



NORTH AMERICA RESEARCH GUIDE

Anti-Trafficking Legislation: Canada

Canada has six offenses in its Criminal Code that prohibit various forms of trafficking and increase punishments for the trafficking of minors.¹ It also has the Immigration and Refugee Protection Act which prohibits using force, coercion, deception, fraud, or abduction to entice someone to enter Canada.²

Anti-Trafficking Legislation: U.S.

The U.S. has several landmark federal regulations designed to prevent and punish human trafficking. The Trafficking Victims Protection Act of 2000 criminalizes all forms of human trafficking, protects victims, and regulates the prosecuting of traffickers and the payment of reparations.³ This act was updated in 2003⁴, 2005⁵, 2008⁶, and 2013⁷ to increase protections for victims. The Customs and Facilitations and Trade Enforcement Act prohibits importing goods made through slave labor, through the use of coercion, or by victims of human trafficking.⁸ The Mann Act prohibits transporting a minor or coercing an adult across state lines for commercial sex.⁹ The PROTECT Act increases penalties for people engaged in minor sex tourism and created the Amber Alert system.¹⁰ These laws are the cornerstone of U.S. anti-trafficking legislation.

Organizations

- Polaris Project¹¹ /National Human Trafficking Hotline¹²
- Covenant House¹³
- Shared Hope International¹⁴
- Canadian Women's Foundation¹⁵
- Stop the Traffik Canada¹⁶
- Tracia's Trust¹⁷

Trafficking of Indigenous Women and Girls

Indigenous women in Canada are often the targets of trafficking due to their vulnerable social and economic position. The Trans-Canada Highway is often a site for traffickers to abduct and sell victims. Additionally, the complicated legal status of reservation lands in the U.S. and Canada leaves Native women out of the reach of law enforcement.

- CNN Freedom Project partnered with local organization to create a video series on the trafficking of indigenous women and girls in Canada.¹⁸
- The Native Women's Association of Canada released a report on "Sexual Exploitation and Trafficking of Aboriginal Women and Girls"¹⁹ featuring a literature review and key informant interviews.
- In 2017, the United States Government Accountability Office released a report on "Human Trafficking: Action Needed to Identify the Number of Native American Victims."²⁰

Trafficking of LGBT Youth

LGBT youth are especially vulnerable to trafficking due to their increased risk for homelessness and running away.

- The Polaris Project's 2016 report "Sex Trafficking and LGBTQ Youth"²¹ addresses this issue in the United States.
- The Urban Institute has released several studies on LGBT youth in America covering various topics such as survival sex, substance abuse, health care, criminal justice, and the child welfare system.²²

Youth Homelessness

While youth homelessness is intrinsically linked with LGBT trafficking, homeless youth are not exclusively LGBT and homelessness comes with its own unique set of risks.

- Covenant House has released two ground breaking studies on youth homelessness and human trafficking. Labor and Sex Trafficking Among Homeless Youth²³ covers 10 major U.S. cities while "Homelessness, Survival Sex and Human Trafficking"²⁴ focuses on New York City

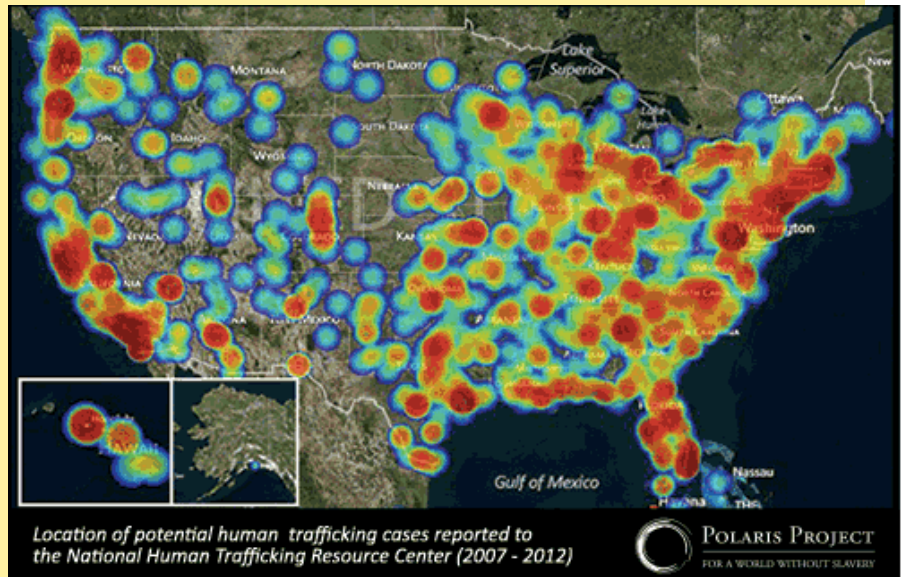
Trafficking from Mexico/Latin America

One of the major trafficking routes in North America is that of individuals who are trafficked out of South and Central America across the border into the U.S.

- Polaris Project's 2016 report "More Than Drinks for Sale: Sex Trafficking In U.S. Cantinas and Bars"²⁵ tracks the influx of women from Mexico and other Central American nations into U.S. cantinas. Polaris Project also has a general report on the "Sex Trafficking of Women and Girls from Mexico and Latin America."²⁶

Sex Trafficking in North America

- In 2012, Canada created a national action plan to combat human trafficking.²⁷ It includes steps for prevention, protection of victims and methods for law enforcement.
- The Canadian National Task Force on Women and Girls created *An Assessment of Sex Trafficking in Canada* in 2013.²⁸ It is an extensive summary of the various forms of sex trafficking in Canada, including a detailed snapshot of each province. .
- The Urban Institute released a research paper in 2014 called "Estimating the Size and Structure of the Underground Commercial Sex Economy in Eight Major U.S. Cities."²⁹ It covers sex work and sex trafficking in Miami, Dallas, DC, Denver, Kansas City, Seattle, and Atlanta.
- The Polaris Project compiled this report, "Sex Trafficking in the U.S.: A Closer Look at U.S. Citizen Victims,"³⁰ in 2015 based off of survivor reports to the National Human Trafficking Hotline



Labor Trafficking in North America

- In 2015, The Polaris Project released "Labor Trafficking in the U.S.: A Closer Look at Temporary Work Visas."³¹ This report draws on National Hotline information about workers who acquire temporary work visas for the United States but are then exploited by their employers and often lured into debt bondage.
- Human Rights Watch compiled a study on "Abuse of Domestic Workers with Special Visas in the United States,"³² which reports on the treatment of migrant domestic workers and governmental policies surrounding the issue.
- In 2017, the Institute for Policy Studies and The National Domestic Workers Alliance created the report "The Human Trafficking of Domestic Workers in the United States"³³ as part of their Beyond Survival Campaign. It compiles data from domestic workers and agencies aiding domestic workers in order to paint a picture of domestic exploitation in America.

Endnotes

1. <http://www.justice.gc.ca/eng/cj-jp/tp/legis-loi.html>
2. <http://laws-lois.justice.gc.ca/eng/acts/l-2.5/>
3. <https://www.congress.gov/bill/106th-congress/house-bill/03244>
4. <https://www.congress.gov/bill/108th-congress/house-bill/02620>
5. <https://www.congress.gov/bill/109th-congress/house-bill/972>
6. <https://www.congress.gov/bill/110th-congress/house-bill/7311>
7. <https://www.congress.gov/bill/113th-congress/house-bill/898>
8. <https://www.congress.gov/bill/111th-congress/senate-bill/01631>
9. <https://www.congress.gov/bill/95th-congress/house-bill/7804>
10. <https://www.congress.gov/bill/108th-congress/senate-bill/151>
11. <https://polarisproject.org>
12. <https://humantraffickinghotline.org>
13. <https://www.covenanthouse.org>
14. <https://sharedhope.org>
15. <http://canadianwomen.org/taskforce>
16. <http://www.stophetraffik.org/canada>
17. <http://www.gov.mb.ca/fs/traciastrust/>
18. <http://edition.cnn.com/2016/08/23/world/canada-indigenous-sex-trafficking/index.html>
19. https://www.nwac.ca/wp-content/uploads/2015/05/2014_NWAC_Human_Trafficking_and_Sexual_Exploitation_Report.pdf
20. <http://www.gao.gov/assets/690/683805.pdf>
21. <https://polarisproject.org/resources/sex-trafficking-and-lgbtq-youth>
22. <http://www.urban.org/research-area/human-trafficking>
23. <https://covenanthousestudy.org/landing/trafficking/>
24. <https://traffickingresourcecenter.org/sites/default/files/Homelessness%2C%20Survival%20Sex%2C%20and%20Human%20Trafficking%20-%20Covenant%20House%20NY.pdf>
25. <https://polarisproject.org/more-drinks-sale-sex-trafficking-us-cantinas-and-bars>
26. https://www.nationallatinonetwork.org/images/PL_PANEL_Responding_HT_Latin_Communities_Day_2_UPDATED_AT_INSTITUTE.pdf
27. <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ntnl-ctn-pln-cmbt/ntnl-ctn-pln-cmbt-eng.pdf>
28. <http://www.canadianwomen.org/sites/canadianwomen.org/files/Assessment%20of%20Sex%20Trafficking%20in%20Canada.pdf>
29. <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/413047-Estimating-the-Size-and-Structure-of-the-Underground-Commercial-Sex-Economy-in-Eight-Major-US-Cities.PDF>
30. <https://polarisproject.org/resources/sex-trafficking-us-closer-look-us-citizen-victims>
31. <http://polarisproject.org/resources/labor-trafficking-us-closer-look-temporary-work-visas>
32. <https://www.hrw.org/reports/2001/usadom/>
33. https://www.domesticworkers.org/sites/default/files/bs_report2017.pdf

© Human Trafficking Search 2017

A Project of the O.L. Pathy Family Foundation

humantraffickingsearch.net

Written by Joanna DiBiase

Document Design: Anne Paglia