



April 2023 – Brief presented to the House of Commons Standing Committee on the Status of Women as part of the study on the trafficking of women and girls for sexual exploitation

Concertation des luttres contre l'exploitation sexuelle (CLES) is a feminist organization that works with women who have experienced sexual exploitation and that provides alternatives to women seeking to exit prostitution. We have been in operation since 2005. We welcome and support more than 200 women annually. Most of the women who interact with our organization are between the ages of 24 and 35. In total, 25% of them are women from ethno-cultural minorities, and nearly all of them live in extreme poverty. As such, poverty is both a reason women enter into prostitution and a barrier to leaving it. Therefore, reducing poverty among women should be one of the key areas to address sex trafficking. If Canada had a guaranteed, viable basic income, fewer women and girls would enter the sex industry, and they would be less likely to be victims of human trafficking.

In order to address one of the Committee's goals, today we will focus on preventing sex trafficking and on providing support for women and girls who have been victims of this form of violence. We appreciate that the Committee has decided to focus specifically on the issue of human trafficking for the purpose of sexual exploitation. This is a worthwhile topic.

Although Canada passed legislation on human trafficking in 2005 and to criminalize the purchase of sexual services in 2014, Canada continues to treat these two crimes as though they are unrelated. This is a mistake and certainly explains why our efforts to address this form of violence against women and girls are stagnating.

We would like to propose three major changes to the government's approach to address human trafficking for sexual exploitation.

First, as set out in the Palermo Protocol and as the United Nations General Assembly reiterated last December, governments must “13. intensify their efforts to prevent and address, with a view to eliminating, the demand that fosters the trafficking of women and girls for all forms of exploitation and in this regard to put in place or enhance preventive measures, including legislative and punitive measures to deter exploiters of trafficked persons, as well as ensure their accountability.”

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/759/67/PDF/N2275967.pdf?OpenElement>

Addressing demand is the key tool in addressing human trafficking. All the countries that have adopted a socio-legal model criminalizing the purchase of sexual acts have seen a significant decline in trafficking for sexual exploitation on their territory. Canada has similar legislation, the *Protection of Communities and Exploited Persons Act* (PCEPA), which criminalizes the purchase

of sexual services in Canada. However, it is not enforced the way it should be, there are many inconsistencies, and it does not address prevention—for example, targeted messaging for those who purchase sexual services, who are the root of the problem.

Second, we know that a majority of women in the sex industry (80% to 95%) would like to leave it, but they do not have access to the assistance and support they need, including access to income, access to housing, access to status where necessary, access to education or work, and access to psychosocial support. The equality model, which has been adopted by some countries, such as Sweden, Iceland, Norway, France and Ireland, use legal and social tools to change the behaviours of those who pay for sexual services, **while providing more security and protection** for women, who are the victims.

Third, commercial sexual exploitation is the most taboo form of violence against women and girls. Sex trafficking is intimately tied to equality for all women and is not just a matter of public safety. To this end, we believe that it would be easier to identify and address human trafficking for sexual exploitation if it were included in a **national action plan on commercial sexual exploitation** under the responsibility of the Department for Women and Gender Equality.

CLES was involved in establishing the Coalition des femmes pour l'égalité. The Coalition brings together six organizations that work with women experiencing various forms of sexual or physical violence, including commercial sexual exploitation, on a day-to-day basis. Some of our recommendations below were put forward by the Coalition. We believe that the government should do more for women involved with prostitution and offer Canadian women and girls an alternative to prostitution and trafficking.

RECOMMENDATIONS

- Strengthen, maintain and raise awareness of the legislation criminalizing the purchase of sexual services (better known as the PCEPA);
- Implement a support program for exiting prostitution so that women seeking to leave the sex industry can do so. The program should emulate the French model, which has given more than 1,200 people a way out of prostitution since 2016, including 643 in 2022, in addition to enabling 95% of these women to return to the labour market and obtain housing;
- The Act, as passed in 2014, marked a paradigm shift in understanding the issue of prostitution. Women involved in prostitution are, first and foremost, recognized as victims in some form. This should lead the current government to completely decriminalize persons who solicit other persons to offer them sexual services in exchange for money, which would mean deleting section 213 of the *Criminal Code* of Canada;
- The government must also implement a mechanism to completely expunge the criminal records of women who have been found guilty of crimes related to sections 213, 210.1 and 212 committed prior to 2014;
- As the national action plan to combat human trafficking proposed, the government should amend refugee and migrant protection regulations to ensure that women who have been

victims of sex trafficking are not deported and that existing mechanisms to provide them with support are implemented; and

- Develop a new national action plan under the responsibility of the Department for Women and Gender Equality that addresses both prostitution and sex trafficking, recognizing that practices resulting from these systems undermine equality rights.