

References: International and Domestic Law

The following international and domestic covenants, legislation, and case law are referenced in the fact sheets.

Commercial Sexual Exploitation of Children (CSEC)

- Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (2002)
- UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (2003)
- Stockholm Declaration and Agenda for Action (1996)
- S. 279.01 of the *Criminal Code* (made human trafficking an offense)
- Bill C-310, *An Act to Amend the Criminal Code (Trafficking in Persons)* (2011)

Child Sex Tourism

- Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (1998)
- Convention on the Rights of the Child (1989)
- Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (2002)
- Bill C-27 (1997) criminalization of child sex tourism in Canada
- S. 7(4.1) of the *Criminal Code* (prohibits child sex tourism)
- R v Bakker, 2005 BCPC 289, [2005] BCWLD 5097, 2005 CarswellBC 1758.
- R v Klassen, 2011 BCPC 109, [2011] BCWLD 6616, [2011] BCWLD 6608.

Child Marriage — General

- Convention on the Rights of the Child (1989)
- UN Declaration on Human Rights (1948)
- Convention on the Elimination of all Forms of Discrimination Against Women (1979)
- S. 293 of the *Criminal Code* (outlawing polygamy)
- Tackling Violent Crimes Act (2008) raised the age of consent from 14 to 16

Polygamy and Child Marriage in Canada

- International Covenant on Civil and Political Rights (1976)
- International Covenant on Economic, Social, and Cultural Rights (1976)
- Convention on the Rights of the Child (1989)
- Convention on the Elimination of all form of Discrimination Against Women (1979)
- S. 293 of the *Criminal Code* (outlawing polygamy)
- Reference re: Section 293 of the *Criminal Code*, 2011 BCSC 1588, 28 BCLR (5th) 96, 279 CCC (3d) 1 (“The Polygamy Reference”)
- S. 153 of the *Criminal Code* (allows the judge to draw an inference of sexual exploitation)

Child Abuse Images

- Bill C-2 (definition of “child pornography”) (2005)
- *R v Sharpe*, 2001 Carswell BC 82 at 128 (SCC)
- Bill C-22, Mandatory Reporting of Internet Child Pornography by Persons Who Provide an Internet Service (2011)

Female Genital Mutilation (FGM)

- Convention on the Rights of the Child (1989)
- Convention on the Elimination of all Forms of Discrimination against Women (1979)
- African Charter on the Rights and Welfare of the Child (1999)
- S. 268(3) of the *Criminal Code* (included the performance of FGM as aggravated assault)
- S. 273.3 of the *Criminal Code* (makes it illegal to bring a child outside of Canada to have FGM performed)

Sexual Exploitation and Technology

- Bill C-22, Mandatory Reporting of Internet Child Pornography by Persons Who Provide an Internet Service (2011)

Child Sex Offenders

- Bill S-2, *Protecting Victims from Sex Offenders Act* (reformed the National Sex Offender Registry) (2011)
- *International Transfer of Offenders Act* (2004) Ensures that Canadians convicted abroad of sex offences can now be included in the Sex Offender Registry when they return to Canada.