



Brief to the House of Commons Standing Committee on the Status of Women

Study on Human Trafficking of Women, Girls and Gender Diverse People in Canada

Submitted by VCASE, April 2023

Current situation in Canada

Statistics show that human trafficking of women and girls in Canada is most often for the purposes of sexual exploitationⁱ with 96% of victims of human trafficking in Canada identified as women and girls.ⁱⁱ A data analysis by Thomas Reuters Corp. in the *Globe and Mail* showed the trafficking of women and girls for sexual exploitation in premises such as massage parlors is pervasive in Canada and extremely profitable for criminals.ⁱⁱⁱ How right is it that trafficker's profit from the life-long harms they cause to the most vulnerable members of our society?

There is no way to separate the commercial sex industry from the offence of trafficking. Sex trafficking exists because of the commercial sex industry. As long as there are buyers, there will be exploitation to meet the demand.^{iv}

Addressing demand

Recognizing the importance of limiting demand to reduce exploitation requires measures to limit the ability to purchase sexual services. The *Protection of Communities and Exploited Persons Act* has made the purchase of commercial sex illegal in Canada. The main purpose of this law as articulated in the preamble is to eradicate trafficking for the purpose of sexual exploitation. However, this law has not been effectively and uniformly enforced across the country. One recent study showed that the possibility of arrest can have a deterrent effect on a buyer's willingness to purchase sex.^v Addressing demand for commercial sex is an effective way to combat trafficking.

The failure of the legalization/full decriminalization model

One has only to look at the example of legalization of prostitution in Germany to see the harmful effects on society and the increase in human trafficking. Germany is now known as the bordello of Europe.^{vi} Women from Eastern European countries such as Bulgaria, Romania and Hungary are lured into Germany to fill the demand.^{vii} A recent report from the European parliament has found that where prostitution is legalized or not regulated, trafficking increases, as well as organized crime and other criminal activities.^{viii} Another study of a cross section of up to one hundred countries has shown that where the sex industry is legalized, trafficking increases.^{ix}

Canada's future

The evidence from countries that have legalized prostitution or decriminalized the purchase of commercial sex is a wake-up call to Canadians. Failure to retain our laws against the sex buyer would be disastrous. Without an effective law that criminalizes the purchase of sex, Canada would become a sex tourism destination, with all of the inherent problems found in countries that have legalized or decriminalized the purchase of sex. Trafficking of women and girls would increase to fulfill the demand.

Retention and enforcement of Canada's law, the *Protection of Communities and Exploited Persons Act*, is one effective tool against human trafficking. This law is part of a global movement towards recognition of the gendered nature of prostitution and the harm of sexual exploitation through trafficking and prostitution. The Nordic-style legislation on prostitution has ~~now~~ been enacted in several countries worldwide, signifying a real movement towards gender equality. This type of legislation honours the commitment that Canada and other nations have made to uphold the Palermo Protocol, which requires developing legislation to address trafficking.^x Women, girls and gender diverse people all have the right to remain free from the harms of sexual exploitation.

Recommendations

We urge the Government of Canada to take immediate action on the following:

1. Focus on demand for commercial sex as the driving force behind sexual exploitation through trafficking and prostitution.
2. Recognition of the gender bias and power imbalance inherent in the offences of trafficking and the purchasing of sexual services and the subsequent damage to the welfare of Canadian women, girls, and gender diverse people as well as damage to our society as a whole.
3. An extensive campaign of education for all Canadians to increase awareness of the link between trafficking and sexual exploitation through prostitution, the harms of sexual exploitation, and awareness of the laws in Canada that prohibit the purchase of sex. Sweden's educational program was instrumental in changing public perceptions following introduction of the Nordic model of law, which seeks to address the gender inequality inherent in trafficking and prostitution.
4. Retention of the *Protection of Communities and Exploited Persons Act*, and consistent and uniform enforcement of PCEPA throughout Canada, to directly reduce the demand for paid sex.
5. Education of all stakeholders in our judicial system and law enforcement so that they understand how to enforce and prosecute under PCEPA.
6. Collaboration between all levels of government to ensure that enforcement and prosecution is uniform across the country.
7. Provision of long-term trauma-informed services for all those exiting prostitution, with robust funding for programs.

About us

The Vancouver Collective Against Sexual Exploitation (VCASE) is a non-partisan group of diverse individuals and organizations who have come together as a single voice to end all forms of sexual exploitation. Our aim is to retain, strengthen and enforce the *Protection of Communities and Exploited Persons Act* (PCEPA.)

ⁱ <https://www.canadiancentretoendhumantrafficking.ca/wp-content/uploads/2021/10/ENG-Human-Trafficking-Trends-in-Canada-%E2%80%93-2019-20-Report-Final-1.pdf>

ⁱⁱ <https://www150.statcan.gc.ca/n1/pub/85-002-x/2022001/article/00010-eng.htm>

ⁱⁱⁱ <https://www.theglobeandmail.com/business/article-human-trafficking-shell-companies-money-laundering/>

^{iv} Janine Benedet, Presentation to the APPG on Human Trafficking and Modern Slavery, March 15, 2023.

^v <https://www.demandabolition.org/wp-content/uploads/2019/07/Demand-Buyer-Report-July-2019.pdf>

^{vi} https://www.huffpost.com/entry/germany-wins-the-title-of_b_7446636

^{vii} <https://www.businessinsider.com/prostitution-is-legal-in-countries-across-europe-photos-2019-3>

^{viii} [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/695394/IPOL_STU\(2021\)695394_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/695394/IPOL_STU(2021)695394_EN.pdf)

^{ix} Seo-Young Cho, Axel Dreher and Eric Neumayer, Does legalized prostitution increase human trafficking? (2013) 41 World Development 67-82.

^x <https://www.unodc.org/unodc/en/human-trafficking/protocol.html>