

CHILD TRAFFICKING — LAW

International Law

The UN Convention on the Rights of the Child articles 34 and 35 mandate that, “governments should protect children from all forms of sexual exploitation and abuse and take all measures possible to ensure they are not abducted, sold or trafficked,” (UNICEF, 2005).

The Convention’s Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography strives to provide detailed requirements to countries in order to end the abuse of children. It contains clear definitions of terms such as “sale of children” and provides for the needs of child victims to be met (such as legal, financial, and medical support). It has been ratified by more than 100 countries.

The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime focuses heavily on aiding and supporting victims and promoting international cooperation.

Canadian Domestic Law

Canadian law has prohibited trafficking in persons and activities associated with trafficking, such as receiving financial benefit from the exploitation of a person and withholding of travel documents for the purposes of exploitation, in the *Criminal Code* sections 279.01-279.04.

In June 2012, Bill C-310: *An Act to Amend the Criminal Code* passed with unanimous support, which makes human trafficking an offense punishable even if it occurred outside of Canada. This is found in section 7(4.11) of the *Criminal Code*. There is also a new mandatory 5 year minimum sentence for child trafficking convictions.

In addition, section 118 of the *Immigrant and Refugee Protection Act* prohibits the bringing into Canada of one or more persons by means of abductions, fraud, deception or use or threat of force or coercion. Three charges have been registered under this section but it has yet to yield any convictions.

For more information see the fact sheet on the *Commercial Sexual Exploitation of Children (CSEC)*

Sources

- Public Safety Canada, *National Action Plan to Combat Human Trafficking* (2012), online: <www.publicsafety.gc.ca/prg/le/cmbt-trffkng-eng.aspx>.
- RCMP, *Frequently Asked Questions on Human Trafficking* (2013), online: <www.rcmp-grc.gc.ca/ht-tp/q-a-trafficking-traite-eng.htm>.
- UNICEF Convention on Rights of the Child, online: <www.unicef.org/crc/index_30204.html>.
- United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, online: <www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf>.