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**The Honourable Judy Sgro**

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## Standing Committee on the Status of Women

Tuesday, November 21, 2006

•(1110)

[English]

**The Chair (Hon. Judy Sgro (York West, Lib.)):** I call to order the 24th meeting of the Standing Committee on the Status of Women.

Good morning to everyone, with a special good morning to our witnesses. I very much appreciate and thank you for finding the time to appear before the committee today on this very important subject we are looking at, the issue of human trafficking.

We will go right to presentations from our witnesses. The last 15 minutes of the meeting will be left for some committee business that we need to attend to.

Members, before we hear from the witnesses, are there any comments to be made? No? All right.

I would like to welcome today the Sisters of Our Lady of Charity of the Good Shepherd, Deborah Isaacs, project coordinator; the Coalition Against Trafficking in Women, Barbara Kryszko, action alert coordinator; and from the Ukrainian Canadian Congress, Irene Sushko. The Future Group is represented by Benjamin Perrin, adviser to the board; it's always nice to have males around when we're doing these interesting subjects.

Please keep your presentations down to approximately five minutes. We will hear from all of you individually, and then we will go around the table for questions and answers. If you could use your five minutes to get in as many points as possible, we would appreciate it.

We will open it up to whoever would like to speak first, your choice.

Ms. Isaacs.

**Ms. Deborah Isaacs (Project Coordinator, Sisters of Our Lady of Charity of the Good Shepherd, Separated Children Intervention and Orientation Network):** Honourable Chair, members of Parliament, on behalf of SCION project, I would like to thank you for the invitation to speak to you on human trafficking.

SCION project is a collaborative effort between MOSAIC, a Vancouver settlement organization that for the past thirty years has been helping newcomers integrate into Canada, and the Sisters of the Good Shepherd, an international Catholic religious congregation located in over 70 countries, an NGO holding a special consultative status with ECOSOC at the United Nations.

Since the end of 2002, we have become more and more involved with the question of human trafficking in collaboration with the Canadian Council for Refugees, the RCMP, the provincial Ministry of the Solicitor General, and other NGOs in the Vancouver area.

In our work we have recognized major problems in the protection of victims of trafficking. The usual definition used is an adaptation of the Palermo Protocol. However, many NGOs have been highly critical of the protocol, notably because it addresses trafficking within the context of organized crime rather than from within the framework of migrants' rights. The protocol does not acknowledge the responsibility of states for creating the conditions within which trafficking flourishes. It frames anti-trafficking measures as migration control measures. Because of this criticism, many NGOs have a much broader view of what was meant by coercion than is meant by authorities, thus leading to uncertainty as to who is a victim and who is not for the purposes of regulations.

Even though Canada has signed the Convention against Transnational Organized Crime and its protocols, it has not incorporated the protection aspects into Canadian law. For the first few years, victims of trafficking continued to be looked on as criminals, and some still are, or at best, illegal migrants, and were rapidly deported. Thus, the only ones getting protection were the traffickers themselves.

In 2004, the RCMP in B.C. were able to offer some sort of protection on an ad hoc basis to victims, and in May 2006, a small positive first step to protection was introduced with the issuing of guidelines for temporary residence permits for victims of trafficking. Regrettably, the government did not consult with NGOs before these guidelines were issued, and since they do not involve new regulations, there are many gaps and problems that will limit their use. There is also no acknowledgment of the special needs of children, who are also covered by the Convention on the Rights of the Child.

The automatic notification of CBSA and/or police on application will be looked on with mistrust by potential victims who are unsure of their status, especially those who self-identify. Many NGOs already fear that a negative decision will lead to deportation, as the person would now appear on CBSA's radar screens. This would not be a problem for those uncovered by police, since they are already known.

Secondly, a potentially bigger problem that may not yet be recognized by many NGOs, because it is not explicitly expressed in the guidelines, is that these permits will be issued only to those who have no status in Canada. Those with legal visitor visas, work permits, student visas, etc., will not receive a TRP but will keep their other visa. The visitor visas, student visas, etc., do not give the victims access to services, so they will not be of much help.

Victims with a TRP of six months or under cannot apply for work permits. I realize the first permit is for reflection only, but how easy will it be to get further ones longer than six months when it is left to the discretion of the officer?

Third, and maybe the most serious problem, is that there is no money allocated to finance services to victims; therefore, there are still no services.

I believe B.C. and Quebec are the only two provinces seriously looking at providing services, and B.C. has a plan that I have included as annex A. However, without financial resources, it cannot be implemented. How can victims with a TRP, which doesn't even allow them to work, provide for themselves for months?

• (1115)

Fourth, the guidelines do not provide for victims who want to return to their country. There is no provision for a dignified return for those wanting to return home. In fact, they may end up in a Catch-22. They can get a TRP and ask their own country to pay for their trip, but many countries are not helpful for a variety of reasons. They can be deported from Canada, but this will not be done if they have a TRP, because they have status. They would have to let the TRP lapse and have no services. Plus, a deportation is not a dignified departure, and they will still be considered illegal immigrants, not even being able to return to Canada without ministerial permission. In all of these scenarios, Canada does not recognize its responsibilities and the fact that it was Canadian demand that brought them here in the first place.

Decriminalization of prostitution is often recommended to cut down on trafficking. I believe in decriminalization of victims because it will allow them to report abusers much more freely, but complete decriminalization of the sex industry has not worked in helping the victims in countries that have tried it. In fact, in many cases, things have worsened. Only about 15% have registered, because even though the work is legal, many still don't want to be identified as sex workers. There will also be those with medical problems who can't register, but that doesn't mean they will stop working. Many don't want the additional expenses of taxes, registration, medicals, etc.

It is also naive to think that pimps and johns, who are often violent, will become less violent because the work is now legal. Victims who are afraid of them will not readily report them, just as battered wives rarely report abusive husbands. It will be more dangerous, because it will be harder for police to get warrants to check on brothels because they are now legal. Brothel owners will be able to get work permits for foreign workers who may, in reality, be victims of trafficking, just as some of the tabletop dancers are victims. It just gives them better coverage.

Finally, the one group that is never considered in the question of decriminalization is the families of the johns. They, too, have rights to be protected. Instead, what I suggest is that Canada look at the Swedish model, which has apparently proven to be helpful.

These are our recommendations: that NGOs be consulted on future guidelines, regulations, and services to be provided; that financial resources be made available for services to victims of trafficking; that dignified and safe arrangements be made for victims who wish to return to their own country; that protection and services to victims be put into Canadian law; and that persons who are not victims of the narrow interpretation of trafficking, but who are victims of exploitation and other criminal offences, be given some sort of protection from automatic deportation if they self-identify.

• (1120)

**The Chair:** Are you closing this, Ms. Isaacs? Thank you.

**Ms. Deborah Isaacs:** I just have one more sentence.

The complete decriminalization of prostitution should not be done.

**The Chair:** Thank you very much.

When I raise my finger, it's to indicate about the last minute, so that you can move toward wrapping up. We can then get some of your points in through the question and answer section of our meeting.

Barbara, would you like to go forward?

**Ms. Barbara Kryszko (Coordinator, Action Alert, Coalition Against Trafficking in Women - International):** Thank you, Madam Chair.

The Coalition Against Trafficking in Women enthusiastically welcomes this occasion to address the issue of trafficking for the purpose of sexual exploitation. The coalition is an international non-government organization that has been promoting women's human rights for over 18 years.

Trafficking in women and girls for sexual exploitation is a form of violence against women. When a woman or girl is reduced to a commodity to be bought and sold, raped, beaten, and psychologically devastated, her fundamental human rights and dignity are repeatedly violated.

Sex trafficking and prostitution are inextricably linked. The demand for prostituted women and girls is the engine or the root cause that commences and drives the global crisis of sex trafficking. By cutting off demand from buyers, governments eliminate the major source of illicit revenue and profit for traffickers—the payments of buyers—thus reducing the incentive for trafficking.

The coalition has been involved in the drafting of anti-trafficking legislation throughout the world in several jurisdictions. It was involved throughout the drafting stages of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, also known as the Palermo Protocol, supplementing the Convention against Transnational Organized Crime, which to date has 110 states parties, including Canada.

With the Palermo Protocol, the international community has agreed upon a definition of trafficking in persons. We can't stress enough the importance that this definition be used and implemented in its entirety. Unfortunately, Canada has failed to use the complete protocol definition in the legislation that has passed thus far. For instance, the protocol definition protects not only those victims who are trafficked by means of force, coercion, abduction, or deception, but also those who are pushed into exploitation by means of abuse of the victim's vulnerability.

The recent European trafficking convention, which is consistent with the UN protocol and its definition, includes the following explanatory note:

By abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family related, social, or economic. The situation might involve insecurity or illegality of the victim's administrative status, economic dependence, or fragile health. In short, the situation can be of any state of hardship in which a human being is impelled to accept being exploited.

Further, the explanatory report summarizes that the means must be contemplated under the definition to include:

Abduction of women for sexual exploitation, enticement of children for use in pedophile or prostitution rings, violence by pimps to keep prostitutes under their thumb, taking advantage of an adolescent's or adult's vulnerability, whether or not resulting from sexual assault, or abusing the economic and security or poverty of an adult hoping to better their own or their family's lot.

Indeed, in recognizing the wide and inclusive scope of the trafficking definition, as well as the close relationship between prostitution and sex trafficking, the UN special rapporteur on trafficking in persons has found the following:

For the most part, prostitution as actually practised in the world usually does satisfy the elements of trafficking. It is rare that one finds a case in which the path to prostitution and/or a person's experiences within prostitution do not involve, at the very least, an abuse of power and/or an abuse of vulnerability.

Power and vulnerability in this context must be understood to include power disparities based on gender, race, ethnicity and poverty. Put simply, the road to prostitution and the life within "the life" is rarely one marked by empowerment or adequate options.

Thus it is imperative that policies and practices addressing sex trafficking also address prostitution, since so many prostituted persons have been trafficked.

Another key aspect of the definition of trafficking of the Palermo Protocol is paragraph 3(b), which states that "the consent of a person" shall be "irrelevant" where any of the means in paragraph 3 (a) have been used. In order to protect all victims of trafficking, including those who may initially "consent" to their exploitation and who have been abused because of their position of vulnerability, it is crucial to respect the entire definition of trafficking so that traffickers cannot use consent of the victim in their defence.

Thus it may be that some trafficked women are aware that they may be prostituted in their country of destination, and may even have been involved in prostitution in their home countries. This so-called consent is a reflection of the deeply desperate situations in which many women live and should not exempt the traffickers from legal responsibility when the means of trafficking are used and the element of exploitation becomes present.

• (1125)

The UN protocol is clear that trafficked persons, including those in prostitution, are no longer considered criminals, but crime victims, and have a right to extensive protection. For instance, article 6 provides that each state party consider implementing measures to assist in a victim's recovery, including access to medical, psychological, material assistance, housing, employment, and educational and training opportunities. Canada should provide this comprehensive assistance to victims, and it currently falls short in its legislation and funding, as my colleague has pointed out.

Since I'm limited in time, I will just point out that the Palermo Protocol also has a provision on demand, and a country's approach to prostitution is critical in having an impact on the demand. We support the Swedish model, which I know you've heard about several times, and are concerned about countries where prostitution is legalized, since the demand for both legal and illegal prostitution increases, as does the incidence of trafficking. While some local jurisdictions in Canada have made efforts to target the demand, more comprehensive national efforts are necessary to combat trafficking by eradicating the demand.

Finally, I have a few recommendations based upon our extensive research and experience.

We urge the committee study to enforce implementation of preventative measures, such as public education campaigns, about the harms of trafficking in prostitution, including campaigns targeting men and boys to challenge the attitudes and practices of potential perpetrators of sexual exploitation.

We endorse increased support and services for survivors of both international and domestic trafficking and prostitution, and the promotion of effective laws against trafficking, prostitution, and related forms of sexual exploitation consistent with the UN protocol, including provisions criminalizing the demand for trafficking and prostitution.

We recommend the development of training programs for government bodies, such as law enforcement and immigration, to hold perpetrators, including traffickers, pimps, and buyers, accountable rather than criminalizing the victim.

Finally, we urge rejection of government policies promoting prostitution, whether through legalization or decriminalization of the sex industry.

Thank you.

**The Chair:** Thank you very much.

Ms. Sushko.

**Mrs. Irene Sushko (National President, Ukrainian Canadian Congress):** Honourable Chair and members of Parliament, recently in the "Canada/World" section of the *The Hamilton Spectator*, the headline in big, bold letters read "12 Million People in Bondage". It immediately captured the reader's attention. The question in one's mind became, "What is this issue that has 12 million people in bondage?" With true astonishment, the reader soon realizes that those referred to as being in bondage are in fact victims of human trafficking.

The issue of trafficking is of great concern to the Ukrainian Canadian Congress, its 27 member organizations, and the general Ukrainian Canadian community, as it is to all other citizens of Canada. Trafficking is a high-profit, low-risk enterprise, often with strong links to organized crime. Trafficking across international borders, as we know, affects more than 800,000 persons a year, and most are trafficked into the sex trade either against their will or under coercive circumstances. Sadly, 80% of these are women and girls and up to 50% are minors. Trafficking of humans constitutes horrific acts of slavery, the shameful assault on the dignity of children, the exploitation of the vulnerable for profit. It has become the second fastest-growing crime in the world.

More and more women are leaving their homelands in search of a better life and are ending up as victims of trafficking in human beings and of prostitution. They are promised honest jobs, but upon arrival are forced to work as prostitutes to pay off the cost of their trip. In pursuing their dream, they find themselves living a nightmare.

Victor Malarek's book, *The Natashas*, very explicitly reveals many of the ways in which this criminal element carries out its mission. The true-life incidents related in this book are shocking and unbelievable.

I have a brief quote from his book:

What happens to most trafficked women, whether they were tricked, abducted or willing is criminal. They are forced into situations of profound terror, comparable to being held hostage. They are immediately deprived of their travel documents and their every movement is tightly controlled and restricted. Potential buyers test-drive the women, much like the way we test-drive new cars.

We cannot allow these atrocities against humankind to continue. Although we are pleased with the announcement this past summer by the Minister of Citizenship and Immigration regarding some new measures to assist the victims of human trafficking in Canada, there certainly is a great deal more that must be done in this respect.

As a result of a round table on this topic chaired by Irena Soltys, chair of the coalition against trafficking, the Ukrainian Canadian Congress passed a resolution in October of 2004 directing the congress to sensitize the Government of Canada and relevant federal agencies on this issue and to support projects initiated within the community to raise awareness of this horrific crime.

One of the ways we chose to implement this resolution was to partner with Member of Parliament Joy Smith to raise awareness of this crime against humanity. As well, we have addressed the issue with both the Minister of Citizenship and Immigration and the Minister of Foreign Affairs.

The following are some of the concerns raised during our discussions, along with some recommendations.

Those guilty of these crimes against humanity must be found and appropriately dealt with. Existing legislation must be strictly enforced, including penalties of up to life imprisonment and fines of up to \$1 million for conviction for trafficking in persons.

Trafficked persons may be reluctant to go to police or to doctors for assistance; therefore, a 1-800 hotline number must be established and clearly made available. Shelters must be made available, where victims can seek refuge and protection. Welcome packages must include the above information, as well as instructions regarding the protection of one's passport.

Customs officers must be made aware of the intricacies of the traffickers and the influence they have on the victims and must be skilled in recognizing these improprieties. A service-wide mandatory training program must be initiated.

And we're suggesting the age of consent must be raised from 14 to 16.

Internationally, the Government of Canada should work toward greater cooperation in striving to eliminate transnational trafficking trade and organized crime rings, working with consulates of sending countries to ensure trafficking awareness of visa applicants, and rehabilitating and assisting victims' safe return home. Canada's role as a signatory of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons must be made a top priority.

Together we must strive for total abolition of human trafficking. Future generations will not be helped by those who turn a blind eye to this vicious crime today. We have a duty in this respect, and we cannot stand idly by and allow these atrocities to continue. We must turn our outrage into action, and we very strongly urge the Canadian government to be a leader in this respect.

• (1130)

Thank you.

**The Chair:** Thank you very much.

Mr. Perrin.

**Mr. Benjamin Perrin (Advisor to the Board, The Future Group):** Thank you very much, Madam Chair. Good morning.

Does every member of the committee have a copy of our brief? I'll be referring to it in the interests of time. Okay, great. So I'll submit that for the committee's consideration. I'm just going to focus today on what I think are the top level recommendations and proposals that The Future Group has.

To start with, we're honoured to be here. Our organization was founded in 2000 by a group of university students sitting around a lake and talking about this problem of human trafficking that we heard about six years ago. It's an honour to be here finally in Ottawa to talk before you today about it. So thank you very much for the opportunity, and I applaud you for studying this problem.

As many of you know, our organization started doing its work overseas. We've led on-the-ground fieldwork projects with victims in Cambodia, Myanmar, Romania, Moldova, and, most recently, this summer in Ecuador and in Cameroon. Our attention focused back on Canada, on Calgary—I'm from Calgary originally—when the police raided a massage parlour and found, lo and behold, women from Southeast Asia. People have since forgotten about that story; that was in 2003.

Since then we've started to focus on this issue in Canada on a policy level. Based on our experience overseas, we've developed essentially a three-point framework. It's outlined on page 1. It starts to balance some of the concerns this committee has heard today and in previous witness testimony about how do you balance the law enforcement aspects, the human rights aspects, the economic aspects. This is our approach.

First is prevention of human trafficking by working with source countries to address the root causes, which involve a lack of knowledge, so educating at-risk children. Organizations educate 80,000 at-risk children in rural Cambodia, for example, dealing with the situation there. Also, direct foreign aid to increasing economic opportunities for young women. That's the first part of the framework.

The second part of the framework is protection of trafficking victims. This includes both the rescue and then subsequently the rehabilitation, or where appropriate, repatriation, and then their reintegration into society, whether it's appropriate for them to go home or not.

The final part is the prosecution of traffickers and commercial sex users in criminal proceedings. So it's all three that you need; otherwise, it's just a drop in the bucket and progress is difficult, if not impossible.

Many of you are familiar with the report that our organization published in March of this year called *Falling Short of the Mark*. It was an international study on the treatment of human trafficking victims, and I'm embarrassed to say Canada got a failing grade. The summary of our report is in pages 2 to 4 of our brief, and if you're interested in the full version with all the comparative examples, it's on our website, which is [www.thefuturegroup.org](http://www.thefuturegroup.org). I apologize for the shameless plug, Madam Chair, of our website.

I do want to draw your attention in particular to page 3 of our brief. This is a case study that is cited in our report in a footnote. We were told after our report that, no, there's no evidence that trafficking victims are deported, it's all anecdotal, it doesn't happen. Here's an official report from the Federal Court judicially reviewing a decision of the Immigration and Refugee Board.

It's the case of Katalin Varga, one of the few that made it up this high. You can only wonder how she had the legal resources to make it so high. I don't know; someone must have been supporting her. I'd like you to read on page 4 here, and this is a summary of the case from the reporter:

Varga's doctor indicated she was suffering from post-traumatic stress disorder and would suffer a complete psychological breakdown if she were returned to Hungary.

She was found to be a bona fide human trafficking victim. Canada's response: deport her. This is the current state of the law. We now have interim guidelines that begin to address this problem. Our organization applauded the Minister of Citizenship and Immigration when these were announced. I agree with the comments earlier; it's a good starting point, and more can be done.

Some of you are aware I was involved in that process as well. I'm not here to talk about my capacity in that, but just to say that our approach has been internationally that you want to make measurable steps. I would caution the committee against trying to come up with a grand national plan all at once. First of all, by the time you come up with the plan, the traffickers have already moved on.

We need to support projects that are working, focus our efforts in areas of greatest concern, both geographically...and I'd point out that Vancouver, with the coming Vancouver Winter Olympics, should be a major concern of this committee. By 2010, if Canada does not have its act together on combating human trafficking, there will be a surge of human trafficking in British Columbia. International practice at every major world sporting event in the last decade, in addition to peacekeeping missions, has shown that a large influx of that hard currency and foreigners with a lot of time on their hands and a sense of impunity will essentially drive this industry. You have to approach it from a crude angle, which is a business angle sometimes, and you can see that the traffickers will see this as a windfall.

• (1135)

I'll leave for your consideration our recommendations, which are set out in our brief on page 7. We've called for the creation of a counter-trafficking office. I'd like to answer questions, if you have them, about why that's needed, but I'll have to defer those to the question period, since I'm out of time.

Thank you again for the opportunity today.

**The Chair:** Thank you all very much. I'm sure the opportunities to get to those points will arise as we go through the question and answer period.

We'll start with Ms. Neville.

**Hon. Anita Neville (Winnipeg South Centre, Lib.):** Thank you, Madam Chair, and thank you all for coming here today and for bringing the breadth and diversity of your experience to the committee.

I have a number of questions. My first question is—and I think each of you touched on it—on the temporary resident permit for victims of trafficking. I think you spoke of it, in some ways, as a first step, but as not adequate to meet needs. I'm wondering what your suggestions are. I'm going to put my questions out there, and if I've got time, I'll come back with more.

The other issue that I'm particularly concerned about—and I don't know that any of you spoke to it at all, but I would welcome your comments—is Canada as a source country for victims of trafficking. What is your experience? What is your knowledge? What recommendations do you have? We've had representation before the committee particularly as it relates to aboriginal women. I'd like to hear from you on that issue.

• (1140)

**Ms. Deborah Isaacs:** I can say I have heard of cases in the Vancouver area, especially because of the age of 14, in which they use the method of a boyfriend developing a relationship, which then leads to crossing the border into the States, especially into the southern United States. We've had several local workers who have tried to prevent this by approaching the police, and they say they cannot do anything because of the age of consent. They've ended up having to go down to the southern United States—because it's only once they've crossed the border that any action can be taken—and they've gone to bring them back.

**Hon. Anita Neville:** Can I just ask for clarification, Ms. Isaacs? How old are the boyfriends?

**Ms. Deborah Isaacs:** They're of all ages.

**Hon. Anita Neville:** Fourteen-year-olds are protected under the law right now.

**Ms. Deborah Isaacs:** That's when it's over so many years' difference.

**Hon. Anita Neville:** If it's a 16-year-old trafficking a child, that's one thing, but if it's anybody over 18, they can be prosecuted and prosecuted hard.

**Ms. Deborah Isaacs:** Some of them are not.

**Hon. Anita Neville:** Okay, thank you.

**Ms. Deborah Isaacs:** They use all sorts of means.

**The Chair:** Would someone else like to answer Ms. Neville's question?

**Mr. Benjamin Perrin:** Just briefly, on your first question, with respect to the interim guidelines, this is the challenge that I spoke about earlier, which is that there are so many pieces to the puzzle. As you know, there is a 17-member interdepartmental working group. The analogy I came up with is that it's like having a three-legged race, but it's a 17-person, three-legged race. You're going to go as slowly as the last person who's with you.

The reason I make that analogy is that you have these immigration guidelines, which are designed to do what they can from an immigration perspective, but then you also have law enforcement pieces. Then you have provincial matters with respect to housing and legal aid and these other additional pieces that are really required to get the whole package. A lot of the concerns that are being raised are about the fact that the guidelines don't do enough. Well, they can't. Certainly there are areas in which there are gaps, and they were identified I think quite well by Ms. Isaacs. I think the process of improving on the guidelines is one that should happen once there's been time to see how they work in practice.

I should add that it's been reported in the media that there were six women who were offered the protection of the guidelines already this summer. They decided to turn them down. That, actually, is not

necessarily a bad thing. When the media was coming up...before the guidelines, people were saying that anyone could claim to be a trafficking victim and try to cram their way in. That's not happening, and that hasn't happened in other jurisdictions.

Canada should be confident in offering sufficient protection, as required under the international protocols, so that this can be carefully done in a way that will not abuse our country's generosity.

**Hon. Anita Neville:** Does anybody else want to comment on Canada being a source country for trafficking?

**Ms. Barbara Kryszko:** I would, just quickly. The studies that I've seen in terms of aboriginal women being disproportionately in prostitution compared to other women are really quite shocking. There have been studies done in Vancouver and other parts of the country, and it's a concern that needs to be addressed. That, unfortunately, is something that happens globally. Minorities and populations that are either underrepresented or have a history of oppression have been way overrepresented in prostitution.

I think that's something the committee should look at.

**Hon. Anita Neville:** Do I have more time?

• (1145)

**The Chair:** You have a minute and a half.

**Hon. Anita Neville:** I have a brief question, then.

We've heard much from previous witnesses about supports for victims of trafficking. I wonder what each of you thinks—though we probably don't have time—in terms of what additional supports the government should be providing for victims of trafficking, what the responsibilities of the federal government are and what the responsibilities of the provincial government are for housing or counselling or whatever the nature of the supports.

**Mrs. Irene Sushko:** May I venture, then, to clarify that the congress does not specifically deal with projects. We deal more with awareness raising and encouraging programs and projects. But certainly there needs to be a really good network established so that NGOs can assist those who are victims. As I mentioned in some of my comments, victims are not readily willing to go to the police or doctors or people of authority, because some of them have come from countries where they were abused by these people. I'm not sure how, but we need to think about that and have a plan for networking, where NGOs, particularly, can have resources and can work with government agencies on being able to help and protect and assist the victims.

**The Chair:** Sister Isaacs, just shortly, did you want to respond?

**Ms. Deborah Isaacs:** It's briefly outlined in the B.C. plan. There is housing—short-term, long-term, and emergency. There is medical, both psychological and physical. The interim federal health will cover for four months, but some provinces have a wait time also, so if they're going to stay any longer, you might have to extend it longer than that, until they qualify for the provincial. There is social welfare, and possibly job employment training, because most of them have known no employment except prostitution. There is rehabilitation, and a choice of whether they want to go back to their own country or not. What they also have to look at is providing help if they do want to go back to their countries of origin, because some of the countries cannot do it.

**The Chair:** Thank you very much.

Ms. Mourani.

[*Translation*]

**Mrs. Maria Mourani (Ahuntsic, BQ):** Thank you, Madam Chair. I thank all of you for your testimony.

My question is for Mr. Perrin. In your recommendations, on page 8 of your brief, you say, and I quote:

With recent amendments to the Criminal Code and the CIC Interim Guidelines, a basic legal framework is now in place and will allow Canadian authorities to begin to address the challenge of human trafficking.

We met a morality investigator from the City of Montreal Police Department last week, I believe. He seemed to be saying that the law was not very effective in helping them do their work. In fact, he clearly stated that the section of the Criminal Code on human trafficking was not used at all by the MPD.

Is the law really effective? Should improvements be made to the Criminal Code? To what section of the law? Is it the one on procuring, trafficking or having a bawdy house? Firstly, what should be amended, concretely, in the act, in the Criminal Code?

Secondly, what must we do so that sex tourism abroad and the actions of persons who partake in sex tourism do not remain unpunished? What needs to be changed in the law?

Lastly, you say that the Interdepartmental Working Group on Trafficking in Persons (IWGTIP) — and you will correct me on this if I am wrong — is ineffective, in some ways, or has simply not fulfilled its mandate well. You propose to replace it by the Canadian Counter-Human Trafficking Office.

I would like to understand what this office would be and what it would do differently from the IWGTIP that would make it more effective.

**Mr. Benjamin Perrin:** Thank you very much. I can answer part of it in French and continue in English.

**Ms. Maria Mourani:** It's okay, you can speak in English, if you wish.

• (1150)

[*English*]

**Mr. Benjamin Perrin:** Okay.

First, on the child sex tourism issue, it is very difficult to engage in extraterritorial investigations. There's no doubt about that. The only

successful prosecution was with respect to Donald Bakker in British Columbia. He was the first man convicted under the child sex tourism law, and that was an accidental investigation. That he had sexually exploited children abroad was only discovered after his computer was seized.

So how do other countries do it? That's sort of our approach. Other countries are regularly prosecuting their foreign pedophiles who go abroad. And they really operate with impunity. In Cambodia, you can see them walking down the street arm in arm with girls who are 8, 9, or 10 years old, and there's absolutely nothing you can do about it there.

They deal with it through liaison officers in the embassies. The Australian federal police have liaison officers. The Americans have law enforcement officers, not in every embassy, but in the focused, highest-risk areas. They don't just work on human trafficking and child sex tourism; they also deal with drug trade issues and other transnational organized crimes. So it's largely an enforcement issue at this point.

The RCMP have been given information about Canadian pedophiles operating abroad, as detailed as passport copies, trip manifests, and even witness statements. We were able to provide them with these types of evidence. We actually participated successfully in the prosecution of an American pedophile, using the same model. The Americans were able to send a team, they investigated, and this resulted in a conviction.

Unfortunately, the way our law works, when we have a foreign pedophile operating abroad like this—bouncing between countries and never coming back to Canada—there's no way to get him. Also you're not able to hold Canadian citizens at the border when they return, unless you have enough evidence against them to result in an arrest warrant. So it is very difficult, but it can be done, and the answer, in our view, is resources and a liaison officer program.

Now, on the question of the interdepartmental working group, why would an office be better? The main issue we see is there needs to be a central focal point for funding for human trafficking, because right now we'd be at a loss to say there is any funding going to human trafficking, other than for the meetings of the interdepartmental working group and the poster campaign at the federal level. So there needs to be a focal point, which is also important for accountability.

We see this office as being able to develop and propose initiatives that go back to the individual departments that are involved. So rather than having 17 departments around the table discussing what would really involve programs in only two or three of them, why not have a central office with expertise in human trafficking, bring together the best people in Canada to work in this office, give them the funding they need, and give them a mandate to liaise with the relevant departments?

We see this as a new approach that could work. Other countries have done so, and it has resulted in increased accountability—and, I should add, the office would report to Parliament. There should be a report to Parliament on how many victims have been assisted, how many have been repatriated, and how many traffickers have been investigated and charged. This is information that as a country we don't have right now.

[*Translation*]

**Mrs. Maria Mourani:** Would it be a research office, a police information centralization office, or simply a political office?

[*English*]

**Mr. Benjamin Perrin:** I see it as fulfilling a central function of gathering all the research, but making substantive proposals and actually working with departments to implement pilot projects and to direct funding. So this would be the office that would actually have a framework in place where they can decide where the funding is going. This isn't to take control away from the department; it's to try to put accountability in the hands of a single point that's responsible for dealing with it.

Right now, if an organization wants to meet with the federal interlocutor for human trafficking, I ask you, who do they call? What's the number? There is none. People have been told to talk to the justice minister or the foreign affairs minister, and that's all fine and good, but we're talking about really low, street-level work.

I'm an aid worker. I have a victim in my house. What do I do? Who do I tell that person to call?

We get calls like that as an organization, through our website, so there needs to be an answer to that question.

**The Chair:** Thank you very much.

Ms. Smith.

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Thank you, Madam Chair.

I want to thank all the presenters today. Indeed, it's very important that you're here today educating us and helping us on this very horrific crime that has to be stopped.

My first question is for Mr. Perrin.

I'm very interested in what you say about the human trafficking office. I would agree with you that there is absolutely no focal point with expertise, somewhere someone can go for assistance.

We talked about funding. Let's say, hypothetically, if an office such as this was set up, they would have input into the funding and where the funding should go.

I was meeting this morning with a group of people who took care of homeless shelters. As we all know, human-trafficked people need a shelter, but the shelters we currently have are not adequate. In my view, it needs to be shelters because they need some time. You can't just apprehend or rescue trafficked persons and then have them testify. It doesn't work. A lot of them are very afraid of police. They've been intimidated over months or years, and that doesn't work.

In terms of an office like this, where would you predict funding would go that would usefully address...?

I agree, number one, that the age of consent has to be raised. Number two, consent shouldn't even be an issue when people are apprehended. They are helpless victims of a horrific crime.

We have a unique situation here because some of these women also come with small children, if they become pregnant. One woman in Toronto I've been working with from Mexico has a 10-month-old daughter. There are different kinds of things these people need.

Could you comment on that, Mr. Perrin, in terms of shelters and the differences between what we know now and what should be there?

• (1155)

**Mr. Benjamin Perrin:** I will start with the funding issue. As you pointed out, it's the biggest issue right now. I don't know what the amount would be. Thomas Axworthy has said \$100 million for human trafficking initiatives is required. I think that sounds like a reasonable figure. It certainly sounds round, and I'm not sure what went into that.

We would propose that the best use of the funds would be to go back to that three-point framework. The money should ideally be following the victim. That's what you want to do in any social program. It's very difficult to do in something like health care where all Canadians are involved, but in something like human trafficking, where we're actually only talking about maybe 25 to 30 victims in the first year, the guidelines are up and operating. That's how it's played out in Australia and the United States. You should essentially have packages for various victims. Some victims will require a work permit and housing; others who want to be returned home as soon as possible will not. That program needs to be developed, and this office can play a role in that.

Sufficient funding for that could easily come from that \$100 million. We're not actually talking about a lot of money when it comes to the victim assistance side. That's a bill the federal government could opt to fill, but certainly under its jurisdiction it wouldn't be required to.

On the prosecution side, it's only a drop in the bucket if you're just dealing with victims. Here's how your criminal justice system would work. For people who commit murder, a break and enter, and shoplifting, we're not going to send them to court any more. All we're going to do is say to someone, did you have your car broken into? Come to the government, we'll help you fix it. If someone was killed, we'll give you some counselling. No, don't worry about the murderer who's on the street or the person robbing your houses.

That's essentially what's going on right now with respect to human trafficking, not for any lack of hard work by the law enforcement agencies. They've seen it and they've told us they're not properly funded to do this. That's a huge piece, and it is probably the biggest dollar amount required with respect to getting into these organized criminal networks.

**Mrs. Joy Smith:** Do I have time for another question, Madam Chair? Thank you.

I don't know if you're aware of this, but a couple of weeks ago Liz Crawford, an international model, testified here about the trafficking of Canadian girls who have been not from poor, rejected families, which we often think human trafficking victims are from, but from ordinary families. We know this is increasing, but we don't have the data, which is something else this office could be acquiring.

Could you comment on some of the things that could be done to prevent this kind of thing from happening in the modelling agencies? From what I'm finding, it's very prevalent, and I'm absolutely shocked and alarmed by it.

**Mr. Benjamin Perrin:** Again, we draw our inspiration from what has worked internationally.

One of our projects dealt with young people who were told that they were going to go and get a job in the big city. In Cameroon we started to work on a program to set up a safe community network. There was one person on one end—if they didn't have family, that one person would be a trusted member of the community, or a social worker—and there was someone else on the other end. So you're going to work in the city? Okay. But we have someone at the other end who's going to make sure that when you get there, you do end up doing what you signed up for. That someone checks up on the individual. So this actually is a very unique model that could work.

Now, a little less intensive and an easier, more achievable step would be information. These young women need to know that if it smells like a rat, it probably is. They need to know what questions they should ask. And there are questions they can ask that will allow them to find out if they are in fact getting into something they didn't bargain for.

• (1200)

**Mrs. Joy Smith:** Thank you.

I really have to commend the Ukrainian Canadian Congress for the 2004 resolution that was put down. I certainly commend the world organization as well that worked on that.

Irene, could you please comment on some of the things the UCC has been involved in with regard to the human trafficking issue?

**Mrs. Irene Sushko:** Certainly.

Our big effort is to raise awareness and to encourage our member organizations to plan similar sessions, to become involved in all the communities. The Help Us Help The Children initiative in Toronto is working with some of the orphans who have reached the age of 16 and need a place to go. We have a committee doing that. The World Federation of Ukrainian Women's Organizations has done a lot of work internationally.

So the community is becoming very much involved. As a follow-up to some of the forums that we had planned, I'm so pleased that some of the organizations are continuing this. It's kind of mushrooming. They're creating these awareness sessions.

With all the things we're talking about today, I believe if people don't know about it, they're not going to act. Awareness is extremely important.

**Mrs. Joy Smith:** Yes, I certainly would agree.

Is my time over, Madam Chair?

**The Chair:** Yes, I'm sorry, it is.

Ms. Mathysen.

**Mrs. Irene Mathysen (London—Fanshawe, NDP):** Thank you very much, Madam Chair.

I'm going to pose some questions to whoever would like to jump in. I'd appreciate hearing from everyone, if possible, or whoever feels most comfortable answering.

We've heard from various police forces—Toronto, Vancouver, and Montreal police have been here—that NGOs are very important as a resource to support trafficking victims. I'm wondering what additional resources NGOs need to do this important work, and what resources you would require from government.

**Ms. Deborah Isaacs:** First of all, it's the money. Most of us are strapped as it is, especially some of us in the settlement area in certain provinces.

I know in B.C. they're looking at having some NGO and government personnel go out with the police on a raid to take charge of the victims so they're not further traumatized and scared by police contact .

They were also talking about some advocacy from NGOs on behalf of the victims, who may not, at times, have legal help—and that's another area I forgot to mention earlier when we talked about services.

As I say, the agency I work with in Vancouver has been named the lead agency in B.C., whenever some money is available, to do case management and allocate what's needed.

There will be needs assessments. There will be databases that have to be built up of services available in each province, and there has to be developed communication between provinces. I worked in Montreal before. We had a young lad who was in domestic labour at age 13. After much prodding, they finally started investigating, and the family picked up and moved to Ontario. If there's no communication from one province to another, things get dropped. In some cases, you do have to move people from one province for their own safety.

Another suggestion I would make, trying to catch some of this, is for some communication between immigration and education, at least for children, so that you can pick up who's coming in but is not going to school. At the moment there is absolutely none. Of course, these victims are not going to school.

It's just a way of trying to get some control. All of this takes money.

• (1205)

**Mrs. Irene Mathysen:** I was doing some background reading on UN advice in regard to violence against women. They did reference trafficking specifically. There was an indication that we simply don't have the information. We don't know how many people and children are trafficked in and how many are trafficked out.

The suggestion from the UN and from you is that governments need to get involved and start to collect this data so that we know where we are and if there have been any changes or improvements over time. Are NGOs the best people to do that collecting of data or supporting of data, or is there somewhere else?

**Ms. Deborah Isaacs:** I think it has to be a combination. You cannot do just one. I mean, we don't have access to all the people.

I'm on an NGO-CIC immigration working group for separated children. I know that what's happening there is that they're just looking at refugees. They're not even considering victims of trafficking in their counts. The way they're counting those separated children is as the primary claimants in refugee claims. This is leaving a whole wide area not even counted. There's no way of checking.

Also, when people are met coming in with so-called relatives, friends, and so on, there's not always a check at the border on whether these people are really what they say they are.

I went to The Bay once in Vancouver to get a bathing suit, and a clerk there told me that they have this man who comes in, and he's very often with different young women. He seems to have a lot of nieces he's buying this skimpy clothing for. They're coming to him sort of as relatives, and nobody checks on it. It's a problem.

We also have in Vancouver the Honduran children and youth. It's a major problem. These children are still being criminalized as drug dealers, because they're in the drug industry. They have debt bondage, and of course the question of consent for children should never even be considered.

So it's a problem.

**The Chair:** Mrs. Mathyssen, be very brief.

**Mrs. Irene Mathyssen:** In your presentation you made reference to the fact that the guidelines for TRPs were put together but there was no consultation done. As a result, there are gaps. Could you respond to that statement. What are the gaps?

You also continued to talk about the special needs of children. Could you comment on what we need to do to help children?

**Ms. Deborah Isaacs:** I mentioned a few of the gaps in my presentation, like the ones about the TRPs only for visas, which would not give services, or the problems of people who want to return home. In reality, they're still going to need services. If they don't have a TRP because they're going home, how are they going to have legalization for services? Some of the countries take a long time to get their papers, since one of the problems is that traffickers take their papers. And certain countries are not cooperative.

For children, provinces like Ontario stop care at 16. These kids are very sensitive and they need a lot. You can't expect them to behave like adults after such traumatic events. They have to be cared for as children.

There's a lot more, but I don't have time.

**Mrs. Irene Mathyssen:** So child protection should be extended.

**Ms. Deborah Isaacs:** Right.

**The Chair:** Thank you very much.

You made reference, Sister Isaacs, to the British Columbia plan, and we have asked the British Columbia human trafficking response initiative individuals to come before the committee. We're hoping that we're going to be able to get them to come as well.

Moving on to our second round of questioning, which is now limited to five minutes, we'll go to Ms. Minna.

• (1210)

**Hon. Maria Minna (Beaches—East York, Lib.):** Thank you, Madam Chair.

Sorry I missed your presentation. I was delayed coming in from Toronto.

I just need to ask a couple of things before I ask my final question. Are children being trafficked into Canada, within Canada, or out of Canada? I'm trying to get a handle on—

**Ms. Deborah Isaacs:** All three. All of the above.

**Hon. Maria Minna:** All three. And are they children of all ages?

**Ms. Deborah Isaacs:** All ages.

**Hon. Maria Minna:** I'm just trying to get a handle on that aspect. We've talked a great deal about adults and young women and so on, but we haven't talked about young men, for that matter, or children. That is something that, at least before today, we hadn't gotten into too much.

In previous discussions with other witnesses, we've talked a great deal about the issue of immigration and the interim visa not being long enough. I had suggested providing a more long-term visa, maybe for three years, and allowing people to actually apply for landed status during that period, on a work visa. And then, of course, there are services.

I know you were giving some answers to my colleague. For children, how do we identify? They're much more vulnerable, easier to hide, and easier to abuse. It's much harder for them to break away. What programs are in place now for children, whether they're in or out, if we're even lucky enough to identify them?

**Ms. Deborah Isaacs:** There's very little. In B.C., the ministry takes charge, the Ministry of Social—

**Hon. Maria Minna:** If they're under 16.

**Ms. Deborah Isaacs:** In B.C. it's under 19. It's one of the only provinces where it's up to the age of 19.

Robin Pike, by the way, is also the supervisor of the specialized migrant services team for separated children in B.C. This is a team that started with the boat and marine arrivals in 1999. She was chosen because of her expertise already with trafficked children, as we had some even before all this. She'll be able to do some answering there.

But there are very few programs.

**Hon. Maria Minna:** So what happens? If a child is found, is the child put into a foster home?

**Ms. Deborah Isaacs:** In B.C. they're put into foster homes. They sometimes have to evade lawyers who are trying to find them, lawyers who are working for the traffickers. They have to use the privacy for their own protection.

In Manitoba, Marymound has a special sexual treatment unit for internally trafficked girls. Some of the provinces don't have any programs and some of them do. But it takes special treatment to help these children.

**Hon. Maria Minna:** Does anyone on the panel have an idea of what it looks like across the country, in terms of what services and programs are available for anybody under 18, let's say?

**Ms. Deborah Isaacs:** I know in Quebec there's a problem for children because so far they have been taken under what used to be SARIMM but now is Preda. There's a legal problem there because Preda was never taking legal guardianship of the children, so there was no legal guardianship of children involved. Many of them—

**Hon. Maria Minna:** Okay. I just want to get a sense of where we were.

**Ms. Deborah Isaacs:** It's been haphazard.

**Hon. Maria Minna:** Mr. Perrin, are you trying to...?

**Mr. Benjamin Perrin:** I just want to add, in Alberta, the PChIP legislation, the Protection of Children Involved in Prostitution, is another piece that the committee would want to look at because it does take child protection quite a bit further than most of the other jurisdictions.

With respect to your point about stories or evidence of children involved in trafficking to Canada, there's a story, a case, that we found. Ross McInnis, who is formerly of the vice-squad in Calgary, documented in his book a young girl taken from Cambodia, through Toronto, and then down into New York, who was horrifically abused the whole way.

The problem with respect to children is actually locating them, because they're typically not in the same venues that police can investigate, like brothels or massage parlours or those sorts of things. That's the main drawback.

● (1215)

**Hon. Maria Minna:** That was my main question, yes.

**Mr. Benjamin Perrin:** Absolutely.

Also, just to briefly mention, since you raised the issue of the duration for the visa, I think three years would not be consistent with what other countries do. We'd create some odd incentives perhaps. Our suggestion is that in keeping with international practices, you have a sufficient reflection period, which is really designed to allow those individuals to decide whether they are going to claim refugee status, make some other application, or leave. And 120 days is actually quite good compared to other jurisdictions. If that were all there was, we'd be quite concerned, though. It's really going to come down to how willing the officials are to extend that in appropriate circumstances. The two grounds—I'll just briefly wrap up—are not just willingness to cooperate with prosecution, which we think is quite important, but also in severe cases, where, for whatever reason, that individual can't return. It's actually a balance that's struck in Canadian guidelines that, for example, the Americans don't have.

**Hon. Maria Minna:** Thank you.

Thank you, Madam Chair.

**The Chair:** Just to clarify on that ministerial permit issue, the goal is humanitarian and compassionate grounds. They have been used for many years—humanitarian and compassionate grounds—for a variety of reasons. People who have been pointed out as being involved in human trafficking have quite often been given a two-year minister's permit in order to try to deal with that issue.

It has a label, and it's a good move forward because you're identifying a particular segment of people. They have been used a variety of times in previous years.

**Mr. Benjamin Perrin:** Can I make a brief point on that, Madam Chair?

**The Chair:** Can we do that after?

**Mr. Benjamin Perrin:** Okay.

**The Chair:** I'm taking up time here, and I don't want to take it away from our questioners.

**Mr. Benjamin Perrin:** Of course.

**Mr. Bruce Stanton (Simcoe North, CPC):** Thank you, Madam Chair.

Thank you to the panel today. Just when I think we've heard testimony that won't continue to alarm, that exactly becomes the case. I really appreciate the time you've taken to come and join us today and offer these insights.

Sister Isaacs' presentation made some comments with respect to the definition of the Palermo Protocol. It highlighted a couple of the points where the NGOs have actually been critical.

This was in your opening comments, Ms. Isaacs. After your presentation, Madam Kryszko actually spoke in terms of comments that were rather supportive of the Palermo Protocol with respect to identifying. There was a little disconnect there.

I wonder, Ms. Kryszko, if you could perhaps speak to some of those comments. Just to remind you what they were, you said essentially that the Palermo Protocol addresses trafficking within the context of organized crime rather than within the framework of migrant rights, and further, that it frames anti-trafficking measures as migration control measures. You seem to have a really good handle on the legal context here. Would you be prepared to comment on those criticisms?

**Ms. Barbara Kryszko:** Originally, and certainly, the Palermo Protocol is connected to the organized crime treaty, as one of the intentions was to combat organized crime. However, the definition I was speaking of is very broad. I think the trafficking definition should be used because it is the most protective of victims; it's very extensive, as I pointed out. It does have a human rights perspective in terms of the victims, including all of the different means used to coerce and to get victims, basically, trafficked. So from that angle, we are pleased with the definition.

Certainly, the protocol has some gaps. It's really only the floor for certain things. For example, in article 6, in regard to some of the services for victims, it says "shall consider" instead of just "shall" in terms of the language used in the protocol. So it's not strong enough in saying that the countries must deliver certain services. To that extent, we would be concerned that countries are sometimes not delivering everything that's in the protocol, because there is some wiggle room in the protocol. But again, as a floor, we certainly see it as something that's helpful. And the protocol is just meant to be a basic international guideline or standard now, rather than the maximum human rights protection that can be afforded.

So I think there are some gaps that can be filled in. But from our perspective, it does have a definition that is protective of trafficking victims' human rights.

• (1220)

**Mr. Bruce Stanton:** If I can save a minute for Mr. Perrin, I'll first give Ms. Isaacs a chance to comment here too, if you don't mind. I don't want to leave you out of the discussion, since I involved you in it.

**Ms. Deborah Isaacs:** Well, first of all, I mentioned that the definition used here is an adaptation of the Palermo Protocol, which is not exactly what we have here. But there are certain things that are questionable.

Sometimes live-in caregivers who are brought over and exploited, and sometimes raped, by their employers can leave. They're not threatened in the same way; they have a legal status. But because of certain pressures, etc., they're afraid to leave because they may not get another job, which is important. There's criminality, right, and exploitation. I'm not saying these are part of all cases of live-in caregivers, but in certain cases these have been used, and they would not come under trafficking as interpreted by, let's say, the police, etc. But there are other criminal events involved in it, and I think these people need some sort of protection too, to make it easier for them so they're not punished for coming forth.

As for other areas, I've seen people coming from countries where no visa is required. They promise them things like English language and some work; they pay the way here for these people, where they pay a fee to an agency who places them in an exploitive situation. The people don't get the English and they don't get what was promised, etc., but they can leave.

**Mr. Bruce Stanton:** Okay. Thank you for that.

Madam Chair, I'll just go quickly to Mr. Perrin. I was very impressed with the very thorough presentation, by the way. You obviously have a connection and are working in this area outside of our borders.

Could you comment on where Canada stands in terms of other countries? We've heard that Canada is both a destination and a point of transit for human trafficking. Where is Canada in the ranking of these destinations worldwide? You've referred to the term "watch list".

**The Chair:** A brief response, Mr. Perrin.

**Mr. Bruce Stanton:** Thank you, Madam Chair.

**Mr. Benjamin Perrin:** I think it's important not to exaggerate how big a problem it is; otherwise you may get concerned when you

start to deal with it that the victims are not showing up. Canada is not the worst country in the world; it's probably not in the worst half of the countries in the world for being a source country.

Our understanding is that the principal concerns are that it's a transit country to the United States, which is probably the biggest single aspect of the Canadian trafficking puzzle.

That said, and again, I'm not going to throw out figures, as the committee has heard how difficult the statistics are, there is a substantial victim pool in Canada and individuals who require assistance now. So this is not a small problem, by any stretch of the imagination, in terms of criminal policy, to go and rescue these individuals. It certainly is required.

I hope this strikes an appropriate balance for a response.

**The Chair:** Thank you.

Ms. Deschamps.

[*Translation*]

**Ms. Johanne Deschamps (Laurentides—Labelle, BQ):** Thank you very much for your testimony. I have listened very carefully to the information you provided.

I would first like to know how you are funded. Where do your resources come from?

What you have brought us is an incredible amount of work. There is information here that we can consider and on which we can already act. For example, Mr. Perrin's brief contains elements that could enable us to make resources available to you here, in Canada. I think we can even say it will be possible for the government to work collaboratively and in concert with you with regard to everything you are already doing in the field. You have already developed expertise and know the problems.

So what could the government do right away to meet the most urgent and most pressing needs?

[*English*]

**Mr. Benjamin Perrin:** In my view, it's most important to focus on the successes that are occurring in Canada. We're not looking for a cheque from the committee, or for the government to write off a cheque. That's the goal for substantial funding here.

What is needed, though...for example, in Vancouver they do have their own framework. That project, which is coming along quite far, needs to be supported sufficiently. The training on the CIC interim guidelines and NGO outreach should be a priority. These are things that can be done for a relatively low cost, in particular the training side. It's simply a matter of what's trained on the next month for front-line officers. So the number one thing that Canada could do now is to work with its existing legislation. You'll notice we're not calling for any changes to any legislation at this point. The framework is there. The issue is now getting the maximum value out of it.

I know it's difficult for any government to find funding, so that's why we would not recommend going back and engaging in further studies of the numbers. I mean, that's important to know, but it should not be a priority; it should be making use of the tools we have right now.

•(1225)

[*Translation*]

**Ms. Johanne Deschamps:** Let us get back to my first question. What are your sources of funding? How do you operate? Are you like non-government organizations?

[*English*]

**Mr. Benjamin Perrin:** You're asking what is our source of financing for our organization? It's private funding. We started out by hosting community bake sales and garage sales. Since then we've attracted some donors who have a little bit more money, but our typical donor gives \$100. We also were able to get some money from the Wild Rose Foundation, which is funded through the Alberta government lottery system, but we operate on a very meagre budget. We've been doing this in a volunteer capacity for six years now and have not earned a dime the whole time. It's not why we do it.

**The Chair:** Ms. Mathysen.

**Mrs. Irene Mathysen:** Thank you very much.

It seems to me that we're always talking about the effects of horrific crime; we're dealing with the aftermath of something dreadful that has happened to human beings.

I noted in your presentation that you talked about prevention and the question of decriminalization, but there's also a piece in which you talk about international and national economic policies, globalization, of various countries, like Cameroon, Cambodia, and Myanmar—Burma—which we know has the worst human rights record in the world.

I wonder if you can draw a correlation between the kinds of global and trade treaties that places like Canada has with these countries and prevention. What should we be doing in terms of our acceptance of cheap labour, cheap goods, in places like Wal-Mart and stores around the country, that come from these countries, to change that economic paradigm in favour of helping people so that they don't end up victims, so that they don't end up being economically deprived and in brothels?

**Mr. Benjamin Perrin:** Our experience in looking at this has been that as countries open their borders for the free flow of ideas and free trade, of course, it also opens up the markets for abuse. We haven't seen a direct correlation between free trade and the trafficking industry, though. It doesn't mean free trade causes trafficking, and it's not a link that we have found exists at all.

To the contrary, what we've found works best in our programming is when we empower young women to start their own small businesses if they want to. For example, in one of the programs we have in Cambodia, they're trained to choose whether they want to open their own restaurant, whether they want to be hairdressers, or whether they want to do something else. These are very common and very easy businesses to start. They were being trained, but no government or NGO was giving them training on the business side of it to actually make sure they didn't run out of money at the end of the month and starve. That's really where a lot can be done.

We heard a lot about micro-credit in the last week. There are some advantages to it and some disadvantages too.

Certainly, at the individual level, I think individual enterprise is where you can really help to stop someone from being sucked into human trafficking. It's really at that level, and it's not at the trade agreement level.

**Mrs. Irene Mathysen:** Okay. Is there no concern about the fact that we see slave labour in these contracted factories, where children and women are virtually slave labour, in order to feed our markets? Are we being complicit in terms of our consumption?

**Mr. Benjamin Perrin:** Oh, I think everyone would be concerned with child labour, but there's not a link to human trafficking that we've identified. In other words, the children you're talking about are staying in the country of origin, and that's a different problem.

•(1230)

**The Chair:** You have two minutes.

**Mrs. Irene Mathysen:** Okay.

Again, we're talking about places where you do your work outside Canada. The fact is that terms like "equality" are not ones you would apply in terms of the status of women and children. In places like Cambodia, Burma, and other places where you do your work, does that social lack of status contribute to the situation we see in terms of trafficking?

**Mr. Benjamin Perrin:** It definitely does, without a doubt. We published a report in 2001, which is also on our website, called "The Future of Southeast Asia". A section of that report, which you can download, identifies risk factors.

Why does this girl or this woman or this young boy end up in human trafficking? What's special about them? What happened to them? In that country, because of the civil war, a lot of it had to do with the loss of a parent. The loss of family support is huge.

A lot of these young women were raped. There were no criminal proceedings against the men who did it and they're still free in the community. They have a loss of face and a loss of reputation. They're now sidelined and marginalized, and the next thing you know, someone comes along to offer them a job and they take it.

These are the kinds of problems we have to overcome, and sexual discrimination is definitely a big one.

**Mrs. Irene Mathysen:** Thank you.

**The Chair:** Thank you.

Ms. Davidson.

**Mrs. Patricia Davidson (Sarnia—Lambton, CPC):** Thank you.

Again, I'd like to thank all of the presenters. It has certainly been interesting information that we received from you today.

We've talked a lot about protection for the victims. We've talked a lot about the different countries you've worked in, and so on. But there's one thing we haven't talked about very much today that we heard from other witnesses. Some of them are suggesting that to successfully combat trafficking, we need to have a greater focus on the demand side of the situation.

I'm going to ask a very brief question, and then I'd like each of you to respond, if you could. What kinds of suggestions would you have for this government to work on the demand side of it so the victims are protected, but we'd be looking at decreasing the situations because we're going to be working on the demand side with johns, the pimps, and so on?

Could I hear your opinions on that, please, from whoever wants to start?

**Ms. Deborah Isaacs:** I mentioned the Swedish model where you decriminalize the victims, because in a sense they're still criminalized under Canadian law, but you don't decriminalize the pimps and the johns. In fact, you might put even more penalties on the johns than there are now.

I think they're trying this in Alberta to some extent right now. I've been reading lately about seizing cars, etc., and stronger penalties for johns. It would cut down on the demand, because if they're caught, they're going to pay a much higher penalty, especially since many of them know they're using questionable victims.

If you have people who don't really speak English and you're looking for services from these victims, you must really seriously question their background, especially since there is now talk about this question of trafficking. There is a much more conscious participation in it. You are a part of the trafficking, you're harbouring, and you're using.

**Mrs. Irene Sushko:** I would reinforce that the existing legislation has to be completely enforced, and that the penalties have to be enforced as well.

**Mrs. Patricia Davidson:** Is there enough legislation now, which is just not enforced, or do we need more?

**Mrs. Irene Sushko:** I'm not totally familiar with the legislation.

Obviously, legislation has to be reviewed from time to time, depending on situations and what is arising. I think a review of the legislation to make sure we are meeting all the needs of this issue is important. But certainly, what exists must be enforced. Penalties, perhaps, should be increased. We should look at that.

As well, we need to have some type of roster, such as we have for pedophiles, some way of identifying these people and making sure we know who they are. They seem to be able to skim right out of one situation and into another. I think the awareness, for the community, for the police, and everyone else, to be able to identify these people when they see them, is important.

The training that I spoke about, a service-wide, mandatory training program, should be initiated with everyone participating and being made aware.

•(1235)

**Mrs. Patricia Davidson:** Thank you.

Barbara.

**Ms. Barbara Kryzsko:** As I mentioned before, we do support the Swedish model. One thing about the Swedish model is that law enforcement has to be trained in the law. They have to receive gender sensitization when it comes to implementation. That is one aspect that would have to be part of any approach.

Certainly, as I also said, prosecution and strong penalties—probably stronger than they already are—are necessary for the buyers. There are well-intentioned programs, such as the john schools. But sometimes, someone will not be penalized and not have a criminal record because they complete the john school. If there is something like a john school, we would want that person to receive a criminal record, not just a one-day training program.

Also, we think a national education campaign is important, to infuse in different aspects of education—for example, with young boys—that women are not for sale. I think that has to be happening at an earlier age. We need to start looking at boys and saying that prostitution is not okay. They're basically growing up to see it as something that's acceptable. I think when you tackle issues like sexuality, that can be brought up: that prostitution and objectifying women are not okay.

In countries such as Sweden and in cities such as Madrid, there have been poster and other campaigns targeting men, saying that prostitution and trafficking exists because you're there, because there is the demand, and that sex is not for sale. This message, that it is not acceptable to buy women, has been spread throughout the country. We think those types of campaigns are important.

**Mr. Benjamin Perrin:** I'll be brief, since I think we're almost out of time.

It's important to distinguish the types of sex users we're talking about. There are essentially two types. There are the occasional sex users, who are people driving down the street late at night and for whatever reason decide this is the night they're going to pick up a prostitute. Or, in Cambodia, for example, they are tourists and backpackers. We've seen them, actually. These are young men, my age, who will just decide to walk in so they can tell their friends they did it. Those are the occasional people. These are the people you can really target with a deterrence message and for which programs such as john school can work. We think that you really want to focus your efforts on them, the majority of the sex users.

Then, be very, very clear when you're targeting the habitual users, especially pedophiles. At sentencing, there need to be expert submissions as to what harm is done to a child when they are abused. I think that's how you'll ratchet up your sentences. It's not necessarily by increasing the maximum penalty; it's by getting that information in front of a judge who's making the ultimate decision. That's something our police and prosecutors could work on. It certainly could also be considered an aggravating factor if the victim has been trafficked.

These are ideas I'm throwing out for the committee to consider. I'll leave it at that for now.

**The Chair:** I'm going to thank all our members. I think we've all had a very informative session here today and have learned a tremendous amount from your presentations. I want to thank you again very much for coming, for helping us to put our report together.

We have a variety of committee business issues to take care of, so I will suspend the meeting.

Ms. Bennett.

**Hon. Carolyn Bennett (St. Paul's, Lib.):** I just want to tell the witnesses that today the young McGill women are on the Hill, and I think a number of them are here. I think your presentations have done nothing but enhance their view of Parliament and the reason we as parliamentarians adore having people like you, who are totally encyclopedic on your file, come here to actually make better public policy in Canada. I just can't imagine a better panel for them to have heard.

I just sneaked a peek at your website, Mr. Perrin. You need to tell the story of how your group got together, in that I think it's probably totally inspiring for everybody, as to how you actually have focused on an issue and then made an organization happen.

So thank you all.

● (1240)

**The Chair:** We will suspend briefly to allow the witnesses to get up and leave the table. Thank you.

● \_\_\_\_\_ (Pause) \_\_\_\_\_  
●

**The Chair:** Order. Could we get our committee members back to the table, please, so we can take care of a few items of committee business that we have here?

As you all know, we have a very busy schedule over this next couple of weeks. We were to have Ministers Toews and Blackburn come and speak to the committee on December 7, but that is also the meeting where we want the analysts to have the time to start to work with us and go over the reports. So could we meet from eleven until two, which would give us an hour to hear from both ministers and two hours to work on our draft report? We would have sandwiches brought in. I thought I'd do that ahead of time. Our budget is still good.

Would that be okay for December 7? We'd be meeting with the ministers and working on our draft report from eleven until two.

Ms. Minna.

**Hon. Maria Minna:** Are we talking about witnesses at all yet?

**The Chair:** Not yet. I will in one second. That was strictly the December 7 meeting to deal with our human trafficking report and the two ministers who will come before us.

On the issue of the meetings we're having on the cuts to Status of Women Canada, today at 5 p.m. is the cut-off for witnesses, as we had indicated before. So if anyone still has names to submit, we have to cut the list off at 5 p.m. So far, from just the committee members, we have 58 groups that have submitted their names, and that's without the government's submission yet, so I'm not sure where that number will bring us to. We also have about 70 or 80 groups that have simply sent in their names—there are 125—and want to come in.

● (1245)

**Hon. Anita Neville:** Is there any overlap?

**The Chair:** What I'd like to suggest here is that we ask the analysts, after we have them all in at 5 o'clock today, to do a cross-section of groups. We've put aside two evenings for these sessions and we want to be able to make sure that we have a cross-section of

Canada and interests, and so on. If the analysts would compile the groups that were submitted by the committee members and others into a suggested list for those two evenings, if that would be acceptable to the committee, I'll come back with the list to you that the analysts have recommended for the two evenings that we have put aside for Status of Women Canada.

**Hon. Anita Neville:** What evenings are they, Madam Chair?

**The Chair:** December 6 and December 13.

The December 6 meeting was going to go from 3:30 to 6:30, and on the 13th, I'm suggesting 3:30 to 5:30. If need be, I guess we could add another hour to the December 6 meeting, if everybody would be agreeable to that, or we could just stay at three hours on December 6 and two hours on December 13.

We have a very tight schedule between now and the next four weeks we're here, in order to accomplish everything we want.

**Mrs. Joy Smith:** I think we should leave it at 3:30 to 6:30, because I know we have a special kids' night that we have to be at. And then for the 3:30 to 5:30 on December 13, let's just go with it and we'll attempt to get as many groups in as possible.

**The Chair:** Yes, we can always do things in January or February, or we could suggest to any of the groups that can't get in to see us that they give us briefs.

Ms. Neville.

**Hon. Anita Neville:** Madam Chair, before we're definitive on the time, perhaps we could see the recommended lists, because there may be more groups that can fit into the time allotted. Let's do a suggested time allotment, and then look at the lists as well.

**The Chair:** Okay. The analysts will pull it all together and submit the list for us. We'll be as flexible as we can.

**Mrs. Joy Smith:** Will the list come to our offices so that we can look at it before the next meeting, so we'd have an answer back? How do you want the answer back?

**The Chair:** Once you've submitted your list by five tonight, we'll compile the whole list of the groups. The idea was that the analysts would review them and come forward with a recommendation of lists that I would bring to the committee on Thursday for...

No?

Madam Clerk, speak to that, please.

**The Clerk of the Committee (Ms. Michelle Tittley):** We'll actually have Julie compiling the list. In order for the analysts to be able to compile a list on an informed basis, they've indicated to me that they would be requesting a brief from each of the groups that was recommended by the members so that they could have a representative cross-section to bring to the committee.

Considering the timeline, in our eyes we would have to give these groups some time to respond to this, to provide some information on what they would be speaking to. So I was hoping to be able to send out the message for these briefs to the groups on the list recommended by members by the end of the day tomorrow, which is why we were requesting the list by the end of the day today.

Then we have to give them time to submit those briefs, and time for the analysts to look over them to compile the list. So to have the list ready by Thursday just isn't feasible at this point. But I can tell you that the list will be compiled and we'll send it to the chair's office and bring it to the committee at the earliest convenience. I can't tell you exactly when that might be.

**The Chair:** It's a question of time. We'll come back to you with a list, but again, it's all in booking these witnesses to come in and getting it all organized. It does take a fair amount of time. But we will try to limit it as much as we can.

The one other issue that we need to talk about now is that we have a motion on the floor by Ms. Mourani.

Sorry, Ms. Minna.

**Hon. Maria Minna:** Madam Chair, I have a question.

With respect to the finishing of witnesses for the trafficking, I had submitted some names of organizations that I knew had a very good understanding and knowledge of the Canadian situation in terms of the analysis—where, how many, and how it was working. I think I handed it in some time ago. I notice that none of them is actually scheduled to appear.

**The Chair:** Would you like to speak to that, Madam Clerk?

**The Clerk:** If members have specific questions about witness groups, you can always feel free to contact me in the office directly.

**Hon. Maria Minna:** Okay, I'll do that.

**The Clerk:** I can tell you that there were a great number of witnesses who were requested who, for scheduling purposes, could not appear. As you might have noticed, there are only a few meetings left, so in the interest of not having groups being able to speak for only two minutes, we've agreed to—

**Hon. Maria Minna:** I'll talk to you after the meeting.

Thanks.

**The Chair:** The analysts have also monitored the list very carefully to make sure they have the information they need to do their report. I gather most of you are comfortable with the information you've received so far to be able to do the report.

Is that okay, Ms. Minna?

• (1250)

**Hon. Maria Minna:** Yes.

**The Chair:** Ms. Mourani, you have a motion amended before us. Would you like to read the motion into the record, please?

[*Translation*]

**Mrs. Maria Mourani:** Yes, Madam Chair.

Do you want me to read it first, and then explain the context?

[*English*]

**The Chair:** Yes, please do that.

[*Translation*]

**Mme Maria Mourani:** The motion, as amended, reads as follows:

That the House of Commons Standing Committee on the Status of Women recommend to the government that it develop, in collaboration with the provinces,

a comprehensive strategy to combat human trafficking in Canada, and that the adoption of this motion be reported to the House.

[*English*]

**The Chair:** Did you want to speak to your motion now?

[*Translation*]

**Mrs. Maria Mourani:** This motion is, in fact, simply a complement. I will explain why.

In May, Ms. Smith tabled a motion in the House on the international trafficking of women and children. It is on the Order Paper. The committee had not yet begun its work, but I had seconded her motion with great pleasure.

Since the committee has begun the process and we are talking about trafficking in Canada, I thought we should put forward a motion that would be in some ways a complement to Ms. Smith's motion, referring to the adoption of a comprehensive strategy to combat human trafficking in Canada, taking into account the particular circumstances of each province.

I believe that this motion will be universally endorsed by this committee, since it has been the subject of our discussions since we began sitting.

[*English*]

**The Chair:** I have Ms. Smith and then Ms. Minna to speak to the motion.

**Mrs. Joy Smith:** Thank you.

I think this is an excellent motion, and I certainly commend my colleague, Ms. Mourani, for doing this. I would like to second the motion, and members on our side of the House will definitely be unanimously supporting this motion.

I thank you.

**The Chair:** Ms. Minna.

**Hon. Maria Minna:** Madam Chair, I'm just trying to understand. Obviously I have no problem with the content of the motion because it's what we are working on. That's what throws me, and I'm just not sure why we're doing it.

My understanding is that there's another motion coming from Madam Smith, I think, on December 6. I would just like clarification before I go on.

**Mrs. Joy Smith:** Just to clarify, the motion is coming up on December 6 in the House. It's on the order paper now. My turn is coming up—you know how you can do a motion or you can do a private members' bill, and I would like to do a motion—

**Hon. Maria Minna:** I see. It's a personal thing.

**Hon. Maria Minna:** No, I understand. But it's your turn in the House; it has nothing to do with this committee.

**The Chair:** No, but Ms. Mourani very graciously put a motion together in support, because it's what we've been doing here, so we as a committee could all support that, because human trafficking is what we have been studying here under status of women.

**Hon. Maria Minna:** My point, Madam Chair, is this—and I apologize to Madam Mourani because I wasn't here earlier this morning, and this is the first time I've seen the motion. To be honest with you, I find this to be usurping the power of the committee. It's pre-emptive. Why are we doing this study if we're going to put forward a motion that this committee is going to bring forward as a recommendation anyway?

So it's pre-empting the committee's work in a sense. And I don't have a problem with the wording, as I said earlier. That's not the issue here. The issue is I don't understand why we're trying to pre-empt each other on a report that we all know we're going to deliver. I would assume that report would have this language in it anyway.

So I just find it rather strange, that's all. I have to say that. We're trying to take ownership of this. That's what the issue is.

**Hon. Carolyn Bennett:** It's very unusual, during the work of a committee, to pre-empt what would probably be the number one recommendation of the report.

So I think it is a matter of timing. It might be important to reinforce the report and to do the motion right as the report is tabled in the House, but it seems unusual in terms of a parliamentary committee. If in every study we did, halfway through the study somebody came up with a motion that presumes a certain recommendation, it would mean that the work of committees would end up sort of a bit undone.

I don't think anybody has any trouble with it. It's just the timing of it that makes the work of the parliamentary committee a bit unusual.

•(1255)

**Mrs. Joy Smith:** To be quite honest, I think this is a very positive thing to do, and I think this is definitely something we should support. For the first time in committee we're all on the same page on a big issue, and this is a very supportive kind of thing.

I would suggest that we take a vote on it, Madam Chair, and have our—

**The Chair:** You're totally right. This is the kind of thing that would be the number one recommendation of our report. It would be the exact thing, but Ms. Mourani has tabled it. She has her last opportunity to speak to it, and....

[*Translation*]

**Mrs. Maria Mourani:** Madam Chair, I am sorry that my colleague believes it is unusual. She surely has much more experience than I do regarding the choice of the right time. However, even if it is possible that the motion will become the first recommendation, I don't see where the problem is. If we, the committee, recommend something to the government, in cooperation with the provinces, I don't see where the problem lies. We will be tabling our report in a few days, a few weeks at most. Ms. Smith tabled her motion in the House, and I find it excellent.

[*English*]

Can I continue or not? Can I speak or not?

**The Chair:** Yes, you have the floor.

**Mrs. Maria Mourani:** Thank you, Madam Chair.

[*Translation*]

Madam Chair, I'd like to go over the background for all this.

In the beginning, when we first began to sit as a committee, we discussed for hours the possibility of studying the issue of human trafficking, but we had other priorities. We undertook other reviews, such as on the economic security of women. We talked about it at length.

I understand that Ms. Smith tabled a motion in May because it was one of her concerns. In September, our committee decided to study the issue of human trafficking. That is a good thing. A report will be tabled.

So, what could be more normal than to strengthen our position?

Ms. Smith tabled a motion in the House of Commons on the international trafficking of women, and the committee has the same concern with regard to Canada. We could table a report asking the government to take our concerns into account when deciding on its comprehensive strategy to combat human trafficking.

That's all, there's no problem there.

[*English*]

**The Chair:** It's a procedure issue. Technically, we are in the middle of a study. At the end of the study, our committee will agree and we'll put forth a report, and the number one recommendation probably will be this.

Again, it's a procedure issue. Normally we'd wait and the whole committee would put it in. It will be in the report. But you have tabled it. You are entitled to table it, and it is rightfully before us.

Would the committee like a vote on this, or is this unanimous?

**Some hon. members:** It's unanimous.

(Motion agreed to—[See *Minutes of Proceedings*])

**An hon. member:** Nobody was going to vote against it.

**The Chair:** It's unanimous. The motion is carried.

On Thursday, we have Victor Malarek coming, and we'll also be viewing the video from the RCMP. It's really important that we try to get the other guys out early so that we have our time, along with an hour to discuss the draft report.

Thank you. The meeting is adjourned.





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