

## **HUMAN SEX TRAFFICKING IN CANADA: Frequently Asked Questions**

### **What is human trafficking?**

Human trafficking is slavery; human beings being bought and sold for the purposes of sexual or labour exploitation. It includes people (mostly women and girls) being recruited, transported, transferred, harboured or received. These actions are accomplished by means of force, the threat of force, or other forms of coercion. It is always involuntary because even when consent is achieved, it is through some form of fraud, deception, abduction/kidnapping or abuse of power/vulnerability. It is an insidious type of international and domestic crime. Traffickers - ranging from sophisticated international criminal cartels to local pimps, boyfriends and even family members - exploit vulnerable men, women, and children. Throughout the world, in rural and urban settings, victims are trapped in a myriad of exploitive situations including the commercial sex industry, factory sweat shops, construction, domestic servitude, and agricultural work. Human trafficking is a global tragedy that robs victims of basic human rights. It is a form of modern-day slavery proliferating in Canada and around the world.

### **Does human trafficking happen in Canada?**

Yes. According to the *Trafficking in Persons 2009 Report*<sup>1</sup>, Canada is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labour. Women and children are trafficked primarily from Asia and Eastern Europe for sexual exploitation, but victims from Africa, Latin America, and the Caribbean have also been identified in Canada. In particular, many trafficked victims are from Thailand, Cambodia, Malaysia, Vietnam, China, South Korea, the Philippines, Russia and the Ukraine. Asian victims tend to be trafficked more frequently to Vancouver and Western Canada, while Eastern European and Latin American victims are trafficked more often to Toronto and Eastern Canada. Canada is a source country for sex tourism, and NGOs report that Canada is also a destination country, particularly for American sex tourists.

### **How many people are being trafficked in Canada?**

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<sup>1</sup> *Trafficking in Persons Report*, U.S. Department of State, June 2009.

Because human trafficking is a hidden, clandestine operation, reliable statistics are difficult to obtain. The R.C.M.P. Criminal Intelligence Directorate estimated in 2004 that 800 people are trafficked into Canada each year, 600 of which are destined for the sex trade. They also estimated that 1,500 – 2,200 people are trafficked from Canada into the U.S.A. annually. According to Canadian non-governmental organizations, the numbers of foreign women brought into the Canadian sex trade each year are much higher. There are also many Canadian women who are trafficked within Canada's borders.

### **Who is being trafficked into the sex trade in Canada?**

Canada's Aboriginal female population is prostituted and trafficked in disproportionate levels. Aboriginal youth are only 3 – 5% of the Canadian population, and yet in some cities they are 90% of the visible sex trade.<sup>2</sup> Young women who have been sexually exploited/abused in the past are more vulnerable to trafficking.

### **How do women get trafficked into the sex trade in Canada?**

Often, Canadian youth are approached at airports, bus stations, malls or youth facilities, and offered "friendship" which leads to trafficking. Other times they are trafficked to events like fairs, sports events or exhibitions. Those outside of Canada are sometimes brought to Canada on student or visitor visas. Some think they will be coming to Canada to study, others to work, others to get married. The majority of human trafficking victims are trafficked by someone they know and trust.

### **Is human trafficking a crime in Canada, and if so, how is it defined?**

Yes. There are two branches of Canadian legislation that deal with human trafficking in Canada. They are the Immigration and Refugee Protection Act and the Criminal Code of Canada. In these definitions, trafficking is either: (a) I.R.P.A.: using abduction, fraud, deception, (threat of) force or coercion to recruit, transport, receive or harbour persons into Canada OR (b) C.C.C.: recruiting, transporting, receiving, holding, concealing, harbouring, exercising control, direction or influence over the movements of a person for the purpose of exploiting them; making them feel that their lives or safety (or the lives or

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<sup>2</sup> According to research conducted by Michael Chettleburgh, gang expert, quoted in Cherry, Tamara. "Flesh trade targets natives," *Toronto Sun*, Monday, September 29, 2008.

safety of others) are in danger. There are also many other trafficking-related crimes in the Criminal Code. Temporary resident permits are available to victims of trafficking who do not have permanent residence in Canada.

### **Why aren't more people being prosecuted for human trafficking in Canada?**

The Criminal Code of Canada added human trafficking as a crime in November 2005, and yet the first changes were only laid in January 2008, when a 21 year old woman showed up in a downtown Toronto police station saying she came to Canada from Eastern Europe on a promise of a modeling job, only to be forced into sexual slavery.<sup>3</sup> Michael Ng was the first to be charged with human trafficking under the Immigration and Refugee Protection Act in 2005. He was not convicted for human trafficking, however, but rather other, related charges. "Trafficking offences are difficult to prosecute for some of the same reasons that they are difficult to investigate. Because of the nature of the crime, the frequent need to rely on evidence collected abroad, the need to rely on the services of interpreters and translators, and the potential for victims and witnesses to be intimidated or for public officials to be corrupted, prosecuting these offences presents the judiciary with some new and difficult challenges. Enhanced international judicial collaboration, effective collaboration with victim assistance services, and the development of stronger witness protection measures must all be part of a strategy to meet these challenges."<sup>4</sup> Another problem is simply resources for law enforcement officers to monitor bawdy houses and other areas of suspect.

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<sup>3</sup> Cherry, Tamara. "Up to 800 flesh trade victims are brought to Canada yearly, but the problem is also domestic," Sun Media, February 10, 2008.

<sup>4</sup> *Human Trafficking: Reference Guide for Canadian Law Enforcement*. May 2005. University College of the Fraser Valley Press. [http://www.icclr.law.ubc.ca/Publications/Reports/human\\_trafficking\\_2005.pdf](http://www.icclr.law.ubc.ca/Publications/Reports/human_trafficking_2005.pdf)