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July 30, 2020 – United Nations World Day Against Trafficking in Persons

Borders ECPAT Canada Beyond calls on Canada to strengthen its laws against the trafficking of children

U.S. Department of State 2020 Trafficking in Persons (TIP) Report recommends Canada strengthen legal frameworks and implement measures to protect trafficking victims

WINNIPEG, Canada—Beyond Borders ECPAT Canada strongly encourages the Government of Canada to implement the recommendations in the 2020 TIP Report, particularly to amend the Criminal Code and Immigration and Refugee Protection Act to include a definition of trafficking that has exploitation as an essential element of the crime, consistent with international law.

Canadian legislation employs a definition of 'human trafficking' that differs from the internationally agreed definition in the UN Trafficking in Persons Protocol, restricting how the crime is interpreted by judges and prosecutors. Exploitation itself must be made a criminal act rather than a factor to determine whether other acts are criminal.

"It is not enough that certain other acts are considered criminal when they are committed for the purpose of exploitation or facilitating exploitation," explains David Matas, Senior Legal Counsel at Beyond Borders ECPAT Canada. "Sexual exploitation of children plain and simple, point blank, with nothing more, should be criminalized."

This year's TIP Report classified Canada as a Tier 1 country, the highest achievable level within the report's ranking system, noting that the government meets the minimum standards for the elimination of trafficking. While the efforts made to combat trafficking in persons in Canada are commendable, there is work to be done. Canada remains a source, transit, and destination for children trafficked for sexual purposes. The TIP Report is published annually by the U.S. Department of State as a diplomatic tool to engage foreign governments on measures to address human trafficking.

The 2020 TIP Report also recommends that Canada improve data collection of investigations, prosecutions, and convictions and increase coordination of anti-trafficking efforts between provincial and federal authorities. These shortcomings have been highlighted recently in the news; the RCMP collects, and makes public, aggregate data on online child exploitation in rural Manitoba, while in the urban centres of Winnipeg and

Brandon, data collection is the responsibility of city police services and this information is not publicly available.

Beyond Borders ECPAT Canada is concerned that incidents of child trafficking for sexual purposes are going undetected and traffickers are going unpunished due to ambiguity within Canadian law. It is necessary to harmonize data collection across provinces, make aggregate data available so the public can see the extent of the problem and its increasing gravity, and ensure victims are identified and receive adequate trauma-informed care. Additional support should be made available for the identification of victims, particularly within groups especially vulnerable to trafficking, including youth, and Indigenous and LGBTQI2+ children.

The 2020 TIP Report is available at: <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>

About Beyond Borders ECPAT Canada

Beyond Borders ECPAT Canada is a national non-profit organization that advances the rights of children to be free from sexual exploitation. It is the Canadian representative of ECPAT International, a global network of civil society organizations operating in over 100 countries dedicated to ending child prostitution, child pornography, and the sexual trafficking of children in travel and tourism. www.beyondborders.org

For further information:

David Matas
Senior Legal Counsel
Beyond Borders ECPAT Canada
204 944 1831
204 452 2485
dmatas@mts.net

