



House of Commons
CANADA

Standing Committee on the Status of Women

FEWO • NUMBER 017 • 1st SESSION • 39th PARLIAMENT

EVIDENCE

Thursday, October 19, 2006

—
Chair

The Honourable Judy Sgro

Also available on the Parliament of Canada Web Site at the following address:

<http://www.parl.gc.ca>

Standing Committee on the Status of Women

Thursday, October 19, 2006

•(1115)

[English]

The Chair (Hon. Judy Sgro (York West, Lib.)): We are convening meeting 17 of the Standing Committee on the Status of Women. We will commence our meeting now.

Could we just go over what you should have in front of you as information that you need for this meeting? You should have a copy of the agenda; the briefing documents from the Library of Parliament for our witnesses; and an article by Mr. Poulin, from the University of Ottawa, who is going to speak to us.

I just want to make sure everybody has what they're supposed to have, because it seems to create a bit of a kerfuffle as we go through.

You should also have the committee calendar, which is updated with confirmed witnesses. Those we have confirmed are in bold, so we have our two witnesses.

You also have a notice of motion from Ms. Mathysen. She gave us that at our last meeting, and she has asked to speak to that before the witnesses proceed, as she has indicated that she is not sure if she can stay for the full meeting.

Did you want to speak to that briefly, Ms. Mathysen?

Mrs. Irene Mathysen (London—Fanshawe, NDP): Yes, Madam Chair, but I have a question about the calendar before I do. I note that the Minister of Northern Development and Indian Affairs is supposed to be with us on Tuesday of next week, and that he's only here for one hour. Is that true?

The Chair: Yes. First, I'm very glad that he accepted so quickly to come, and he is giving us an hour. He will be here from noon until one o'clock. The clerk has been unable to confirm any other witnesses for that morning, and we don't have any other outstanding committee business with which we could fill in that hour. Unless someone from the committee has a suggestion, we would be meeting from twelve until one to hear the minister.

Ms. Minna.

Hon. Maria Minna (Beaches—East York, Lib.): Just as a bit of a reminder, we have a motion suggesting that we have some deputy ministers from various departments come and talk about gender-based analysis. We also said we would try to find time as we went along. If there are gaps, then that might be one way of starting to do that work.

The Chair: We do have a meeting set up on Monday, November 6, specifically with the deputy ministers who are coming. Otherwise, I would have tried to ask the clerk to schedule them in.

Ms. Smith.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): For the 23rd, I know there are witnesses who want to come. Can we somehow assist those witnesses in getting here, and then wait a couple of days to see if they can be confirmed? I would like to not throw us off the agenda, but I know there are a lot of people who have actually called my office and who are looking forward to being witnesses here. Sometimes, if you can't talk to a real person, it's hard to confirm with the telephone tag. Perhaps we could help in that, because I do think we could get witnesses for that day.

The Chair: The clerk has indicated that she has attempted to fill that hour and was unable to.

Would you like to speak to that, Ms. Tittley?

The Clerk of the Committee (Ms. Michelle Tittley): I can comment on all of the names you see here on the calendar. If they're listed on the calendar, it's because they've been requested to be present. As you can see, the ones who are in bold are the ones who are confirmed.

As of right now, it's difficult. I have not been able to find anyone for the one-hour slot before Minister Prentice. Perhaps the committee has additional suggestions of local representatives whom they may wish to have. It would be much easier to contact them than someone who is further away from Ottawa.

The Chair: Ms. Smith.

Mrs. Joy Smith: Could we just have a day or two before we change the agenda? There are a couple of people I would like to phone, just to see if they could be here for the 24th.

The Chair: I would suggest, Ms. Smith, that you give those names to the clerk. She will immediately try to get hold of them as soon as possible. It would be great if we could fill that other hour as well, so just give her the names as soon as possible and she will attempt to get hold of them.

Ms. Mourani.

[Translation]

Mrs. Maria Mourani (Ahuntsic, BQ): Thank you, Madam Chair.

I also would like to suggest a group that we could perhaps fit in somewhere in one of the seven one-hour slots. There is a specific group whose name I don't see here and that I would like to have included. Perhaps I could send you the name by e-mail.

The meeting on Monday to talk about gender-based analysis doesn't work for me, because I won't be in Ottawa; I will only be here from Tuesday to Friday.

• (1120)

[English]

The Chair: We put that together on that Monday. If any of the members are not going to be able to make it to the November 6 meeting, it is important for us to know in advance. I realize it's an extra one and it creates a problem for many of us. But please confirm your attendance for that day so that we know if we'll have enough people. Otherwise, we'll have to look at doing it on a different day.

Mr. Mourani, if you would like to resubmit to the clerk any names that you have, we will attempt to get them on the list.

We'll now come back to Ms. Mathysen and her motion.

Mrs. Irene Mathysen: I appreciate your allowing me to speak to it at this time, because I think I may have to leave a bit early, as much as I regret it.

At any rate, the two motions are before us. Shall I read them into the record?

The Chair: Yes, please.

Mrs. Irene Mathysen: The first motion reads:

That, in consideration of the funding cuts announced September 25, 2006, the House of Commons Standing Committee on the Status on Women recommends the government continue funding all activities of Status of Women Canada at the 2005-2006 level or higher and that the chair report the adoption of this motion to the House forthwith.

The fact that the staff from SWC were unable to clarify where the \$5 million in savings would come from leads me to be very concerned. Clearly, there hasn't been a lot of consideration given to how the department will operate without those funds. It would seem that if they are to carry out their mandate, they need staff. What really concerned me was the question from Ms. Mourani in regard to possible layoffs among the 131 staff members. This would seriously handicap the department in its ability to do their important work.

So that's the first motion. Did you want me to continue with the second?

The Chair: Yes, please.

Mrs. Irene Mathysen: My second motion reads:

That, in consideration of the new mandate of the Women's Program of Status of Women effective September 27, 2006, the House of Commons Standing Committee on the Status on Women recommends the government reinstate this previous mandate for the five years and that the chair report the adoption of this motion to the House forthwith.

I have serious concerns about the new mandate and the way it will prevent the kind of advocacy and research that all the groups in our communities depend on. I'm not clear about the implications of that mandate or its ultimate effects. I'd like to hear some expert information about it, so that we could have a better sense of the effects of these changes. They're quite significant changes, and I think it's important that we be cognizant of them.

The Chair: Is there a desire by the committee to discuss or debate these motions?

Ms. Smith.

Mrs. Joy Smith: I'll have to clarify, first of all, whether you want to discuss or debate it now or just table it.

The Chair: The member tabled it last week. Normally, we would have dealt with it at the end of the meeting. But because Ms. Mathysen indicated that she may not be able to stay, she asked if we could deal with it.

Mrs. Joy Smith: I cannot support either one of these motions. A new mandate is out there for Status of Women. Human trafficking was difficult to get on this committee, and I'm happy that we have it and that we're studying it. We have had years of gender-based analysis studies, and we have a lot of valuable information that can be used.

This is a big surprise to the committee. We discussed this whole thing at the beginning, and we set a plan for the Status of Women so that we could get things done. In the first semester, until Christmas, we were going to study human trafficking. In the second semester, we were going to look at economic concerns. We've also put in extra meetings to address other issues we're dealing with.

I think this motion is a ploy to get us off the human trafficking issue, and I think it's unfortunate that political stripes have to come into something like this. I think we should stick to our plan, and I definitely would vote against this motion.

• (1125)

The Chair: Ms. Minna.

Hon. Maria Minna: Madam Chair, first of all, I want to say that I understand that the members from the government side are not going to be able to support this kind of motion because it actually goes against their own policy. However, what was just stated by Joy really has nothing whatever to do with this. What this committee has decided to do as part of its work, in terms of our priority, in terms of trafficking, has nothing to do with the government's decision to cut and to change the mandate of Status of Women Canada, which is a whole other issue.

Members of the committee do have the right to put forward motions, as we have. We give 48-hour notices to indicate to the government that we are happy or unhappy or want something different with respect to that other activity, which has nothing to do with this committee's work plan. The two are not interlinked.

The work plan is something we are doing, a study on a specific issue. The Status of Women mandate is a whole other situation altogether.

Obviously, Madam Chair, I will be supporting this, and I hope my colleagues on this side will too, because it goes to the core and to the heart of what the whole of programming for women in this country is and has been about. I will not go into details because I don't want to waste our witnesses' time, except to say that you might want to canvass to see who is for and against, Madam Chair, and then move on with it.

The Chair: Mr. Stanton.

Mr. Bruce Stanton (Simcoe North, CPC): Thank you, Madam Chair. I just have a point of clarification, through you to Ms. Mathysen.

When you say "mandate", I assume we're talking about the terms and conditions of the women's program that was approved by the Treasury Board Secretariat.

Mrs. Irene Mathysen: No, it's in regard to the parameters and basically how the women's groups get their funding.

Mr. Bruce Stanton: I think we've heard in previous witness testimony and through our reports—I think it was even in the minister's report to the committee—that the terms and conditions of the women's program had been renewed and approved by the Treasury Board Secretariat. So I'm not sure about this process-wise. Because it has been approved, what does that mean in terms of having to go back and revisit it?

Hon. Maria Minna: It just means that there will be a vote in the House and the government will have to decide whether to respect the wishes of the House or not. That's all.

Mr. Bruce Stanton: Thank you for that clarification.

Certainly, as Ms. Minna has already recognized, I don't support the motion. The expenditure cuts were considered across the broad spectrum. The focus of this, as we have heard, is to make sure that the dollars committed to this program are in fact not being tied up in administration, more unneeded research, and symposia of this sort.

Those dollars will hopefully be saved, but none of that is intended to deprive in any way the dollars flowing exactly to women's programs. In fact, we have seen through the main estimates discussion in our last meeting that dollars committed to specific programs—the women's program at \$10.8 million and another \$1 million for Sisters in Spirit—represent an increase in direct funding to women's programs.

I can attest to the fact that this government is solidly behind committing funds and resources to where they can be used and be effective in the community. The focus of the savings is on administration. It is on the reduction of dollars there. There have been countless reports and research done in these areas. It's time we move dollars into the programs that will create an effect and in fact create some results to try to address the objectives that are set out, as the minister has said in her comments.

That's all I want to say, speaking against the motion, but I understand the sincerity with which it has been put. Thank you.

•(1130)

The Chair: Thank you, Mr. Stanton.

Ms. Neville.

Hon. Anita Neville (Winnipeg South Centre, Lib.): I don't want to prolong the discussion, Madam Chair, but these motions will in no way affect the timetable of the committee. As I understand it, the work of the committee goes on as scheduled.

Secondly, the issue at hand is really addressing the new criteria that have been put in place for the same amount of program dollars. They are new criteria that in fact will eliminate many organizations that have come to look at Status of Women as a source of funding. Having met with quite literally dozens and dozens of women in my community last week, I can say to you, Madam Chair, that this is a major concern.

The Chair: If there's no other discussion or debate, we do have witnesses, and we thank everybody for being brief. I think it's important that we deal with this issue so we can get on to our witnesses who are here.

Is it the will of the committee to have a vote on this?

Some hon. members: Agreed.

The Chair: Is that a recorded vote?

Some hon. members: Agreed.

Mrs. Irene Mathysen: Do you want to move this into one motion, or do you want them voted on separately?

The Chair: Let's vote on them separately, please.

The first one is:

That, in consideration of the funding cuts announced September 25, 2006, the House of Commons Standing Committee on the Status on Women recommends the government continue funding all activities of Status of Women Canada at the 2005-2006 level or higher and that the chair report the adoption of this motion to the House forthwith.

We have a tie vote.

On the matter to prolong the debate or to maintain the status quo, we're not going to prolong the debate, given the fact that we have two witnesses here who have come to give us information on an important issue. So no, I'm not going to vote to prolong the debate. I can vote either way, so I will vote in support of the motion.

(Motion agreed to: yeas 6; nays 5)

The Chair: The second motion is:

That, in consideration of the new mandate of the Women's Program of Status of Women effective September 27, 2006, the House of Commons Standing Committee on the Status on Women recommends the government reinstate the previous mandate for the five years and that the chair report the adoption of this motion to the House forthwith.

It's the same thing, another tie, so I vote yes.

(Motion agreed to: yeas 6; nays 5)

The Chair: Now, on to the work of the day....

Mr. Poulin and Ms. Jeffrey, my apologies for the delay. Thank you so very much.

I will ask Mr. Poulin to start, or Ms. Jeffrey, whichever one would like to start first.

Thank you very much.

• (1135)

[Translation]

Mr. Richard Poulin (Full Professor, Department of Sociology and Anthropology, University of Ottawa): I want to begin by thanking you for the invitation to appear. I do not intend to repeat what is said in the paper that has already been distributed in French and English, in which it is estimated that human trafficking internationally affects between 700,000 and 4 million people, and probably more like 4 million people a year. That may in fact be an underestimation, because part of the trafficking is legal. Last year, for example, Japan delivered 77,000 dance artist visas to people in the sex trade. And that is not included in the figures on human trafficking, because it's legal, and often trafficking is only considered insofar as it involves criminal activity.

Over the last three decades, countries in the southern hemisphere have seen a spectacular rise in prostitution and the trafficking of women and children for purposes of prostitution. And for more than a decade now, that has also been the case in former socialist countries, such as the Soviet Union, Eastern Europe and the Balkans. However, the growth of the sex industries and, hence, increased trafficking, is affecting countries in Western Europe and the Southern Pacific that legalized prostitution in the 1990s and 2000.

Victims of international human trafficking for purposes of prostitution are far more numerous than persons trafficked for the purposes of domestic exploitation or as cheap labour. International organizations, such as the ILO, or International Labour Organization, estimate that 92 per cent of the victims of trafficking are used for prostitution, and that 98 per cent of them are young women and girls. The remaining 2 per cent are boys and transvestites.

The greater the expansion of the prostitution industry, the younger the prostitutes, whether or not they are victims of human trafficking — in other words, recruited abroad or locally. According to the International Organization for Migration, these days victims are younger than previously and children are more and more involved in the process.

Prostitution and trafficking for purposes of prostitution are nothing new. What is new, however, is the international and industrial scale of these phenomena. As a result, the demand for women and children in the sex industries is expanding practically everywhere in the world.

Legalization or regulation of the prostitution industry, including procuring, is resulting in a major expansion of the sex industries and thus an expansion of trafficking for purposes of prostitution. The Netherlands is a good indicator of the expansion that has taken place in the sex industry and the growth of trafficking for purposes of prostitution.

In 1981, there were 2,500 prostitutes; in 2004, the government estimated there to be 30,000 of them. In 1960, 95 per cent of prostitutes in The Netherlands were Dutch. In 1999, only 20 per cent were. In other words, 80 per cent of the prostitutes there are foreigners, and 70 per cent of them are undocumented.

The same phenomenon can be observed in Germany. In the mid-1990s, the number of prostitutes in Germany was estimated to be about 200,000; nowadays, the government estimates that there are 400,000 of them. So, in just a few years, the number of prostitutes doubled. In Germany, between 85 and 90 per cent of prostitutes are foreigners, and thus are victims of human trafficking for purposes of prostitution.

Human trafficking is one of the consequences of the prostitution system. Institutionalization — in other words, legalizing sex markets — boosts procuring activity and organized crime, but most importantly, it legitimizes gender inequality.

• (1140)

In those places where the industry has been legitimate for decades, we are seeing what might be called the “prostitutionalization” of the social fabric. I don't believe that word exists in English; so I wish the interpreter good luck.

I want to use the example of Thailand. In the late 1950s, and more specifically in 1957, there were estimated to be 20,000 prostitutes in Thailand. Today, there are more than 2 million, at least one third of whom are children, especially young girls. Just as a point of information, when I use the term “child”, I am using the international definition, which is a person under the age of 18. In that country, almost all the young women and young girls who are prostitutes, whether or not they have been victims of trafficking for purposes of prostitution, and whether or not they are foreigners, were brought into the industry when they were minors. Seventy five per cent of men occasionally or regularly use prostitutes. For the 5.4 million sex tourists that travel to Thailand every year, there are now 450,000 local clients per day.

Among northern tribes there, the birth of a baby girl is celebrated because her anticipated entry into prostitution promises future income. This society has become extensively “prostitutionalized”, becoming one of the most significant destinations in the world for sex tourists of all kinds. Thailand is an important destination and transit point for human trafficking. In fact, this country has turned into a sexual haven for international and local johns, procurers and traffickers, but a sexual nightmare for women and children, not only from there but also from countries adjoining the Mekong region. At this time, more than a third of all women and girls in Northern Thailand have AIDS.

Prostitution and trafficking for purposes of prostitution are the traditional activities of organized crime groups, and the massive expansion of sex markets is largely controlled by organized crime. One cannot imagine human trafficking — including the type that has a legal character to it, such as the practice of providing artists or exotic dancer visas, which is common in many countries, including ours — being anything other than a criminal activity. Women and children are bought, sold, and resold through these organized crime networks on local, regional and international markets, and at every stage of their transit from one country to another, they are rented out to clients. These women and children are bought, sold and shipped illegally or, depending on the circumstances, quite openly and legally both inside and outside national borders to the sex markets of the world, from the poorest countries to less poor countries, and finally to the richest countries.

This kind of global trafficking is not some sort of ad hoc operation. It requires paying bribes, and thus relies on corruption from the lowest to the highest levels of society. It also requires that one have the necessary means, which range from buying women and children under false pretences to kidnapping, trickery and forged identity papers. These are international procuring rings that operate this extremely well organized trade. These rings have the benefit of political collusion and access to economic resources, both in the country of origin, those used for transit and the countries of destination.

On a global scale, prostitution and trafficking of women and children for purposes of prostitution simply cannot be spontaneous. Population movements involving hundreds of thousands, indeed, even millions of persons annually, necessarily rely on well-structured organizations operating internationally, with extensive collusion on the part of authorities, huge financial means, and of course a whole host of recruiters, procurers, escorts, warders, “trainers” — I’ll explain what that means — brothel keepers and killers. Criminal networks recruit women and children on site, provide visas and forged documents and organize their transportation.

• (1145)

Recruitment methods vary, but traffickers almost always resort to deception and violence. The most common method involves putting ads in the papers proposing jobs in another country as a hairdresser, caregiver, domestic worker, waitress, au pair, model or dancer.

Another method involves recruiting them through placement agencies, travel agencies or dating and matrimonial agencies, which are often nothing more than a front for procurers.

Victims of trafficking have also been sold by their family, their boyfriends or institutions such as orphanages.

Once someone has been recruited, that person is kept in a situation of dependency throughout the period that she is trafficked. She is passed from one person to the other until her arrival in her country of destination.

A whole succession of traffickers handle the victims as they are shunted from one place to the next, but the fate of the girls themselves never varies. Rape and other forms of servitude are often used, even for the minority of young women who know why they’re being trafficked — in other words, for purposes of prostitution.

As soon as they arrive in their country of destination, their documentation is confiscated by the traffickers and they are immediately placed on the sex markets. In Canada, that means prostitution, nude dancing, and so on. Those that resist end up in a training camp. There are a number of well-known camps in Europe — in Italy, but also in France. There they are raped by procurers, and forced to turn 50, 60 or even more tricks a day, until they are psychologically broken.

Human trafficking for purposes of prostitution is a very considerable source of income for criminal organizations who, according to a variety of international police sources — Interpol, Europol, etc. — have all become involved in this highly lucrative trade. The profits, which are often laundered by being channeled into legal activities, result in the creation of dummy corporations and, in countries that have legalized prostitution, these dummy corporations

carry on their business in the sex industries, although the laundered profits are also used for legal activities.

In the country of destination, the trafficking victims, whether or not they were already prostitutes in their own country, will see their passport and other papers confiscated by the people organizing the prostitution. They will have to repay their travel debt. To that are added fees for room and board, clothing, make-up, condoms, and other items that are all deducted from their income. Once all the costs have been paid, there is practically nothing left for them. A recent investigation by the International Labour Organization determined that prostitutes who are victims of trafficking end up keeping only about 20 per cent of generated income, with the rest going to the procurer.

If the prostitute does not bring in enough money, she will be threatened with sale to another procuring ring, to whom she will again have to repay her debt. She will frequently be moved from one place to another, be threatened with reprisals against her family back home, be subject to psychological, physical and sexual violence, and if she manages to escape her procurer, she runs the risk of being deported as an illegal immigrant. She is completely vulnerable, and rare are the countries that provide services to such persons and protect them from the procurers.

A further report produced by the International Organization for Migration pointed out that deporting prostitutes who are victims of trafficking to their country of origin, because they are illegal immigrants, only made the trafficking problem worse. So, that is not the answer.

And what is the situation here in Canada? Well, we really don’t know much. There were two major commissions of inquiry in the 1980s on prostitution and pornography, and another on children working in the sex industries, for example.

• (1150)

However, none of these commissions of inquiry has been able to assess the magnitude of the prostitution and pornography industries and, consequently, the human trafficking industry. We really do not know why. Statistics Canada, which can tell us what colour of underwear immigrants from Sicily were wearing in 1951 or to carry out major assessments of the country’s underground economy, has never been able or willing to tell us what the current state of the prostitution industry here in Canada actually is. As a result, we know neither how many prostitutes there are, nor what kind of income the industry generates.

I would also like to address a couple of facts we have been able to gather some information on. We know that, as regards human trafficking for purposes of prostitution and pornography, Canada is a country of both destination and transit, as well as being an originating country, something that few analysts actually talk about. In 1999, for example, the Government of British Columbia disclosed the existence of a ring involved in the trafficking of children for purposes of prostitution from its base in that province to cities in Alberta, Saskatchewan, and the western United States. In 2001, the report of the U.S. State Department on Human Trafficking stated that some minors of Canadian origin had been victims of trafficking for purposes of sexual exploitation. The destination was the United States.

A criminal group in Vancouver, the West Coast Players, was known for being involved in trafficking for purposes of teenage prostitution. In that case, the destination was Los Angeles. In September of 1997, we learned that every week, 12 young Asian women aged from 16 to 30 and with tourist visas were being trafficked for purposes of prostitution in Canada. They were sold to brothel keepers in Markham, Scarborough, Toronto and Los Angeles. They were enslaved because of a \$40,000 debt.

In 1999, the U.S. State Department's Human Rights Report stated that young girls from Costa Rica, shunted across Central America and Mexico, were engaged in prostitution in the United States and Canada. The same source reported that Malaysian women had been victims of trafficking to become prostitutes in Canada. In its 2003 report on human trafficking, the U.S. State Department pointed out that young girls and girl children from Honduras, Slovenia and Malaysia had been trafficked for purposes of prostitution here in Canada.

In the late 1990s, the Chinese and Vietnamese mafias expanded their operations in brothels in Toronto and recruited women and girls into the trade from across Southeast Asia. The women who fell victim to this trafficking were purchased by recruiters for \$8,000 or less and were sold for \$15,000 to procurers. Several dozen Asian women were "freed from their sexual slavery" following a series of raids by the Toronto police which, at the time, resulted in the closure of 10 brothels. The police estimated that this procuring ring was providing between 30 and 40 women to about 15 brothels in Toronto on a quarterly basis.

The Canadian police also arrested more than 40 people with links to an international prostitution and trafficking ring that sold hundreds of Asian women in North America. However, the exact number of victims is unknown. According to the Royal Canadian Mounted Police, approximately 800 people, primarily women and children, fall victim every year to trafficking for purposes of prostitution in Canada. However, non-government organizations estimate the number to be 15,000. As you can see, there is quite a gap between 800 and 15,000. But already in 1998, according to a report submitted to the Solicitor General of Canada, between 8,000 and 16,000 persons — which was already a very large gap — were estimated to be entering Canada every year with the help of smugglers.

So, to conclude, the unbridled growth of the sex industries means that fundamental human rights are increasingly being violated, particularly the rights of women and children who are treated as sexual merchandise.

One could even say that the status of women and children internationally has suffered a serious setback. In many countries, under the impact of structural adjustment policies, women and children have become what is known as new raw resources — in other words, resources that can be exploited and exported as part of the effort to develop national and international trade. Globalization of the sex industries considerably strengthens a system of oppression and enslavement of women to the sexual pleasures of others — that is, men.

By reducing women and girls to the status of merchandise that can be bought, sold, rented out, appropriated, exchanged or acquired, prostitution and trafficking for purposes of prostitution affect women

as a group. They reinforce the connection between women and sex, established by a macho society, reducing women to a lesser form of humanity and thereby relegating them to inferior status.

The struggle against human trafficking can only succeed if it tackles the root cause of the trafficking, which is prostitution. That struggle is part of the more general goal of fighting for equality between women and men. And that equality will remain out of reach as long as men can buy, sell and sexually exploit women and children by forcing them into prostitution.

Thank you.

• (1155)

[English]

The Chair: Thank you very much, Mr. Poulin. You've really given us a lot of information to absorb. Thank you for caring so much about this subject.

Ms. Jeffrey.

Ms. Leslie Jeffrey (Associate Professor, Department of History and Politics, University of New Brunswick): Thank you, Ms. Sgro, and thank you to the committee for inviting me here today.

I'll start with a few caveats, and then I'll give my major points. To begin, there are a few things we need to be cautious about in the discussion of trafficking. First, it's important to remember that the concept of trafficking is still difficult and very much debated. Generally, it is seen as the use of force or deceit to transport and/or recruit people for exploitative work or service. That's the generic definition. What constitutes force and what constitutes exploitation still remains problematic.

Second, we need to be aware that our knowledge of trafficking is very limited, particularly how large or small the problem is, given that it is a largely hidden and underground phenomenon and that the definition is so loose. If you look through various documents, the numbers range incredibly widely. The International Labour Organization has put out a number of papers questioning the methodologies used here.

Third, we tend to focus on women in the sex trade, but trafficking can occur in many sectors that depend on migrant labour, such as agriculture, the garment sector, and domestic work. So there's a much larger group.

Finally, we must be aware that anti-trafficking measures, which have been in place for some time now, have had a tendency to become anti-migration measures, particularly anti-female migration measures, rather than instruments of human rights. Therefore, I would like to look at how we can take a different approach that addresses the issues raised in the discussion of trafficking by strengthening people's rights as migrants and as workers.

First, I would like to emphasize that trafficking is part of a much larger phenomenon of global labour migration. This labour migration is increasingly populated by women who are seeking better paid work to support both themselves and their families.

At the same time, however, this migration is becoming increasingly difficult to arrange independently, safely, and easily. It is important to remember that the vast majority of migrant workers, including sex workers, have sought to migrate for work—they are looking for work—but may have been taken advantage of by those who assisted that migration process. They may find themselves in an exploitative work situation that they cannot easily leave.

So the first part of the problem lies in barriers to migration for work, again, particularly for women. Trafficking and smuggling thrive on this disconnect between the demand for workers in richer countries and the ability of workers in poorer countries to get to those jobs. The demand for these workers and the need for these workers to get to these better jobs is much, much greater than the availability of actual legal channels of migration. Assisted or irregular migration through the use of various helpers has become the norm for migrant workers seeking work abroad. These helpers can be family members or employment agencies or indeed organized crime.

For example, given her options for supporting herself and her family, if a woman decides that sex work in a rich country is her best option, there is often no way for her to arrange that work independently. Therefore, migrant sex workers may face problems such as debt bondage. Debt such as \$30,000 to \$40,000 can be incurred through agents who arrange travel and documents. These debts can then be passed on to bar owners or bosses who take it out in wages from the women without negotiating a contract.

Women may also find themselves with irregular immigration status, in Canada, for example, which means they always have to fear arrest and deportation. The owners can use this threat of exposing their illegal status to extract even more labour for free or for cheap.

When women are able to migrate legally and independently, trafficking decreases. Analysts from the European Union have pointed out that while women from Hungary, Poland, the Czech Republic, and Slovakia were frequently victims of trafficking rings several years ago, since these countries have become accession states to the EU, those trafficking numbers have dropped dramatically. Women are now able to use their easy access to the EU countries to take up informal work, whatever work that might be, and leave if things become difficult, without fear that they won't be able to get back into the country and make more money.

●(1200)

So there's a migration barrier problem, and the second part of the problem is the poor conditions of work in many of the sectors in which exploitation occurs. Again this can be in the garment trade, which is notorious; agricultural labour; domestic work; and the sex trade.

Because trafficking depends on poor or illegal conditions of work, it happens in those types of work that are informal or unregulated. This is where traffickers can extract the greatest profit without fear of sanction—there are no unions to hold them to any kind of work conditions, for example. Because women traditionally have fewer opportunities for work and most of their work opportunities fall into these unregulated or informal sectors like domestic work and sex work, women are more vulnerable to having their labour exploited.

Many migrant sex workers in Canada, for example, end up working in the criminalized but tolerated indoor trade. There they face a number of problems such as breach of contract, long hours, and unsafe working conditions. Migrant sex workers may have informal agreements about their work. They may have signed contracts that they didn't understand, and they have no way to enforce these contracts, complain, or seek redress if violence occurs, they're not paid, or they're enslaved. There's no one to go to.

So migrant sex workers share an interest with domestic sex workers in having the ability to enforce contracts, demand fair payment, control the pace of their work, choose the clients they wish to see, and demand protection from violence, which as you know is an enormous problem in the sex trade. The criminalized nature of sex work in Canada, however, makes this next to impossible, and only increases the risk of violence that is already endemic in sex work in Canada.

We already have criminal and border security measures, and many countries have or are party to the new transnational convention on trafficking. But this may actually make the problems worse, and this is what we've started to see. Trafficking has mostly been viewed as a criminal or a security problem rather than a human rights issue, so measures have been directed at apprehending and punishing traffickers and stopping the movement of people who may be trafficked.

However, such measures themselves may contribute to the problem because they create even higher barriers to migration, and therefore a greater need for assistance and increased potential for being taken advantage of. So tighter visa restrictions, more security checks on migrants, and increased use of detention and deportation, which have all become common, have meant that migrants without the legal means to migrate independently have to pay higher fees and look harder for assistance. They end up in higher indebtedness and can therefore be more easily taken advantage of.

Police or immigration officials' attempts to find and rescue trafficking victims may have had negative results as well. Raids on sex work establishments, for example, often result in women being deported, even though they do not want to leave the country. Some often want to continue working, just in much better conditions, and they want to be paid.

Outreach workers have reported in several countries that they have lost contact with those who may indeed be trafficked, because raids have caused establishments to move further underground, and exploited sex workers become harder to reach. Raids can actually disrupt the good work being done by outreach organizations in health promotion, violence prevention, and building those communicative links with migrant sex workers, trafficked or not.

Even as we have introduced stricter criminal measures over the past decade, there continue to be reports of higher numbers of people being trafficked. Very few people have ever been tried for trafficking, including in the United States, so clearly these criminal measures have not been having the impact we had hoped.

There are alternative solutions. We already have a number of criminal measures in place; there's no need for any more. What we might want to do is address the problems identified in discussions on trafficking by increasing the opportunities and choices for migrant workers and undercutting organized crime, rather than focusing on criminal or punitive measures.

First, we should increase women's ability to migrate independently and safely by providing increased access to and information about safe migration channels. Most trafficking occurs where women have little idea about how to get to Canada to work in whatever job, safely and legally.

• (1205)

With the growing demand, I suspect, for migrant labour in Canada, particularly with the economic booms out west, there will be more migrant workers seeking to access these jobs, so it is important that they be provided with the ability to access these jobs independently and safely.

A gender audit of migration policy might be a timely intervention in order to see whether and how Canadian immigration policy limits women's ability to migrate as independent workers in whatever field. Measures that aim at preventing trafficking—and these are common—by frightening women away from migrating only act as unfair barriers to women's ability to gain economic equality.

Further, Canada should definitely address the status of irregular migrants through the measures put forward in the United Nations convention on the protection of migrant workers, which we have not acceded to.

Secondly, we should address the poor conditions of work in sex work and other informal kinds of work in Canada—the garment trade, domestic work—and make women doing this kind of work less easily exploitable. For example, the criminalized and underground nature of the sex trade in Canada makes it potentially very dangerous and makes workers easily exploited by managers and owners in brothels and bars.

This committee should perhaps consult the work being done by the solicitation law review committee, and the reports being produced by the Canadian HIV/AIDS Legal Network, by the Pivot society from British Columbia, by the B.C. Civil Liberties Association, and by all the sex trade organizations in Canada. Stella, in Quebec, for example, has done excellent work on this. They have reports on how to make the trade safer and less exploitative and on how to give sex workers themselves—migrants included—the right and the ability to fight for and enforce safe and fair working conditions.

In this vein, we need to support the work being done by sex worker outreach organizations that have made contact with migrant women and trafficked women, and support that work so they can continue to do it. Certainly, no anti-trafficking measures should be taken without sex workers and migrant rights groups at the table.

In conclusion, we must remember that the concerns being raised in the discussion of trafficking are all about the other people controlling and exploiting women. Therefore, we need to find solutions that enhance women's—including sex workers'—and migrant women's control over their own lives. We need to empower women rather than disempower them.

Two Dutch researchers have said it best, I think: “Only rights can stop wrongs”. Thank you.

• (1210)

The Chair: Thank you very much, Ms. Jeffrey. Your presentation was very interesting, from both points of view there.

We will start with our questioning. The first round is seven minutes.

Go ahead, please, Ms. Minna.

Hon. Maria Minna: Thank you very much, both of you.

This was, to some degree, some new and interesting information, and to some degree there is lots I already know from past work and past discussions, as I was involved with domestic workers' advocacy for a while with a colleague of mine, Judith Ramirez. You may have heard the name in the past to do with immigrant women and so on.

Mr. Poulin, there was a lot of good information in all the things you said, but the bottom line that struck home with me was when you said we need to attack the causes of prostitution. To some degree, Ms. Jeffrey is suggesting the same thing, that the objectification of women and children is a problem, and that we're going to find equality for men and women by breaking that down and tackling it.

This is where I have to put this on the record. I find it goes back to some of the motions we were discussing earlier. This is where I found the most disheartening situation last week when this government took away that tool from Status of Women Canada, from women in this country, as if we had already reached equality. That's the statement they've made. Women in Canada are equal; therefore we no longer have the problem.

Yet the organizations that are no longer going to be funded are where we are able to get the research that is needed to inform women of their rights, to empower women to fight for their rights, and to address the issues of lower economic situations.

I find what you say, which is part of what we've been debating around this table for some time...to tackle the main causes of prostitution and trafficking. Fundamentally, it's also a culture of the law, which is to make sure women and men are equal and that women feel that and feel empowered, which is what was stated recently. Unfortunately, in this particular government we're going in the opposite direction in Canada.

I want to question both of you.

The first one may be an unfair question, but I have to ask it since you put the causes on the table. How do you view what's happening in this country in terms of what's happening with the Status of Women Canada, which is really our main tool to tackle these issues? It's a political question. I apologize. You can choose to pass it by if you like, but I have to ask it. How will the kinds of cuts and the kinds of changes that have happened recently affect the ability of women in this country to research and identify and fight for their rights and continue to empower themselves?

It's a loaded question, and I understand that. If you want to pass, I can go on to others.

[*Translation*]

Mr. Richard Poulin: You are aware of the two possible interpretations of trafficking. Unfortunately, for a long time Status of Women Canada only funded research aimed at legitimizing prostitution. The allegation was that this was nothing more than sex work.

While there is no guarantee that Status of Women Canada has always been pointed in the right direction, weakening the organization will certainly not help to do so. In my opinion, weakening that program in particular is probably a mistake on the part of the government. However, I am really not in a position to say, because that is not my area of expertise as a researcher. It's really more the opinion of someone who has listened to the debates and believes that this kind of decision could create more problems than it solves.

Any institution can find itself facing problems. Choices are made by public servants and orders are given by politicians. I, personally, had problems with funding research. The result was an imbalance.

Abolitionists — in other words, people who are in favour of decriminalizing the activities of prostitutes and of criminalizing procuring — as opposed to those wanting to decriminalize procuring as is the case with people who are in favour of sex work — are pushing for an attack on this industry, which is the root cause of trafficking. That is the fundamental point that distinguishes them from others. They do not confuse smuggling with trafficking.

Just for your information, human smuggling is listed in the United Nations Convention Against Transnational Organized Crime, which Canada has ratified. Human trafficking essentially relates to three areas: persons who are victims of trafficking for the purposes of sexual exploitation, forced labour, and organ trafficking. The motivation for trafficking is, in 92 per cent of cases, sexual exploitation — in other words, prostitution, pornography, and so on. As for human smuggling, it basically refers to the smuggling of illegal migrants.

Of course, abolitionists consider trafficking for purposes of prostitution to be of great importance, whereas people in favour of sex work — and in this case, who consider prostitution to be sex work — try to systematically minimize the trafficking phenomenon, reducing it to nothing more than international migration — in other words, smuggling. I see this as a fundamental cleavage. It is up to you to decide what conclusions you wish to draw from all of that. However, the fact remains that this fundamental difference of opinion can be seen in groups, among academics, and probably also among members of Parliament.

• (1215)

[*English*]

The Chair: Thank you, Mr. Poulin.

I realize it's such a complex subject to try to say “Would you talk faster, slower, or whatever”, in order to get the information out. If you could be a little more succinct with your answers so that everybody gets a chance for the questions, we would appreciate it.

Your time is up, Ms. Minna, I am sorry.

Ms. Mourani.

[*Translation*]

Mrs. Maria Mourani: Thank you, Madam Chair.

I want to thank our two guests for coming to present their views which, as we have seen, are diametrically opposed.

My question is for Ms. Jeffrey.

I have to admit I did not really understand your presentation. And I'll tell you why. For example, you used the word “trafficking”, and yet you connected it to the term “worker”. As a novice, I am wondering how someone who is a victim of trafficking can be a worker. A worker is someone who gives his or her consent; that is not the case for someone who is subject to trafficking.

You used words like “trafficking” and “worker migration across the globe”. Perhaps I misunderstood, but my impression is that as far as you are concerned, someone who is a victim of trafficking is a person who has willingly moved from one place to the next, because some countries frowned on or criminalized that practice — in other words, put obstacles in their path. That is what I understood you to say.

[English]

Ms. Leslie Jeffrey: No. That's the problem with the definition of “trafficking”. None of us can agree about what is happening.

It's very easy if we just say that people are kidnapped, forced into work, sent abroad, and enslaved. That's a very small instance, unless you believe all prostitution is forced, that people are forced into prostitution. That's one side of the debate for which trafficking is very easy.

Understandably, there are horrible things happening to migrant workers, which include being held in bondage, being forced to pay back debts, having their passports taken away, and being told they must work for free. These are all things that are happening to migrant workers in agriculture, but in the sex trade as well.

When we talk together about trafficking, some people say, “See, that's trafficking, the removal of the right of a worker to consent.” But then it gets confused with the issue of prostitution, where people see it as slavery in and of itself. So it becomes hard to identify what the issue really is.

If the issue is prostitution, if you see all prostitution as slavery, then all entry into prostitution is trafficking. It's very simple. If you talk to people who work in the sex trade industry, the vast majority of them say, “Hey, this may not be the job I wanted, but it's the best I could do under these circumstances to make a lot of money.”

I spent a year in Thailand talking to outreach workers and sex workers, and that's what they said. They said, “I can work in a factory, where I get paid nothing, and I'm locked in at night and my rights are abused, or I can work in sex work and make some more money and some day become a hairdresser. Those are my choices. I have decided to work in sex work. They may not be great choices, but those are the choices I have.”

If you then consider that same woman who said, “Hey, those are my choices” as being trafficked, then the police would come in and say, “Out you come. You're a victim.” And she would say, “No, I'm trying to make some money here. What's going to happen to me is you're going to send me back to my village, and I will have no job, no money. I'll be in debt. And I've just been rescued. That's not rescue to me.”

What other people, including the International Labour Organization and the International Organization for Migration, have tried to do is identify not the people but the acts that constitute trafficking, and that includes taking advantage of people who are in fact trying to migrate for work. The vast majority of migrant workers today, who aren't part of some special program, have to use helpers to get them across borders. And those helpers will say, “I've got a job for you in Canada or in the United Kingdom.” They may or may not lie about that job, and they may or may not take advantage of people. But some of them do—and that's trafficking.

•(1220)

[Translation]

Mrs. Maria Mourani: What I understood from Mr. Poulin's statistics is that the vast majority of people who are trafficked are used for purposes of prostitution, and that in 48 per cent of cases, they are minors.

In your opinion, do the 48 per cent of victims — in other words, these individuals who are under the age of 18 — have a choice when they are sold by their family? I gathered from Mr. Poulin's presentation that having a daughter is considered to be a source of wealth in these societies, because of the money that she can bring in. So, in a way, these are societies that value prostitution. That being the case, does choice has really anything to do with it?

Furthermore, the question is whether it is possible to buy or sell a human being. Is a human being no different from any of the chairs in this room?

Mr. Richard Poulin: In Canada, it is prohibited to sell or buy blood, and the same applies to organs, even if the person consents. However, that does not seem to be the case for female sexual organs.

•(1225)

[English]

Ms. Leslie Jeffrey: I'll address two questions with respect to minors.

The numbers are very soft. The methodologies are problematic because of the differences in definitions. If you define all prostitutes as traffic, then the numbers are huge. If you're referring only to those who are forced or tricked, then the numbers get smaller.

The Chair: I have to move on to our next questioner. Maybe in your reply to Ms. Smith you could get in the point you are trying to make.

Mrs. Joy Smith: I find this extremely interesting. I worked for ten years on this human trafficking issue, and I have a son in the RCMP, in the ICE Unit. It's the same struggle we see here in committee. It was so difficult to get human trafficking considered as a topic.

It is a growing industry. Professor Poulin, your presentation was one of the best I've heard, and I've been all over the world, on three continents. It was good and very honest. Even your criticisms of what needs to be done are very much appreciated. We're talking about a struggle in the human philosophy of right or wrong.

I would like to have a comment from you. First, do you believe that the sex industry is an industry, or that it should be looked on as an industry? Second, what are your views on legalizing prostitution? Our present government would never do this. It's not something we consider healthy for Canadians or the community. Yet we've heard something on this from another witness. I'm as baffled as my colleague Ms. Mourani. This is foreign to me in light of my experience on the ground, working in shelters.

I would like to have comments from both of you on this. Professor Poulin, you could answer first and then Ms. Jeffrey.

Ms. Leslie Jeffrey: I'll just pick up where I left off. I think my answer addresses the same question. I know this is difficult to understand, because people have a moral reaction to prostitution. But remember, we're talking about trafficking with respect to all sorts of workers—agricultural, domestic work, and so on. That does not mean they want to be exploited. Part of what the trafficking discussion is identifying is the exploitation of workers. It is only when we talk about prostitution that the solution is to stop the work, to rescue the workers and send them home.

If we were talking about domestic workers who were trafficked, who wanted to come to Canada and couldn't get a legal visa—

Mrs. Joy Smith: Can I clarify my question? I think this is something different from what I asked.

In human trafficking, we're talking about the sexual exploitation of children and women. We're talking about a woman's right to respect and equal opportunity in the workforce. I want to look at it from a point of view of sexual exploitation. We're not talking about factory workers. We're talking about sexual exploitation.

Ms. Leslie Jeffrey: But you must remember Canada's—

The Chair: Just one moment, Ms. Jeffrey. Maybe this is something that the committee needs to clarify.

When we went into this, we talked about the bigger picture of human trafficking. It is more than sexual exploitation. I don't believe we have to deal with that specifically. I don't believe we were narrowing it down. If that's what the committee wants to do, fine. But we went into this talking about human trafficking in the larger sense.

Maybe we'll have to talk about this after.

Mrs. Joy Smith: No, Madam Chair, I'm questioning the witness, and my question is about sexual exploitation.

The Chair: Right. It's just that the committee's study isn't so defined.

Mrs. Joy Smith: Could you answer my question for me, please, Professor?

Ms. Leslie Jeffrey: I will point out that Canada is party to the transnational organized crime protocol on trafficking, which defines trafficking not just as sexual servitude. It also includes work of other sorts, and organ transplants as well. So trafficking officially, internationally, by the Canadian government's own definition, is much wider than sexual servitude. Nonetheless, I'll answer your question about choice.

Certainly, even sex worker organizations have said that when we're talking about minors, those under eighteen, there's no question.

They themselves identify those who are under eighteen, saying that they should not be here and that they need to be dealt with accordingly.

Here's the problem, practically speaking. If we say that all sex workers who migrate are trafficking victims, what will happen is the same thing that happened with Project Orphan, which I'm sure you remember. Under Canadian law, if you cannot say that you didn't want to come to Canada and you didn't want to work as a sex worker, then you don't qualify as a victim of trafficking, and you are charged, as people were in Project Orphan. Project Orphan was the investigation in Toronto in the late eighties and early nineties that resulted in the arrest of a number of Thai and Malaysian women who had been mistreated and not paid and held in servitude. So in that context, they had been trafficked. But they also said they wanted to come to Canada to work in the sex trade to make lots of money and take it home. That meant they were immediately arrested for being found in a bawdy house, and they were deported to Thailand.

At that point, the outreach workers, like Empower in Thailand, said we sent them home with a black mark on their visa. Now they'll never get a job in Thailand. They didn't want to be sent home that way. They've been arrested. And you say that's a good way to deal with trafficking?

That's the problem in practical policy terms. It ends up being—and it's unfair—the police's responsibility to decide who is a victim and who is not when the victims say they don't want to stop working in the sex work necessarily. Some do. Some really did not want to be there and should have been rescued in that sense. In Australia, the sex worker organizations have said, working with the government, that they identify that there are many foreign workers who came legally to Australia and then chose to work in the sex trade, which is legal in parts of Australia. There are others, maybe 200 to 400, who come on a contract in order to get entry into Australia. They wanted to work in the sex trade, but the contract is difficult. There are maybe 10 who did not want to work in the sex trade and who can be considered trafficked. It's a very small number.

•(1230)

The Chair: You still have 40 seconds, Mrs. Smith, if you wanted Mr. Poulin to—

Mrs. Joy Smith: I wanted to hear what Mr. Poulin had to say about this as well.

I thank you for your answer, Professor Jeffrey.

[Translation]

Mr. Richard Poulin: I will be brief. Under the same protocol, the U.N. Convention Against Transnational Organized Crime, which was ratified by Canada, the question of consent for the purposes of defining a victim of trafficking is not relevant. That idea is constantly being put forward by those who defend the sex work perspective, but the Convention does not subscribe to that notion of consent and does not define trafficking on that basis.

Furthermore, what does “consent” really mean? The average age for entering the world of prostitution in Canada is 14. It is even younger in Third World countries. Can there be consent at the age of 14? The most recent study of prostitutes in Vancouver revealed that 95 per cent of them would like to get out of prostitution, if they could. The same study was conducted in Quebec, where the rate was 92 per cent.

The problem we have here in Canada is that there is no service available to prostitutes who want to stop turning tricks. There is nothing available to assist them or help them complete their high school education because, of course, most of them who began at the age of 14 never completed high school. That being the case, they continue to work in the sex industry simply because it provides them with an income. When you haven't got a high school diploma, what kind of income can you expect to earn in the labour market? Is that consent? There is no economic, social or other constraint.

I just want to remind you that 80 per cent of prostitutes in Canada begin turning tricks when they are still minors. That also applies to prostitutes in Thailand and elsewhere. As a result, the question of consent is not relevant.

[English]

The Chair: Thank you very much. That's very helpful.

Ms. Mathysen.

Mrs. Irene Mathysen: Thank you, Madam Chair.

Thank you for your work and your presentation today.

I think there are a number of oppressive structures that objectify women and undermine their true equality and economic autonomy. Would empowering women by guaranteeing them economic security help them overcome these oppressive structures? We've been listening to a great deal of information here. Are we failing to get at the root of the tragedy? Are we overlooking something obvious, such as economic autonomy for women?

• (1235)

Ms. Leslie Jeffrey: Clearly, this is all about economics in the end. For many women, this is the job that's available to them because of the gender division of labour. That's what's out there. That's certainly what women in Thailand told me. That's what women in the Maritimes, where I have just surveyed 64 of them working in sex work, told me. They said this is the best job they can get for the kind of money they can make. That included people working on the

street. It might not be what they wanted to do ultimately—for some it was—but it was the best money they could make.

Of course, in the big picture, the more we can address women's economic inequality, the less we're going to have things like trafficking, where people are taken advantage of when they're trying so hard to make money, essentially to get a better job.

With respect to good policy-making, the irony in anti-trafficking prevention programs is that the manufacturing and job training programs that CIDA is undertaking now, say, in Thailand and elsewhere, may actually miss the point, because the people most likely to migrate are those with some skills. They're not the poorest of the poor. The poorest of the poor don't migrate. Those who migrate are those with some education and vision who think there could be a better world. So there is bit of irony in that one.

Nonetheless, I think overall economic preventative measures clearly are going to address all the sorts of problems both of us are identifying.

Mrs. Irene Mathysen: One of the things I thought about while I was listening to you was the trade agreements we have internationally. You touched on the fact that there are women and children literally in these slave labour jobs who are making products for Nike, Wal-Mart, and multinationals who operate here in Canada, and they end up being locked up at night and victimized by traffickers. It seems to me that we have an obligation here in terms of who we do business with and our trading agreements. Is there some advice you could give us in that regard?

Ms. Leslie Jeffrey: I think a big part of it is trading agreements. In my ideal world, if you really want to address the economic inequalities, then we have to address trade relationships in particular. The fact that we pay a tiny percentage of the cost of a cup of coffee tells you everything. Yet here we pay \$1.50 or \$2 for every cup. I mean, clearly we need more fair trade and better conditions for women's work in all sorts of labour, including, yes, the garment industry. The garment industry is a major problem. If you think of trafficking as exploitation of migrant labour, being held under conditions they did not agree to, even though they agreed to the work, we've got a huge problem with the garment industry in Canada. That needs to be addressed, and that is addressed through economic agreements and trade agreements.

Mrs. Irene Mathysen: You've touched on something we discovered in Ontario, which is that new immigrants coming in as garment workers were being exploited by jobbers. They were making pennies at piecework, and they were literally held captive. One of the attempts to resolve that was labour laws that addressed their right to collective bargaining and equal or adequate pay. Of course, we lost all those laws. Do we need to look across this nation at our labour laws and say that women, migrants, people in these really low-paid jobs need to have access to collective bargaining and the freedom this brings to keep them out of these kinds of tragic situations?

Ms. Leslie Jeffrey: And in part, that's why I would urge the government...again, the Canadian government has not signed on to the migrant workers convention, which has a very interesting method of working that says, look, all governments are responsible even for undocumented migrants and their basic human rights—the basic ones. Being an undocumented person is a problem, but if we want people to become documented migrants, if we want them to join the ranks of legal migrants, then we should not punish them, we should encourage them.

So what the convention asks is that governments lay down the basic protections, but if a worker becomes documented, comes in and legally joins the ranks of workers, then they get extra ones. So things like unemployment insurance become available to those documented workers. So it's a positive approach rather than a negative one, and they will ask them to join unions and what have you so they can fight for their rights as migrant workers.

Again, I think it's unfair to focus just on the sex trade when you have these similar kinds of exploitative working conditions for migrant agricultural labourers, which is a big issue as well in Canada, for garment workers, domestic workers, which for women is huge, and for sex workers. If we address all our measures to sex workers and say everybody's trafficked who enters and therefore they get deported, they're all victims who don't want these jobs, I think you're missing the picture of all those migrant workers who want to work and who want to be protected in that work.

● (1240)

[Translation]

Mr. Richard Poulin: I'm sorry, but I believe that considering human trafficking and prostitution solely from the perspective of economic inequality is a grave mistake. Whether prostitution involves females — young girls, young women, or women of any age, or whether it involves males — boys, young men, transvestites, or transsexuals — men are essentially the ones using prostitutes. It is a social power relationship where men dominate; it isn't economic inequality.

One can explain the larger scale exploitation of Third World countries as regards prostitution on the basis of economic inequality, but prostitution or human trafficking is not a matter of economic inequality; it revolves around a power relationship between men and women and a deep social inequality between men and women. That clearly results in economic inequality, but to reduce human trafficking to nothing more than an economic issue associated with sex worker migration essentially ignores the fact that this fosters a system of male domination.

[English]

The Chair: Thank you, Mr. Poulin.

We're now into the next round of questioning.

Five minutes for Ms. Minna, and then Mr. Stanton.

Hon. Maria Minna: Thank you.

I want to follow-up on what Mr. Poulin just said.

While I understand and accept the fact that the sex trade or the prostitution of children and women that you've just mentioned is about power and control between men and women and is not just economic, at the core it is also an economic issue. As was mentioned, in the eastern European countries, once they had access to jobs, they no longer needed to....

In some cases, they come to Canada because they think they're coming for a job, but they end up being trafficked instead and are forced into it, as you said earlier. Or they come thinking they're coming as exotic dancers and that's as good as they're going to get, because that's how they're going to get around the immigration laws. Otherwise, they can't come, because our immigration laws now are such that women from certain countries, especially if they don't have a level of education or skills, can't come in to do the work. So they come in illegally.

At the core, it's the same issue for women. The motive for the men and the people who traffic them is different. It's greed and power. The women's motives are quite similar in many ways, I understand.

That takes me to some of the things that were mentioned earlier by Ms. Jeffrey, on the issue of immigration laws. The fact is that we know we need domestic workers in this country. We know we need temporary workers, and probably that need will grow more and more. Yet we make it difficult for women to come on regular immigrant visas, as regular immigrants, and to get jobs. We force them to go into situations that are not safe and not protected even by Canadian laws. As you said, in domestic work they may not be getting trafficked in a brothel, but they may be sexually abused by their employer, in which case they're still staying and it's still trafficking of a different kind.

When I was in Sri Lanka, for instance, I met with women who migrated every three months. They would go to work in Saudi Arabia, where they were sexually abused all the time and trafficked among the guys with money, in addition to the work they did in the factory. They never talked about it when they went home. They went to work because they needed women in the factories, and the men stayed home looking after their families. So to me trafficking is not a very linear thing.

Madam Jeffrey, could you give us, in writing, the names of Stella and the other organizations that you suggested we should talk to? I think it would be good for us to talk to as many as we can.

Also, could you tell us how we should be changing the immigration laws? It seems to me that if a person is identified, the women should not be charged and deported. We should institute laws whereby the men in this country are charged with a criminal offence.

If you are using coke or something, you're charged as a user. Why is it that men can get away with using women and children without being charged? It should be the other way around. These men should be charged. If the judges, lawyers, and big megabuck guys who are the ones using ended up on the dockets, and if they knew their names would end up there and they'd be charged with criminal offences if found and if the women mentioned their names or described them, then they might bring it down just a little bit.

So I would say two things: charge the men, and then give the women the right to stay and not deport them. I would say changing the immigration laws somehow would help.

• (1245)

The Chair: Ms. Minna, we won't have much time for any answers at this rate.

I'm sorry, I didn't mean to interrupt, but please be brief.

Ms. Leslie Jeffrey: I'll try to be brief.

The problem is that this is the status of women committee. If we focus on punishing men or focus on the big-picture stuff, which should change—the inequality between men and women, the economic inequality, the sexual inequality, the sexual abuse of women by men, that should change, but it's going to take, as we know, a very long time. There's that level of needing to address those big-picture things. But at the lower level we need to focus on practical policy. As a political scientist, that's what I do.

What we've found is that if you institute a law like the Swedish law, which criminalizes men or anyone for buying sexual services but not the women, it has unfortunately not proven...and this is the police report. The police are the ones in Sweden who are complaining about this law. They say it hasn't helped. Instead of focusing on giving women more rights, it's focused on making them go in and find these men. There's no extra support for women.

Hon. Maria Minna: I'm saying to do both.

Ms. Leslie Jeffrey: Yes, maybe, but in this case, going in and raiding men has meant it has gone even further underground. The Swedish outreach groups and the police are therefore having a much harder time finding them, even though we know they're there. Remember, cellphones have made the sex trade completely invisible.

So it depends on where you want to focus your energies. And with trafficking—

The Chair: I'm sorry, but I have to cut you off. Mr. Stanton has been waiting and it has been more than five minutes.

Mr. Bruce Stanton: Thank you, Madam Chair, and my thanks to both of our witnesses today.

I'm going to be directing my question to you, Monsieur Poulin, and I'll apologize first off that I'll address you in English, because my French is

[*Translation*]

a “work in progress”.

[*English*]

First, I was startled by the statistics that you brought to us in regard to the degree to which the institutionalization of prostitution is occurring in other parts of the world, like Germany—and you also cited the numbers in Thailand.

Has there been any work done or could you relay any data that exists that might connect...? If the formalization of prostitution is going at such a pace in the world, presumably Canadian men are also availing themselves of this broader access to these types of services. To what degree is that activity impacting—I'll use Ms. Minna's word—the “objectification” of women and children here in our society?

This is an activity that's obviously on the increase. Has there been any link drawn to how that's impacting our attitudes and culture here in Canada? I was surprised at the extent to which this phenomenon is actually gaining pace in the world.

[*Translation*]

Mr. Richard Poulin: It is difficult to say. In Thailand, prostitution has been institutionalized for 40 years now. No longer is there really any way of keeping track. In the 1990s and early in 2000, Australia, New Zealand, Switzerland, Greece, Germany and The Netherlands legalized prostitution, thinking that this would protect women and that by regulating prostitution, it would no longer be controlled by organized crime. At the present time, municipal authorities in Amsterdam are questioning the very existence of the city's red light district, because people have realized that organized crime has even tighter control there than before.

Canada is a country where Canadian citizens engage in sex tourism, but it is also a country that attracts pedosexual tourists. The cities of Vancouver and Toronto are known for their “kiddie strolls” which attract sex tourists. There are newspapers in Vancouver which publish the best addresses for pedosexual tourists and that are funded by the Canadian government through tax measures.

For some years now, people have been assessing the connection between what might be called the trivialization or standardization of prostitution — including within our society, particularly through the belief, as expressed by some, that it is a job like any other job — and phenomena such as the oversexualization of young girls and early sexualization. So, the connections are now being made.

I would just like to say as well that in Canada, there has been no inquiry into the sex industries, and particularly pornography and the effects of using pornography, since 1985, and the work of the Badgley and Fraser commissions. Pornography exploded in the 1990s. In a way, it is a kind of propaganda in favour of prostitution. There has been no inquiry into the effects of pornography on people, and even less so on young people. I have done a survey, which will have to continue, but we already know that young people start to use pornography around the age of 12 or 13, on average — in other words, even before they have reached sexual maturity.

How does that influence their vision of the world? What impact does it have on their relationship with their body, their relationship with their sexuality and the fact that it is normal to be able to buy sex from a woman. We don't yet know much about this, but there is a need to do more research on the topic. Of course, if we are just talking about sex work, there is no need to do any research; all that is needed is better enforcement of labour laws.

•(1250)

[English]

The Chair: All right. Thank you very much. There are thirteen seconds left if you wanted to get a—

Mr. Bruce Stanton: I'll let it go. Thank you.

The Chair: All right.

I don't believe we have time to get started, unless, Ms. Davidson, you have a quick question.

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Sure.

First, thanks very much to both our presenters today. It's been extremely interesting.

Dr. Poulin, one of the things you talked about was the fact that we don't have any real data on information here in Canada. First, is it possible to get that data or is it too much of an underground industry?

Second, you said that 92% to 95% want to leave prostitution, but there's no exit strategy, if you want to call it that. What would an exit strategy be?

So, two questions, please.

[Translation]

Mr. Richard Poulin: Yes, it is possible and easy enough to assess the size of the industry and the number of prostitutes in Canada, including juvenile prostitutes. All you have to do is open the phone

book and you'll see all the hostess agencies, massage parlours, etc., listed in there. We know how many people work for those agencies. It's just a matter of counting them across Canada, from the Atlantic to the Pacific. I can do that in Ottawa, and I can do it in Montreal, but I don't have the means to do that all alone, all across Canada. Statistics Canada could do this kind of survey. I know for a fact, because I teach statisticians from Statistics Canada, that every year, the idea of doing such an assessment is put on the table, but ends up being taken off because it's not a priority. There are other priorities, which is understandable. But yes, it is possible.

There is still some so-called “underground” prostitution, but that is basically street prostitution. There again, municipal police know all about this. It's a matter of centralizing the information.

What we are lacking here in Canada are shelters for prostitutes, whether they were born in Canada or have come here from abroad. We don't have any such shelters, nor do we have vocational and academic training programs; we don't have anything at all. A prostitute in Gatineau or Ottawa who wants to get out of prostitution has to go through a detox centre, because social services have nothing to offer her. But the fact is that people engaged in prostitution are not necessarily addicts. We have a problem in the sense that we have always considered prostitutes to be responsible for prostitution, as opposed to being the victims of a system of prostitution. So, we have never developed any services for these people. That is the first thing. The 1949 Convention says that one of the most important things is to develop services aimed at ensuring social and vocational reintegration, etc. In any case, if we don't provide these services, they will never be able to get out of prostitution; they will continue to work in the industry, because they have no other choice.

•(1255)

[English]

The Chair: Thank you very much, Monsieur Poulin.

I must bring to your attention a program that I suspect you would know in Toronto called StreetLight. I started that program. That was my program in Toronto; that was my way of dealing with some of those street issues. You might want to connect with them and have a look at what is happening there.

Thank you both very, very much for your valuable information. As we move forward, there may be a need to have you back, or the analysts may need to connect with you to get additional information. So thank you both very, very much for your very important information—it was quite informative for us today.

To the committee, we had talked earlier about trying to get witnesses. Ms. Smith has a couple of names for this coming Thursday. I would suggest we might need some time to talk about whether we want to narrow down our studies. We need to have an opportunity for some further discussion among the committee members, because it could be very broad, or maybe we need to be narrower and deal with the sexual exploitation avenue. We could get into a lot on the bigger issue of the exploitation of migrants, which affects women, or do we want to narrow it down?

Could I suggest we reconvene on Tuesday at eleven, as is our normal practice, if we can get an extra witness to come in? We need to think about where we want to go and if we need to narrow this down, so maybe we focus on one avenue this time and another avenue later on. It's a suggestion.

Is that all right?

Mrs. Joy Smith: I think that's a good suggestion. If we do have a witness on Monday, perhaps we could have half an hour for the witness and half an hour for discussion on narrowing it down.

Thank you.

The Chair: Thank you all very much.

[*Translation*]

Mrs. Maria Mourani: Madam Chair, I just wanted to point out because motions were passed at the beginning of the meeting, I did

not have an opportunity to ask any questions on the second round. As a result, I will not be particularly in favour of dealing with motions at the beginning of a meeting, because I end up being penalized.

[*English*]

The Chair: We would have stopped the meeting at our normal time. We usually have the last fifteen minutes to deal with these things. So it would have happened at the beginning, or it's going to happen at the end—whatever we can do to facilitate our members here.

The meeting is adjourned.

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

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

**Also available on the Parliament of Canada Web Site at the following address:
Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :
<http://www.parl.gc.ca>**

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.