



Submission to the Standing Committee on Indigenous and Northern Affairs

Study: Sex Trafficking of Indigenous Peoples

SUBMITTED BY: Defend Dignity

May 19th, 2021

[Defend Dignity](#) exists to end all forms of sexual exploitation in Canada. We have worked with survivors of sex trafficking and prostitution across Canada since 2010. We have the honour of partnering with many Indigenous survivors and organizations and we value the wisdom that they share with us. Our work supporting and partnering with individuals who have been sexually exploited, collaborating with national and international organizations, and educating communities to strengthen prevention efforts informs our understanding of sexual exploitation in Canada.

We facilitate a Survivor Support Fund twice a year to assist individuals as they exit prostitution and trafficking and pursue their goals. Our [Choose Change](#) campaign is part of our advocacy work and allows us to meet with executives from companies such as TikTok to encourage them to change their policies to better protect children from predators and pornography exposure. As part of our education efforts we have developed a youth training in partnership with another organization and we have hosted numerous events to educate over 2,000 people in Canada and abroad. Earlier in May 1,200 people attended our virtual [Canadian Sexual Exploitation Summit](#) (CSES), which was created with the insight and participation of survivors of sexual exploitation and Indigenous groups. CSES focused on decreasing demand for paid sexual services to reduce sexual exploitation and featured attendees and speakers with expertise in numerous areas. A banquet to celebrate survivors and specialized sector trainings for law enforcement, transit, and hotel industries were also included. We have also visited Indigenous communities and dialogued about the issue of sex trafficking while creating space to listen to the experiences of the community members.

This Submission will focus on some of the root causes of the sexual exploitation of Indigenous peoples, some of the mechanisms of sex trafficking, and recommendations on how to combat this crime.

Root causes of the over-representation of Indigenous people being trafficked

Regionally and nationally there is a vast over-representation of Indigenous women and girls who are trafficked for sex. For example, in 2012 the Canadian Women's Foundation found that about 50% of trafficked girls and 51% of trafficked women were Indigenous.¹ In addition, Pauktuutit was informed of over 40 cases of Inuit women being trafficked through Ottawa in 2012.² Sex trafficking is also connected with the disproportionately high rate of missing and murdered Indigenous women and girls.³

The issue of the sex trafficking of Indigenous peoples cannot be addressed without examining the root causes. Indigenous communities and individuals today continue to be harmed by the impact of colonialism, residential schools, racism, the Sixties Scoop, etc. These injustices and others have caused inter-generational trauma and have resulted in many Indigenous communities experiencing high levels of poverty, homelessness, unemployment, childhood abuse, lack of education, substance misuse to cope with trauma, etc. These factors increase the risk of being trafficked within or outside of the community.

In addition, Indigenous children are vastly over-represented in the child welfare system. In 2016, Statistics Canada reported 52.2% of children in foster care were Indigenous, while only accounting for 7.7% of the child population.⁴ Involvement with the child welfare system can increase vulnerability to being trafficked – both while a youth is in the system and when they transition out as a young adult with limited access to resources and supports. In 2012, the Canadian Women's Foundation reported that about 51% of trafficked girls were or had been involved with the child welfare system.⁵ This places Indigenous youth at greater risk to being trafficked and also creates a barrier for mothers to seek assistance, as there is concern that their children could be taken away from them.

¹ <https://www.canadiancentretoendhumantrafficking.ca/wp-content/uploads/2016/10/No-More-Ending-Sex-Trafficking-in-Canada.pdf>

² <https://www.pauktuutit.ca/project/human-trafficking-laws/>

³ https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf

⁴ <https://www.sac-isc.gc.ca/eng/1541187352297/1541187392851>

⁵ <https://www.canadiancentretoendhumantrafficking.ca/wp-content/uploads/2016/10/No-More-Ending-Sex-Trafficking-in-Canada.pdf>

The root causes of the over-representation of trafficked Indigenous women and girls are complex and require further attention beyond the scope of this Brief to inform steps to address them.

The necessity of culturally appropriate support services and awareness programs

There is an urgent need to invest in Indigenous-led support services and sex trafficking awareness initiatives both within and outside of Indigenous communities.

When we dialogued with Indigenous communities about sex trafficking, we were informed of the need for more education to prevent and respond to trafficking situations. This is especially true in Northern and remote communities as they can be isolated from both awareness programs and support services. For example, a recent report from Quebec stated that many Indigenous communities did not have shelters for women and children experiencing violence.⁶

There is also a great need for awareness programs and support services in urban settings, as they have high rates of trafficking. Transitioning from a rural community to a city is a risk factor for Indigenous women and girls to be trafficked.⁷ Sometimes they are lured from their communities by a trafficker and Inuit women are particularly vulnerable to this recruitment method.⁸ It is also common for Indigenous individuals to be recruited by a trafficker after they have arrived in an urban center. They can encounter discrimination, language barriers, lack of access to resources and opportunities, and other factors that contribute to them being targeted by traffickers.⁹ There are also women and girls who are not trafficked, but rather start selling sex because of a lack of viable options. In 2012, The Canadian Women's Foundation identified 4,708 girls and 14,457 women who were exchanging sexual services for necessities such as food, shelter, protection, and drugs.¹⁰ A separate study of 100 women in Vancouver found that 52% were Indigenous and 95% wanted to leave prostitution.¹¹ Providing resources and opportunities is crucial so that people won't have to consider selling sex to survive or become

⁶ <http://www.assnat.qc.ca/en/travaux-parlementaires/commissions/csesm/mandats/Mandat-41757/index.html>

⁷ <https://www.canadiancentretoendhumantrafficking.ca/wp-content/uploads/2016/10/No-More-Ending-Sex-Trafficking-in-Canada.pdf>

⁸ https://www.pauktuutit.ca/wp-content/uploads/Inuit-Vulnerabilities-to-Human-Trafficking_EN.pdf

⁹ <https://www.canadiancentretoendhumantrafficking.ca/wp-content/uploads/2021/05/CCTEHT-Human-Trafficking-Corridors-ENG-FINAL.pdf> and <http://www.assnat.qc.ca/en/travaux-parlementaires/commissions/csesm/mandats/Mandat-41757/index.html>

¹⁰ <https://www.canadiancentretoendhumantrafficking.ca/wp-content/uploads/2016/10/No-More-Ending-Sex-Trafficking-in-Canada.pdf>

¹¹ https://www.researchgate.net/publication/7645341_Prostitution_in_Vancouver_Violence_and_the_Colonization_of_First_Nations_Women

vulnerable to a trafficker.¹² In addition, outreach and after care services that are culturally appropriate and use Indigenous healing methods must be provided.

Addressing the demand for paid sexual services

When a person is trafficked for sex, there are people purchasing those sexual services. Without them, traffickers would not make any money and therefore would have no incentive to commit this crime. The reality that the demand for paid sexual services drives sex trafficking and therefore must be addressed has been recognized for nearly two decades with the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (commonly called the *Palermo Protocol*). Canada and the other 177 States that signed on¹³ are obligated under international law to the following in Article 9(5):

States Parties shall adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.¹⁴

Canada's prostitution legislation, *PCEPA*, targets the demand for sexual services by making it illegal to purchase sex, while people who sell their own sexual services are not charged but rather offered support services. Not all people who sell sex are being trafficked, but *PCEPA* recognizes that many people sell sex due to a lack of viable alternatives and that "*prostitution is an extremely dangerous activity that poses a risk of violence and psychological harm to those subjected to it, regardless of the venue or legal framework in which it takes place, both from purchasers of sexual services and from third parties.*"¹⁵ In addition to legislative measures, there should be robust initiatives to educate the public on the reasons why purchasing sex is a crime, especially the harmful impact it has on individuals who are trafficked or involved in prostitution. Education can also be used as a justice response for those charged with attempting to purchase sexual services. For example, prostitution diversion programs are effective in changing perspectives and preventing recidivism.¹⁶

Deterring the demand for sexual services with comprehensive measures is an essential part of preventing the sex trafficking of Indigenous peoples.

¹² https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf

¹³ https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18&clang=en

¹⁴ <https://www.ohchr.org/Documents/ProfessionalInterest/ProtocolonTrafficking.pdf>

¹⁵ <https://www.justice.gc.ca/eng/rp-pr/other-autre/protect/p1.html>

¹⁶ https://www.gov.mb.ca/fs/traciastrust/pubs/tracias_trust_report_2019.pdf

Improving law enforcement

Sex trafficking is a vastly under-prosecuted crime. The National Strategy to Combat Human Trafficking 2019-2024 acknowledges this:

While the number of police-reported incidents of human trafficking increases every year, the number of human trafficking related convictions remains relatively low. Actions will be taken to strengthen the knowledge of law enforcement and prosecutors on the scope, scale and sensitivities around human trafficking to better identify cases and enhance consistency in prosecution.¹⁷

Law enforcement personnel must be equipped to effectively prevent and respond to sexual exploitation in a way that is culturally appropriate and trauma informed.

Recommendations

Based on the facts outlined above we make the following recommendations to the Committee:

1. Increase funding for support services and awareness programs

Invest in support services and resources to provide viable options for Indigenous women and girls to build their lives without being trafficked or having to sell sex to survive. For example, Ontario's Anti-Human Trafficking Strategy 2020-2025 highlights Indigenous-led services and supports that include prevention programs for at-risk youth and children in care.¹⁸ Also provide support services for those who are trafficked or who want to leave prostitution. Services should be trauma-informed and focus on the specific needs and values of Indigenous people. Clan Mothers Healing Village¹⁹ is an excellent example. Culturally relevant awareness programs are also needed to prevent sex trafficking.

2. Uphold *PCEPA* and continue to target the demand for paid sexual services

Sex trafficking and the involvement in prostitution is highly gendered. While the sellers of sex and the individuals trafficked for sex are mostly women and girls, most of the purchasers are men.²⁰ *PCEPA* upholds the protection of equality rights for women and girls, particularly those who are Indigenous, as guaranteed in the *Canadian Human Rights Act*.²¹ *PCEPA* also aligns with the *Palermo Protocol*, as it targets the demand for paid sexual services that drives sexual exploitation. As *PCEPA* is a federal law, police forces in every jurisdiction need to be trained in its provisions and equipped to enforce them. This will act as a deterrent for paid sexual services

¹⁷ <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2019-ntnl-strtg-hmnn-trffc/index-en.aspx>

¹⁸ <https://www.ontario.ca/page/ontarios-anti-human-trafficking-strategy-2020-2025#section-4>

¹⁹ <https://clanmothers.ca/>

²⁰ <https://www.justice.gc.ca/eng/rp-pr/other-autre/protect/p1.html>

²¹ <https://laws-lois.justice.gc.ca/eng/acts/H-6/page-1.html#h-256800>

and reduce the sex trafficking of Indigenous women and girls. The criminal justice system also needs to prosecute sex buyers and utilize prostitution diversion programs when possible. There should be investment in creating more of these programs across Canada. The Prostitution Offender Program in Winnipeg²² and The Sex Trade Offender Program in Edmonton²³ can serve as models.

The government should also invest in robust public educational initiatives to discourage the demand for paid sexual services. These can include public awareness campaigns, advertising on social media, and advertising on search engines in response to searches for paid sexual services. It should also be included as a topic in sex trafficking awareness initiatives.

3. Expand law enforcement trainings

As per the National Strategy to Combat Human Trafficking 2019-2024, invest in the training of law enforcement personnel as well as other front-line workers in key sectors. Training programs should be trauma-informed and include awareness of the specific challenges faced by Indigenous peoples, including the ongoing impact of colonial and discriminatory policies. Survivors of sexual exploitation should play an active role in the development of the training. It should also ensure the laws regarding sex trafficking and prostitution are well understood and will be enforced. There was high attendance and engagement in our CSES Summit law enforcement training and similar education initiatives would be impactful. It featured speakers with a broad range of expertise to provide a comprehensive learning experience, including survivors of sexual exploitation and a community activist for MMIWG. More information on the speakers and organizers can be found [here](#).²⁴

Thank you for responding to the urgent need to end the sex trafficking of Indigenous peoples.

²² https://www.gov.mb.ca/fs/traciastrust/pubs/tracias_trust_report_2019.pdf

²³ <http://www.ceasenow.org/sex-buyers/prostitution-offender-program-john-school/>

²⁴ <https://sexualexploitationsummit.ca/>