meeting to order.

Good afternoon, colleagues. *Bonjour à tous*. Welcome to the 90th meeting of the Subcommittee on International Human Rights. We are continuing our study of child labour and modern slavery.

Before us we have three quality witnesses. We have Kate Kennedy from The Freedom Fund, who is the managing director for North America. She's in Mexico right now, and her Internet is rather iffy, so we're going to have her testify first.

Before that, I'm going to introduce our second set of witnesses, who are from International Justice Missions Canada. We have Petra Bosma Kooman, director of marketing and public relations and Edwin Wilson, executive director.

First I'll go with Kate Kennedy, simply because technology is iffy and we want to get her testimony on record in case she drops out and we have to try to reconnect.

Ms. Kennedy, please go ahead. You have 10 minutes.

**Ms. Kate Kennedy (Managing Director, North America, The Freedom Fund):** Thank you very much. It's nice to be with a group of people who use “iffy” as a word.

Hello and *bonjour*. Thank you very much, Mr. Chair, and other dignitaries there. I'd like to thank the committee for allowing me to appear today. It's an honour to discuss the critical issue of child labour in global supply chains.

The Freedom Fund is an international organization. It was founded in 2014 by three of the largest private sector donors in the anti-slavery space. Our mission is to mobilize the knowledge capital and the will to end slavery. Our work takes several forms, but perhaps most crucial is our strategy of working on the front line where slavery is most prevalent. We do this by partnering, often with small front-line NGOs. We currently work with 100 partners, including 80 grassroots NGOs in countries like Ethiopia, India, Nepal, and Thailand. We also partner with visionary investors, businesses, and governments to tackle the systems that allow slavery to thrive and persist.

Like others who have reported to this forum, we're seeing a global movement—as I'm sure many in the room already understand—toward supply chain reform legislation, with Dutch child labour laws, the U.K.'s Modern Slavery Act of 2015, and the very recently announced proposed Australian legislation setting new standards for corporate accountability.

Canada has historically played a global leadership role in promoting human rights. However, on this issue it risks falling behind the global pace. The current study presents an excellent opportunity for Canada to consider its leadership by addressing human rights in global supply chains and a stepping stone toward the creation of the world's strongest legislation.

Child labour is present in most of the areas of our work, from exploitation in the Kathmandu adult entertainment industry, where children are effectively in forms of brothels, to Ethiopian girls migrating to Saudi Arabia for domestic work, but today I'd like to focus on the case of child labour in the textile industry and then speak briefly of the roles of civil society, corporates, and governments in eliminating child labour in this industry and others.

I'm in Mexico, which is an unusual place for an Australian who lives in New York to be presenting to a Canadian forum. I'm in transit back from a visit to South Asia, and I spent all of last week looking at aspects of cotton milling and child labour within it. I'm sure many of you have seen media reports and other research around that. It's fairly well documented that there's severe exploitation, forced and bonded labour, and child labour in global textile supply chains in countries like Myanmar and Bangladesh.

These abuses can be directly linked to the garments and home textiles imported and sold in countries like the United States, Europe, and of course Canada. Children work at all stages of the textile supply chain, from cotton seed production and cotton growing to spinning yarn in mills to sewing, weaving, embroidering, and finishing in factories and home workshops.

In the garment industry, child forced and bonded labour persists for many reasons. One is that we have increasingly complex supply chains. In addition, there's an increase in the proliferation of subcontracting, there's a shortage of adult workers in many places, and there's a demand for fast fashion—cheap fashion—from western consumers that is continually putting downward pressure on prices, which increases exploitation at the very bottom end of supply chains.

There's also a lack of laws around child forced and bonded labour. Even when there are laws, there's a lack of enforcement of some of those laws. I'm sure my colleagues at IJM will speak more around the important role of justice.

We also see a failure of mapping, monitoring, and training efforts of western retailers to reach beyond the first tiers of the supply chain, and in many cases for those same actors to realize they have a responsibility for what happens at the very early stages of the supply chain in the garments they produce.

• (1310)

What I saw last week was predominantly in cotton milling. They take the raw cotton, much like cotton bolls, and mill it down to threads. Then that goes on to form clothes that many of us would be wearing today. Cotton spinning is just one point in a long supply chain. The yarn produced in these mills is used in garments and other products imported and sold by major U.S., Canadian, and European retailers.

It is clear that businesses and companies that are selling these clothes can also play a role in protecting the young people who are exploited at the bottom end of the supply chain. This past week, we saw a lot of child labour. It was unhidden and extensive. We saw some very effective programming also, though, with positive interventions to stop severe forms of exploitation, which are ensuring young girls and their families can make better and informed decisions about if and where their children work.

A study commissioned by the Freedom Fund and the C&A Foundation in 2014 estimated that there are 100,000 women and girls in Tamil Nadu in India who are caught in spinning mills in conditions amounting to bonded labour, but more recent studies suggest that is a very conservative estimate and that it is into the hundreds of thousands.

Child labour in Tamil Nadu is generally in decline; however, work carried out by adolescents is still prevalent in mills, for the reasons discussed previously, and a large proportion of female mill workers are under 18. In the mills that are run using workers living in the mill hostels, many girls enter into employment through fraudulent recruitment processes.

Labour brokers recruit them with promises of a full package: accommodation in a hostel, decent pay, food, training, and often education. They say that there will be a lump sum payment at the end; often that's at the end of a three-year contract. Many families anticipate using that lump sum to pay off family debt and to also provide a dowry for their daughters to be married. When you're impossibly poor, the idea of not having any dowry means that your daughter may not be able to get married, so that's very critical. Once that contract is signed, the girls are under the contract of the factory

owner or broker, often in villages far away from their own and far away from the protection and support of community members.

The girls who end up in the most vulnerable situations often share root causes. They're poor. Their families are in debt, too often caused by alcoholism. They lack education and have few economic alternatives. There are gender-based disparities and cultural norms and caste discrimination. In short, they're the least powerful and most easy to exploit in the supply chain.

In the actual mills, which can vary widely from really small—we saw some with 60 people last week—to many that have thousands of girls within them, many of which we passed, girls face exploitative and dangerous working conditions, including low wages, withholding of wages, long working hours, and excessive mandatory unpaid overtime. They face many health risks due to excessive work, lack of protection equipment, and poor hygiene and nutrition. Some don't get to go to the toilet. Many girls have to leave the job before they end their contracts due to poor health and do not receive full pay or the lump sum payments that they were initially promised. Physical and sexual abuse linked to gender discrimination is a—  
[*Technical difficulty—Editor*]

• (1315)

**The Vice-Chair (Mr. David Sweet):** All right. We were wise in making sure that we got Ms. Kennedy's testimony, because we did just get cut off. We'll attempt to reconnect. She had just about completed her remarks. She had one more minute left.

We'll go now to the International Justice Mission.

Are you both going to present? You have 10 minutes if you want to share your time, or one individual can present. Please go ahead. Thank you.

**Ms. Petra Bosma Kooman (Director, Marketing and Public Relations, International Justice Mission Canada):** Wonderful. Thank you, Mr. Chair and members of the subcommittee.

Throughout the developing world, fear of violence is part of everyday life for the poor. In fact, in developing and middle-income countries, poor people often name violence as their greatest fear or main problem.

Much of that violence is experienced by victims of modern slavery. Their labour is coerced, underpaid, or unpaid. Conditions are abusive and unsafe, and they are not free to leave the workplace. Although forced labour is prohibited by law virtually everywhere, those laws do not have meaning for adults and children suffering in slavery. Under-resourced, undertrained, and corrupt law enforcement officials cannot or do not arrest and charge criminals who traffic and exploit labourers, nor do they often gather evidence that could hold them accountable in courts of law.

Dozens of industries, as we know, are rife with trafficked, forced, exploited, and child labour. As most companies can attest, major corporations bear the weight of criticism when trafficked labour is exposed. No one should question the responsibility of importers and retailers to identify and scrub their supply chains for slave-produced goods, but trafficking is a corrupt and usually hidden criminal activity that presents a huge challenge. Moreover, the nature of labour slavery in many industries is such that even the most scrupulous corporations will risk purveying slavery-tainted goods if national governments of source countries do not take responsibility for the problem. It is governments that have the authority and the obligation to enforce national laws against these crimes. It is local and national police, prosecutors, and judges, not corporate executives, who can investigate, arrest, prosecute, and punish those whose presence is inevitable in every single slavery situation—the perpetrators.

There are several mainstream approaches for reducing exploited labour in the global supply chain. They can be helpful, but none address the issue of criminals who recruit, exploit, and profit from modern slavery with impunity.

The most common approach is voluntary self-regulating policies or codes of conduct. These can serve as a compliance checklist or diagnostic tool, but they have significant limitations. The most serious deficiency is that corporations cannot hold accountable perpetrators engaging in exploitation. Law enforcement is, again, the sole purview of governments. Regrettably, industry's and consumers' heavy reliance on corporate self-regulation may even weaken the political will of states and public justice systems.

A second approach to exploited labour is corporations' attempt to achieve full-chain traceability for supplies from raw materials to final product. The transparency movement is important in that it is motivating corporations to look more closely at their supply chains, and is thus spurring innovation. In fact, it may well be a stepping stone toward enforceable standards, but again, the approach entirely circumvents the issue of government responsibility for criminal behaviour among recruiters, traffickers, and slave owners.

While corporations have a strong role to play in reversing the incidence of trafficking in global supply chains, the UN's "Guiding Principles on Business and Human Rights" places the responsibility squarely upon governments to protect individuals from slavery, noting that:

States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises. This requires taking appropriate steps to prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication.

National governments, whose sole responsibility is to protect the vulnerable and deter those who prey upon them, are crucial players who all too often are missing from the conversation. Therefore, we maintain that transforming a public justice system within the country is a cornerstone in protecting children around the world from slave labour.

International Justice Mission's theory of change is simple: when laws against slavery and trafficking are enforced and perpetrators of slavery are brought to justice, it creates deterrence. Other criminals are less likely to commit the crime. As a result, violence against the poor decreases. In fact, IJM has seen that the reliable prosecution of trafficking can lead to substantial reductions in prevalence. In each of IJM's anti-labour trafficking programs, collaboration with local authorities on hundreds of real-time cases not only provides support to local law enforcement and brings relief to victims but also identifies gaps and weaknesses in the justice system. Then IJM implements system reform programs to develop the capacity of local law enforcement officials and strengthen the system's response.

● (1320)

To demonstrate the results of IJM's justice system transformation work, I'd like to share two examples of how system reform alongside other actors has achieved demonstrable results in reducing the prevalence of children exploited in the commercial sex industry.

In the early 2000s, research reported by the Cambodian government estimated that the prevalence of minors being exploited in the commercial sex industry was as high as 30% in the city of Phnom Penh. From 2004 to 2015, IJM partnered with the Cambodian justice system to investigate and prosecute cases of child sex trafficking. After more than a decade of collaboration, including the efforts of numerous organizations, a 2015 IJM study found that the prevalence of minors in the three largest commercial sex markets in the country dropped to 2.2%, with minors 15 and younger making up just 0.1% of the sex industry. We witnessed similar changes in our areas of operation in the Philippines.

After 16 years of sustained engagement and work with local authorities, IJM's study shows that the prevalence of children exploited in commercial sex establishments in areas where IJM partners with local law authorities has plummeted between 75% and 86%. Evidence indicates that an equipped and responsive public justice system can result in a decrease of children exploited in the commercial sex industry.

IJM has undertaken studies in its general areas of operation to assess the prevalence of bonded labour. In Ghana, IJM worked with local authorities to rescue children from slavery in the fishing industry on Lake Volta. A 2013 operational assessment found that 57.6% of children on southern Lake Volta's waters were trafficked into forced labour. The majority of children were 10 years old and younger. When Ghanaian communities were asked how they believed trafficking into forced labour could be stopped, one of the most frequently cited solutions was law enforcement. Although there is still more work ahead, in 2017, IJM has seen the Ghanaian government make a concerted effort to address trafficking of children on and around the lake.

Moreover, IJM has been invested in cases of bonded labour in India since the early 2000s. Since the outset, IJM and its partners have worked with local law enforcement to rescue over 15,000 victims of bonded labour crimes.

Even though bonded labour is illegal, a 2014 prevalence study of 11 industries in the state of Tamil Nadu found that 29.9% of manual labourers were bonded labourers. The highest bondage rates were found in brick kilns; in textiles, at 61.9%; and in rock quarries, at 59.2%.

Governments and the public justice system hold what corporations do not: coercive power to hold accountable perpetrators of heinous crimes like child slave labour. Governments of slavery-burdened countries need our help. They need help from the Government of Canada. Consequently, we ask the Government of Canada to invest in public justice systems in the developing world to protect children from slave labour.

Investment in public justice systems falls under the aims and objectives of the feminist international assistance policy, which affirms that strengthening a nation's public justice system defends the rights especially of women and children. Moreover, in alignment with the FIAP, by investing in a developing nation's public justice system, Canada will be able to sustain its efforts and contribute to building local capacity. IJM Canada recommends specific investments in the development of anti-trafficking police units, special prosecutors, and legal assistance for former slaves.

We also recommend that the Government of Canada contribute \$20 million Canadian to the Global Fund to End Slavery. A non-profit, grant-making organization, it will help fund programs to combat trafficking and forced labour in countries with the highest prevalence of the crime.

With funding from donor governments and the private sector, the fund seeks to raise \$1.5 billion to fund anti-slavery programs. To date, the United Kingdom has committed 20 million pounds and the United States has committed \$25 million U.S.

Finally, as part of a holistic response, including the implementation of the recommendations already mentioned, on an annual basis the Government of Canada should require public disclosure of labour recruitment practices and supply sources from companies importing slavery-prone goods or from slavery-burdened countries.

• (1325)

Mr. Chair and subcommittee members, thank you very much.

**The Vice-Chair (Mr. David Sweet):** Thank you very much to you as well. That was well timed. Thank you.

Ms. Kennedy, you had about a minute left when you went off-line. If there are some concluding remarks, maybe you'd like to make them within a minute. Then we're going to questions, and you'll be able to fill in anything else in that regard.

**Ms. Kate Kennedy:** Yes. I would want to talk a bit chiefly about Canadian companies and their responsibilities. I think there's a distinct role for them to play in the reforming of supply chains.

On my trip to South Asia last week, I was pleased to go with a Canadian company, Lush cosmetics. They are a standout example of a thriving Canadian company. They're producing from Vancouver and Toronto. They're very focused on transparency in the supply chain in a number of different ways, but increasingly to ensure there's no child labour. That was one of the purposes of our trip last week.

While commending them, I think one of the situations commercially is that companies like Lush, companies that maintain the highest ethical purchasing standards, can often be put into an unfair playing field if other companies aren't operating in the same way. That is where legislation can also exist so that there is an even playing field in that way. Other companies, unlike Lush, are going to be motivated by penalty or compulsory reporting to begin to address these issues. This is where the development of comprehensive supply chain legislation by the Canadian government can be crucial in moving the dial and having—

**The Vice-Chair (Mr. David Sweet):** Thank you very much, Ms. Kennedy. That's all the time we have. Time is always our enemy in the committee, and unfortunately my job is to be brutal so that everybody gets a fair amount of time.

Go ahead, Mr. Anderson.

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** I want to thank our witnesses for being with us today, and I want to take a direction that's a little different from the one that I think we've taken in some of our other questioning.

For both of you, when I look at your websites, I see that you're both talking about online exploitation. Freedom Fund has an interesting article about a video game that's been developed in India to educate young people and families, and I noticed that IJMC talks about a case that was solved in the Philippines a few weeks ago.

If you wouldn't mind talking about it a bit, how do you deal with trafficking when it's service exploitation, if you want to call it that, rather than product- or labour-related exploitation. Do you have anything to say on that?

**Ms. Kate Kennedy:** I would defer to IJMC on these things. They're the experts in the field of online exploitation, particularly in the Philippines.

**Mr. David Anderson:** Okay.

Go ahead.

**Ms. Petra Bosma Kooman:** I'll give you a bit of background.

IJM has worked in the Philippines for several years. We've traditionally worked in traditional sex-trafficking cases, typically the exploitation of minors and trafficked women in commercial sex establishments. We found there was a great deterrent effect that resulted when law enforcement was able to respond well to these cases, such that, as I mentioned in our piece, there was a drastic reduction in the prevalence of children in the commercial sex industry.

At the invitation of the Philippines' national government, we were invited to partner with the Philippine National Police and other local law enforcement authorities to address the online sexual exploitation of children.

One thing that's always important for us to remember is that these are real children being abused in real time by perpetrators on the other side of a camera. Very often, these perpetrators are directing the abuse. It is being live-streamed. They are capturing the images and very often saving these images to their laptops. The live stream can be streamed to several perpetrators across many different countries. In cases that IJM has taken on, the abuse has been streamed quite often to western countries. Canada, the U.S., Europe, and Australia have often been found here.

Member Anderson, the case you referenced was that of a Saskatchewan man who was exploiting children in the Philippines online. It was a 27-year-old individual. He was being investigated by the RCMP; as a result, there were images of these children in the Philippines found on his home computer. The case was referred to the Philippines authorities.

IJM, in collaboration with local law enforcement authorities, was able to rescue nine children between the ages of two and nine years old. Those children are currently safe in aftercare homes. It was that Saskatchewan man who had been abusing them online. He has been sentenced to 12 years in jail, which I believe is the longest sentence that's been handed down in Saskatchewan for a non-contact crime. Previously, an eight-year sentence was the longest sentence handed out.

• (1330)

**Mr. David Anderson:** Can you give us an idea, then, of where you come into that scenario? You're in the Philippines. You have an organization there. At what point do you get involved? Do the police call you? How do you know about this?

**Mr. Edwin Wilson (Executive Director, International Justice Mission Canada):** Essentially our role is to provide logistical and tactical support to the Philippine National Police. Because of our long history of engagement with local law enforcement in a variety of different crimes, we have developed some expertise in how to mount an intervention and how to protect evidence. We do serve in a capacity-building role alongside local authorities.

We are not seeking in any way to supplant or replace the responsibility of local law enforcement in the enforcement of the laws of their country, but with our international experience and the access to policing resources that we have, we are able to serve alongside the Philippine police. We serve in a similar way in support of local and national police in India in intervening in bonded labour and child labour cases as well.

**Mr. David Anderson:** Do you apply any of your knowledge about supply chains to a case like this? Do you find any parallels or any place...?

We've talked lots about supply chains here at committee in the last few meetings. I'm just wondering if there are any parallels between how you would deal with exploitation in one area and how you deal with it or address it here.

**Ms. Petra Bosma Kooman:** I think there are two answers to your question.

The first one is IJM's area of expertise, which is that when laws are in force, they create a deterrent effect. You don't need to hold accountable every single individual who exploits children on either side of the screen; you just have to hold accountable enough to deter other would-be perpetrators from committing the same crime.

That has been our theory of change for a long time—that there will be a decrease in the exploitation when there is a credible deterrent, the enforcement of laws. There are many laws on the books, but when those laws are not enforced, they essentially become paper tigers. They might look scary, but they have no effect.

The vision is to give the laws teeth.

**Mr. David Anderson:** When we see 12-year sentences, those should deter a few people.

Ms. Kennedy, I think on your website it says that 13,522 people have been liberated through the work that your organization has done. What does that look like for those people? So many people are migrating and moving because they're trying to improve their lives. Some of them end up being able to do that, while others end up being exploited. What does it look like? What does it mean when you say there are 14,000 people who have been liberated and are now living different lives?

**The Vice-Chair (Mr. David Sweet):** Please be as brief as possible, Ms. Kennedy.

**Ms. Kate Kennedy:** You're correct to say it's economic migration or migrating because you're coming from a desperately poor village and moving to a neighbouring country. For example, you're a Cambodian going to Thailand or an Ethiopian going to the Middle East. That is often why people end up in exploitative situations like slavery or bonded labour. The recruitment process is really key to ensuring that this doesn't happen.

Our work varies in each country. In central Nepal, it is about removing prepubescent girls from the sex industry; in Tamil Nadu, it's about aiding girls and preventing them from being exploited and going into bonded labour.

Liberation looks different in every place. Sustainable liberation is about ensuring that people go through appropriate trauma recovery, and then have sustainable vocations that they can move into so that they're not re-trafficked or vulnerable to re-trafficking.

**The Vice-Chair (Mr. David Sweet):** Thank you very much, Ms. Kennedy. That's all the time we have now.

Mr. Fragiskatos is next.

**Mr. Peter Fragiskatos (London North Centre, Lib.):** Thank you very much, Chair.

Petra and Ed, last time we met in person, but it's good to have you here at the committee today. Thank you for all the work you're doing. We have an obvious London connection, because you are based there with the office. That's where I want to begin, in fact.

I want to ask Petra and Ed, if I could, the following. We see an obvious connection between modern slavery and poverty. It's easy enough to draw that connection, but once we examine it further, it's not automatic that a society experiencing poverty also has the experience of modern slavery.

I wonder if you could delve into other dimensions deep within the social structure—caste, gender, and perhaps particularly for IJM, the legal system.

Petra, in your presentation, you even drew a link between a feminist approach to international development and access-to-justice programming. Because that's the area of expertise for IJM, I wonder if you could look at that element of the social structure in particular.

If we're going to deal with these problems, we could do it by modelling the legislation here in Canada on what's happened in the United Kingdom with the Modern Slavery Act, and examining supply chains and looking at that very closely to ensure ethical sourcing. However, that will take us only a certain step of the way—in fact, a small step—towards the goal of attacking, meaningfully, the problem of modern slavery.

Please look at that issue of access to justice from a feminist perspective, if you could.

•(1335)

**Mr. Edwin Wilson:** I'll respond to your question first, Mr. Fragiskatos.

Our work is based on a conviction that the poor do not have access to the law; therefore, the law is not protecting the poor in the way that it is those who have greater financial resources. The truth is that very often it is members of minorities in the countries where we operate and those who have less power who suffer the most. Certainly the women and children in many societies are among the most powerless. Our work is focused on ensuring that all members of a society, even those with the least power, are able to experience the protection that the law should provide them.

We do find ourselves quite often working with minorities. We find that in India, for instance, the majority of our clients are members of the scheduled caste, the scheduled tribes in India, but it's their poverty for social reasons, for customary reasons, that has caused them to lack the protection of the law.

We find in every location that we are able to form coalitions of organizations that share our objectives and are as concerned as we are that all members of a society, even the weakest and the most vulnerable, can experience protection.

We've seen, over time, in locations like Cambodia and the Philippines.... In Cambodia, for instance, many of those who are suffering from sexual exploitation are members of the Vietnamese minority within Cambodia, so again there is a social or an ethnic dimension to the work we do.

In northern Thailand our work is focused on ensuring that the members of the hill tribes and minorities in northern Thailand receive the citizenship to which they are entitled as those who are born in Thailand.

Irrespective of the social or ethnic or cultural dimensions, the common factor in all cases is poverty, and the poor unfortunately do not receive the protection of the law that they deserve.

**Ms. Petra Bosma Kooman:** I would add a note as well, MP Fragiskatos, that one thing we do see is that laws are normative, and that when laws are applied consistently and evenly across the strata of rich and poor, the haves and have-nots, laws do have the ability to transform a society.

I notice that a stream in the question you presented was on how you ultimately transform a society. I think it's the consistent application of a law that fully transforms a society.

If I can break it down for just a moment to how we understand this playing out in our own culture, 10 years ago texting and driving wasn't against the law. Texting and driving is now against the law, and there is a punitive consequence to texting and driving. As a result, the majority of the members of our society no longer text and drive; in fact, doing so is looked down upon.

**Mr. Edwin Wilson:** It's self-policing.

**Ms. Petra Bosma Kooman:** It's self-policed. We no longer text and drive.

**Mr. Peter Fragiskatos:** Thank you very much.

Could you go into the connection that you made between a feminist approach to international development and access to justice? Could you tease that out a little more?

•(1340)

**Mr. Edwin Wilson:** I would draw the committee's attention to the policy itself. There are, as you know, a number of action areas. Under the fifth action area, which speaks of inclusive governance, one of the priorities is ensuring that the rule of law is upheld. There is a statement contained in the policy, which we think is very much on point.

Reform of the judicial system is also required to ensure that women and girls have equal access to justice, including equal protection of their rights by state institutions such as the police, prosecutors,...and courts.... Special measures may be needed to protect and support women's rights defenders who are subject to ongoing intimidation, violence and abuse.

True justice for survivors of sexual and gender-based violence cannot be achieved when perpetrators are not held to account.

That's a very appropriate description of the role that we would see International Justice Mission playing in a society: ensuring that the most vulnerable members of society, who unfortunately often are women and children, experience equal access to justice and experience equal protection of the law as well.

**Mr. Peter Fragiskatos:** Thank you very much.

The final question is to Ms. Kennedy.



Would you agree, Ms. Kennedy, that in terms of what democracies such as Canada are empowered to do, it's appropriate and meaningful to put in place legislation such as the Modern Slavery Act that we see in the U.K.? Could something be put forth here in Canada, modelled on that and on other approaches that have been taken in the Netherlands, France, Australia, and California? That is a relatively small part of the overall solution. Really delving in and having a focused foreign policy, a focused development policy, is the way to address the problem of modern slavery, because the problem of modern slavery emanates out of the social structure—caste, gender, access to justice issues—and so many other challenges.

Would you agree with that perspective?

**The Vice-Chair (Mr. David Sweet):** Ms. Kennedy, you'll have to make a note of that question. I'm sorry—and if you're feeling victimized, I'll understand—but our time ran out again. Maybe another member will allow you to go back and answer that question.

Ms. Hardcastle is next.

**Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP):** Thank you, Mr. Chair.

I want to thank the witnesses for all of their insight here today.

Our role is ultimately to make recommendations in terms of what the government's role could be and what we could do. We heard from other witnesses about the importance of supply chain transparency. It was touched on a little here today with the example Kate gave about her experience of travelling with a cosmetic company. We also heard from IJM about the importance of law enforcement.

To IJM, I'm very intrigued by what you can share with me. You had some best practices, obviously, from some of the success stories you discussed, particularly in Cambodia and I think in the Philippines. I think Petra also said that you need help from the Government of Canada to invest in public justice systems.

I'd like to hear from the three of you on some of the opportunities that we're not seizing on right now as a government—not just supply chain transparency, but perhaps even, rather than side agreements in our trade agreements, their entrenchment right in main bodies of future agreements. I'd like to hear some more about that.

**The Vice-Chair (Mr. David Sweet):** Ms. Kennedy, we'll give you the first crack at that.

**Ms. Kate Kennedy:** Thank you.

Really quickly, and touching on some of the other questions as well, aid and trade and border control are really critical elements to these, but we at the Freedom Fund definitely believe that the early, easy reach to some of the people I spoke about earlier, those deep in the supply chain, is the supply chain legislation. We think the global movement also allows for multinationals to have consistent reporting and to be more deeply committed to the legislation globally. That's a really clear statement that we make. We think that's the best thing Canada could do right now.

I'll close it off there. I know that time is tight.

• (1345)

**The Vice-Chair (Mr. David Sweet):** IJM, would you comment?

**Mr. Edwin Wilson:** Stressing the importance of investing in the development of local and national law enforcement systems is a consistent theme with International Justice Mission. I believe we are able to make a case for those kinds of investments based on our success stories in Cambodia and the Philippines. We are convinced that it will turn the tide on issues like child labour, forced labour, and sexual violence against women and children. We are investing in those efforts in other areas of the world as well.

Consistently, international development agencies, including donor governments, have invested, according to our research, not much more than 1% of the total aid given in the strengthening of justice systems. We think we will experience far greater returns for our investments in other areas if we are prepared, as donor agencies and governments, to strengthen the local law enforcement systems. It often simply means providing training and resources or educating police in these countries, who often are poorly educated and poorly paid but will respond well to the need to intervene on behalf of the poor in their country if they're given some encouragement and support.

**The Vice-Chair (Mr. David Sweet):** Thank you very much.

Go ahead, Ms. Hardcastle.

**Ms. Cheryl Hardcastle:** In terms of investing in local justice systems, would you envision, then, that the capacity is built to the point where they can enforce, say, corporate conduct at home or abroad? How do you envision that? Who is legislating that corporate conduct? In terms of corporate access to any goods and services, who is the onus on? Is the onus on the government to make sure that's not there, or is there a balance? I just wonder how that works when we're talking about local economic activity and economic activity that comes from abroad and comes from a different jurisdiction.

**The Vice-Chair (Mr. David Sweet):** Go ahead, Ms. Kennedy.

**Ms. Kate Kennedy:** I believe that the supply chain legislation that was begun with the Modern Slavery Act and has gone through Australia enables us to put the responsibility on businesses for every layer of their supply chains, right down to the cotton that's milled, which we spoke about earlier. They report to government, and then governments have the opportunity to create penalties around that for poor performance. I hope that answers your question.

Really, we have to create an environment that motivates companies to have awareness when there are children and severe exploitation such as slavery in the supply chains that create the goods that they sell in Canada.

**The Vice-Chair (Mr. David Sweet):** Go ahead, IJM, very briefly.

**Ms. Petra Bosma Kooman:** We'd agree with Ms. Kennedy. In addition to a supply chain policy or legislation, governments—and, as a result, police forces—remain the only entity with coercive power. They are the only entity that can actually restrain a perpetrator, a trafficker who exploits children, in the supply chain. That's why we believe that a cornerstone investment is in the public justice system.

**The Vice-Chair (Mr. David Sweet):** Thank you very much.

Mr. Tabbara is next.

**Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.):** Thank you, Mr. Chair.

I'm going to follow up on MP Fragiskatos' question that you weren't able to answer, Ms. Kennedy. I'm going to try to reiterate what he said.

The French and the U.K. have passed legislation, but that's for just one part of the problem. Passing legislation is the start of it, but in these countries that have such labour issues and modern slavery enacted in them, how do we ensure—Petra, you mentioned coercive powers—that law enforcement, NGOs, and women's activist groups are on the ground changing and transforming society and ensuring that this legislation is upheld?

• (1350)

**Ms. Kate Kennedy:** Slavery is an incredibly complex crime and actually requires systemic change. There's just not one silver bullet. There's not one rescue or one reform that will change it.

It does require a role for Canadian aid through economic development programs and the access to capital that enables people to not drop into debt, which is often a great source of people migrating economically. The role of the Canadian aid arm is critical here.

Also, picking up on the earlier question about the role of women, as IJM has already said, women and girls are disproportionately affected by the exploitation of slavery in all its many forms. Equally, in our experience on the front line, the role of women and girls to be activists, to guide other women from falling into the same things and to lead adolescent peer-led groups to become survivor-led activists in front-line NGOs, is also really critical. That is part of the systemic change that needs to happen to ensure the whole system is effectively changed.

**Mr. Marwan Tabbara:** Ms. Kooman or Mr. Wilson, could you comment as well?

**Mr. Edwin Wilson:** A very key element in our program, which I think will address your concern, Mr. Tabbara, is the fact that we are committed to ensuring that every one of our clients is supported to the point where they are able to develop a sustainable livelihood, which ensures they are not drawn back into an exploitative relationship. This again is conducted in partnership with local social welfare agencies and other civil society groups. We have made a two- to five-year commitment to each individual to develop their independence and a sustainable livelihood to ensure they remain free and independent.

Again, I think that speaks to the importance of societal transformation in these contexts if we are to see communities flourish in the way that we hope they will.

**Mr. Marwan Tabbara:** I'm running out of time.

I know we focus on child labour, and that's generally what this study is about, but witnesses have also talked about looking at a family unit as a whole, with the parents having low-wage jobs, and there's kind of this reciprocal cycle.

Can you comment on that really briefly?

I'll hand it over to Ms. Kooman.

**Ms. Petra Bosma Kooman:** There is a piece of research that was not conducted by IJM but that did affirm what we have encountered, which is that children, especially in the slave labour industry in South Asia, are often recruited in family units. Their parents are recruited, and as a result, because children can increase productivity and output, they will be recruited alongside the parents. The entire family unit will then be found in a situation of slavery.

**Mr. Marwan Tabbara:** Thank you.

**The Vice-Chair (Mr. David Sweet):** Thank you very much, Mr. Tabbara.

We're going to go to Mr. Anderson, but I'm going to do something a little bit counterintuitive and just ask a question myself. I'm going to ask it to Ms. Kennedy, but it's about International Justice Mission.

I've been on this committee for almost 12 years, and I've had a number of things that have been epiphanic moments. One of them was when their U.S. counterpart released a book called *The Locust Effect*. It was in regard to the fact that if you invest aid without security, then you're asking for sometimes a portion of it or all of it to be lost, because of this locust effect in which gangsters come in and take it away.

What is your perspective on that in regard to aid with a balance of security and law enforcement?

**Ms. Kate Kennedy:** The first thing I would say is that human trafficking is a criminal trade, and it's estimated that profit is at \$150 billion per year, so there's money changing hands with recruiters. One of the preconditions we spoke about earlier for slavery to thrive is definitely corruption. In fact, if you look at the corruption index and overlay it with the countries with the worst slavery, you do see a massive parallel between those things.

You often have criminal activity in the places where slavery is, so you do need security around the investments you have. I think that's a critical point.

• (1355)

**Mr. David Anderson:** Thank you, Mr. Chair. I appreciate the opportunity.

I would like to follow that up. We had a couple of questions about sustainable livelihoods and those kinds of things, and security.

Freedom Fund, you talked about having a number of partners. Do you partner with anyone to encourage entrepreneurs? So much of this is an economic issue, and it creates so many of the other issues we're talking about here. Do you have partners who provide microfinancing or entrepreneurial skills and those kinds of things? IJM may want to answer as well. Could you tell us a little bit about that? Do you see that as a solution?

**Ms. Kate Kennedy:** Yes, we certainly do see access to cheap capital as a solution. In some cases it's about creating viable vocational training. That may be teaching seamstressing or something that's viable in a particular region to give someone a livelihood, but in other cases it's about social entrepreneurship or giving access to capital to start small businesses.

One of the things I saw just last week in southern India was a fantastic NGO that is giving women access to small business ownership. One of them is related to fruit and cotton. For example, one of them was mangoing. A very small investment allowed them to buy mango, dry it, and then sell it at the market. It got them out of exploitative situations in cotton mills and in that way enabled them to have a future.

The goal is to pay off the debt. The local interest rate was running at more than 25%, which was very high. Within six months they were paying that off, scaling up the business, and employing more girls out of the mill.

One of the opportunities in an environment like that is to look for cheaper capital to seed those sorts of businesses so they can move and grow faster and not get caught in a debt triangle.

We definitely are investing in front-line organizations that are coming up with innovative solutions to provide cheaper capital for business creation—

**Mr. David Anderson:** I'm going to run out of time really quickly.

Do you do anything to get them into the supply chains? Is that just a matter of they're doing a business, and they will get into it naturally, or do you have programs that integrate them into the supply chains we're talking about, so that by the end they can be doing the supplying?

**Ms. Kate Kennedy:** It's a very interesting question. We were talking last week with a group of women about whether they would be interested in buying a cotton mill in an area in South Asia. That would mean a direct investment. I'm not aware of any purchasing of specific businesses within the existing supply chain that we've done, but it's a very good pathway to consider and potentially for Canadian aid to invest in.

**Mr. David Anderson:** Petra, you look as though you want to get in on this.

**Ms. Petra Bosma Kooman:** I do.

**Mr. David Anderson:** Go for it.

**Ms. Petra Bosma Kooman:** Do you want to take this, Edwin?

**Mr. Edwin Wilson:** I was going to mention that part of the framework we are working within in India is the enforcement of the 1976 bonded labour act, which sets out certain conditions that define when a person is actually a bonded labourer. Associated with that act

is a provision for a rehabilitation grant to be given to individuals who have been released from a bonded labour situation.

We've had some great success in helping those individuals effectively manage that fund of money they've been given by the Indian government in order to invest it in their own business. We've had individuals who've been rescued, so to speak, from a bonded labourer experience in a brick kiln and who've gone on to set up their own free market enterprise brick kiln.

I think part of what we hope to demonstrate is that individuals who are free produce more than those who are enslaved. There may be more that could be said on that, but I think that comment will suffice.

**Mr. David Anderson:** Thank you.

**The Vice-Chair (Mr. David Sweet):** Thank you very much.

We have about two minutes left. Is there another questioner on the Liberal side?

**Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.):** Thank you.

Thank you for the emphasis on governance. When I was working in Bangladesh, I was advising the parliamentary committees in the parliament there. The women's committee was very interested in this issue of children and children's work and what parliament could do, first of all in terms of legislation, but also in terms of parliamentary oversight.

That program was funded by the Netherlands, but is this an area where you could see countries like Canada focusing on not just the judicial system or the government executive branch, but also on parliamentary oversight in terms of the implementation of laws?

● (1400)

**Mr. Edwin Wilson:** I believe so. We've had some great experience for the past number of years with having superior court justices from Canada travel to Bolivia with some frequency to provide training to the judges in Bolivia, but we've reached a point where we recognize that the next step in the change process we're leading is to introduce Canadian legislators to legislators in Bolivia so that the cornerstone principle of judicial independence is affirmed and reinforced by legislators, rather than simply being something that judges in Bolivia would wish for.

I agree absolutely.

**Ms. Anita Vandenbeld:** Thank you.

Did you want to comment, Ms. Kennedy?

**Ms. Kate Kennedy:** Yes. I was just saying that deepening the engagement of governments with trafficking victims is critical, both in the source countries and in the destination countries. I think engaging legislators is something that we haven't seen enough of, and it could really play a role in deepening the engagement of those governments.

**Ms. Anita Vandenbeld:** Thank you.

**The Vice-Chair (Mr. David Sweet):** On behalf of the committee, I want to thank the witnesses very much for your time and your testimony. More importantly, I would like to thank you very much for bringing justice to the powerless and the vulnerable. You do great work. I greatly admire both organizations, and I just want to say thank you very much for what you do.

**Mr. Edwin Wilson:** We thank you for your attention to this issue.

**The Vice-Chair (Mr. David Sweet):** Ladies and gentlemen, the meeting is adjourned.

---







Published under the authority of the Speaker of  
the House of Commons

---

### SPEAKER'S PERMISSION

---

The proceedings of the House of Commons and its Committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its Committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

---

Also available on the House of Commons website at the following address: <http://www.ourcommons.ca>

Publié en conformité de l'autorité  
du Président de la Chambre des communes

---

### PERMISSION DU PRÉSIDENT

---

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

---

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante : <http://www.noscommunes.ca>