

Opinion Paper: The Conseil des Montréalaises on

The trafficking of women for the purposes of sexual exploitation

during the Formula 1 Canadian Grand Prix

OPINION PAPER



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Immigrant Workers Centre (IWC)

Comité d'action contre la traite humaine interne et internationale (CATHII)/Coalition québécoise contre la traite des personnes

Concertation des luttes contre l'exploitation sexuelle (CLES)

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Quebec Native Women (QNW)

Native Women's Shelter of Montreal (NWSM)/Foyer pour femmes autochtones de Montréal (FFAM)

L'Anonyme

La Maison d'Haïti

La Sortie/The Way Out

Le Phare des affranchi(e)s/Beacon of the Freed

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ABOUT THE CONSEIL DES MONTRÉALAISES

The Conseil des Montréalaises (CM) was founded in 2004 and is made up of 15 volunteer members who reflect the diversity of Montreal's women. It acts as a consultative body to the municipal administration on matters related to the status of women and gender equality for all. The council takes an intersectional feminist approach to understanding the different lived realities of Montreal women.

The CM has the following roles:

- Providing opinions, on its own initiative or by request from the City of Montreal's mayor, executive committee, or city council, on matters related to gender equality, equality among women and the status of women, and submitting its recommendations to Montreal city council.
- Soliciting opinions and receiving and considering requests and suggestions from any person or group on matters related to gender equality, equality among women and the status of women.
- Helping develop and implement a gender equality policy framework for municipal employees.
- Conducting or commissioning studies and research it deems useful or necessary to the exercise of its functions.

The CM is an invaluable democratic tool. It is tuned in to the ideas and ways of thinking of feminist citizens and community organizations in the region and keeps up with their analysis and voices. Its main areas of intervention are city life, city governance and working for the City. The CM's work therefore focuses on the quality of life of Montreal women (transport, housing, the fight against poverty, safety, homelessness, sports, and leisure offerings, etc.), the presence and participation of women in municipal politics and on the work conditions of women who are civil servants.

INTRODUCTION

The Canada Formula 1 Grand Prix (hereafter referred to as the GP) is an international Formula 1 race, the main event in motor sports, and has been held annually in Montreal since 1978.

The Canada GP is an important event for Montreal. The week of the GP marks the beginning of the summer festival season, brings in what are said to be unmatched profits, although this is the subject of some debate, and puts Montreal on the map internationally for the duration of the race.

The GP takes place in different Montreal neighbourhoods: Parc Jean-Drapeau, Little Italy, Old Montreal and downtown, on Crescent and Peel streets, and at place du Canada. Festivities take place in the afternoon, evening and through the night, and draw families, groups of young women, groups of young men, groups of friends, fans from outside the country and fans from Quebec who have been coming to watch the race forever. In Montreal and in other cities across the world, the GP event also features VIP nights, fancy cars and “F1 girls.” For a whole week, part of Montreal dances to the rhythm of the F1.

Since the 2000s, a new narrative has been progressively joining the frenzy around the F1. Many articles in the press, witness accounts and radio interviews have revealed that during the Montreal GP, there is “an increase in the trafficking of women.”¹ According to these sources, the Montreal GP is “a magnet for human trafficking in Canada.”²

In response to this alarming and alarmist reality, information campaigns against the trafficking of women for the purposes of sexual exploitation have appeared on city buses and in the bathrooms of some downtown bars and clubs. Informational pamphlets against human trafficking have been distributed at Pierre-Elliott-Trudeau International Airport and in Montreal hotels. Police operations have been carried specifically targeting demand, or clients. In 2018, grid girls³ were phased out, considered outdated and “clearly... at odds with modern day societal norms.”⁴

Human trafficking, and particularly the trafficking of women for the purposes of sexual exploitation, is an international concern that led to the adoption, in 2000, of the Palermo Protocol, a Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The fight against human trafficking is led by numerous national and international bodies through joint preventative, informational and repressive actions that take place, among others, during major international sporting events.

For over twenty years, major important sporting events like the Olympic Games and the FIFA (Fédération Internationale de Football Association) World Cup have, in fact, been associated with an increase in cases of trafficking of women for the purposes of sexual exploitation. There are purported to be thousands of victims, although the true extent is unclear.

Orientations of the mandate taken on by the Conseil des Montréalaises

This is the context in which the Conseil des Montréalaises (CM) took on the mandate of evaluating the magnitude of the trafficking of women for the purposes of sexual exploitation, a phenomenon that is said to affect the Montreal GP. The CM's mandate covered a three-year period, from October 2017 to October 2020.

The CM believes the trafficking of women for the purposes of sexual exploitation is one of the forms of violence women may experience during the GP. Historically, the CM has always taken an interest in the different forms of violence that affect women during events organized in Montreal. Women's presence in the city, without the threat of violence, and their full participation in events organized here is one of the ways we can enact true gender equality and equality among women. The CM believes that to ensure our city is safe, we need to guarantee that all women can participate, without discrimination, in decision-making, power-sharing, and accountability⁵ when it comes to creating and organizing events.

For this research, the CM therefore asked two questions: 1) What is the extent of the increase in trafficking of women for the purposes of sexual exploitation during the GP? 2) What are the experiences of women (those working in or frequenting the premises of the GP) when it comes to the violence they experience, their sense of security or lack thereof? This question raises other questions, such as: what are the forms of sexist, racist, homophobic and transphobic violence that are present? What are the instances of sexual harassment in public spaces and at GP venues? What does "being safe" mean to these women? What strategies have they developed so that they can go out and have fun during the GP and still feel safe? This opinion paper on the trafficking of women for the purposes of sexual exploitation during the GP is the first part of this research and a response to our first question. The second part will be an opinion paper on women's safety.

This paper is divided into seven sections. Following the overview of the mandate's methodology and research orientations (**section one**) and some context on the history and organization of the GP in Montreal (**section two**), **section three** identifies our mandate's main focus, gives a brief portrait of the Canadian and Quebec human trafficking contexts, and gives an overview of the evolution of the current definitions used in Quebec for the expressions "human trafficking for the purposes of sexual exploitation" and "sexual exploitation." **Section four** examines the question of sporting events and the purported increase in trafficking for the purposes of sexual exploitation. **Section five** presents an analysis of interviews conducted with advocacy groups as to the extent of the trafficking of women for the purposes of sexual exploitation during the GP. **Section six** looks at victims of trafficking of women for the purposes of sexual exploitation. In this part, we first examine how, in Quebec, the media, police forces and some groups have converged to establish a discourse that defines sexual exploitation and the profile of a typical victim. The portrait of victims presented by community groups, on the other hand, is more nuanced, and mainly shows that, despite the intent to protect victims and prevent trafficking, women from marginalized groups are discriminated against and harmed by police forces. **Section seven** advocates for developing a more complex understanding of human trafficking by taking into account different forms of trafficking and also specifically recognizing the forms of violence experienced by sex workers. Following these findings, we have addressed 23 recommendations to the City of Montreal and its partners, the Government of Quebec, the Government of Canada, and the Octane Racing Group.

1. Methodology and research orientations

1.1. Personal points of view: choosing qualitative methods

The question of the magnitude of the human trafficking phenomenon, and particularly of trafficking for the purposes of sexual exploitation, is at the core of our mandate and intersects all discourse on the subject. Knowing how many victims of trafficking there are is a real challenge, since there is no standard methodology. The current numbers used are often estimates or based on police data. We will address this issue a number of times in this opinion paper.

Our review of the literature has revealed the difficulty of measuring this phenomenon conclusively. Despite international attention, empirical research on the prevalence of human trafficking during sporting events does not exist. In fact, research on human trafficking in general is rarely empirical⁶ or qualitative.

Clearly, developing efficient methodology that will create a true and exact picture of the trafficking of women for the purposes of sexual exploitation is a worthy goal. It would, however, require that considerable resources be committed on a long-term basis, as stated, for example, by the United Nations Office on Drugs and Crime.⁷

Qualitative research allows researchers to include the contributions of people and their stories, their strategies, and their personal experiences of violence, which may vary. It allows research to include the meaning people give to their experiences. Compiling personal experiences can allow us to deconstruct the current categories and definitions we are working with and which are, in a sense, imposed.⁸

Human trafficking is a hidden phenomenon. Victims live under duress and may be controlled in various ways. Trafficking is also criminalized. The difficulty of compiling the experiences and narratives of these victims is one of the reasons our understanding of the different forms of trafficking is still so incomplete.

The literature also shows that human trafficking, as a social phenomenon, is not the subject of collective demands voiced by victims. “There are no protests in the streets, occupations of churches [...], hunger strikes [...] or virulent and vehement appeals to public authorities.”⁹

Our main goal has been to attempt to record the experiences of people who identify as victims of trafficking. We did not want to depend solely on police data to document this phenomenon. It has been established that police data has several limitations, the first being that trafficking is a crime that is underreported to police authorities. Research has shown that police forces also have a limited understanding of human trafficking. This leads to this crime being misidentified. And even if it is correctly identified, it may not be classified as such in the police data.¹⁰ Lastly, the police, as an institution, is often associated with instances of profiling and violence, particularly towards women who are proven more likely to be victims of trafficking.

By choosing to meet with victims through a large network of groups working on this issue, among other things, and by doing observation work on the ground, we have been able to accomplish our goal of producing an understanding based on “situated knowledge.” This idea is at the core of feminist and postcolonial theory and underpins current debates on who should speak and for whom. The idea of “situated knowledge”, or “strong objectivity,” as defined by Sandra Harding, implies that in order to produce objective research, we must multiply its points of view by putting democratic science into practice.¹¹

1.2. Victims who are minors

Our mandate also included “girls who are victims of trafficking for the purposes of sexual exploitation.” We did not develop a specific methodology for meeting with minors. We asked questions about victims who are minors and analyzed all briefs and testimonies from the Quebec Government’s 2019-2020 Select Committee on the Sexual Exploitation of Minors. We feel strongly, however, that any research on young girls and women should ensure that their voices are central.

Collecting the accounts of persons who are minors, and crime victims, would require developing other kinds of research methods. Recent Canadian research on the trafficking of minors in Canada has been carried out with the help of child protection specialists or through the review of police files.¹² Research does exist, particularly American research, that includes the direct input of young people. This research focusing on trafficking for the purposes of sexual exploitation is based on numerous youth interviews conducted at research sites. Other studies were conducted on the ground, over several years, with the help of various research teams and graduate students.¹³ These studies focus on the subjective experiences of young people, including their opinions and points of view. They consider these young people to be social actors, active participants in the construction of their own experiences, the experiences of others, and the societies they inhabit.¹⁴ These young people are acknowledged as whole subjects with the authority and capacity to think and express what is best for them.

This research in no way claims to represent the experiences of young victims of trafficking for the purposes of sexual exploitation. It does, however, address various political discourses that define their experiences in Quebec.

1.3. Victims of human trafficking

Our intention to give voice to victims of trafficking and, more generally, to women, has led us to use a variety of research methods.

Firstly, we organized participant observations during the GP in 2018 and 2019. We then sought out key informants who could allow us to meet with women who identify as victims of trafficking for the purposes of sexual exploitation or of any other form of trafficking.

This led us to meet with 20 organizations working with and advocating for the rights of a variety of populations. We chose these groups because they have made public statements on human trafficking, including trafficking for the purposes of sexual exploitation. To evaluate these contributions, we communicated with groups that participated in one or more awareness-raising activities on human

trafficking during the GP, in programs that specifically combat the trafficking of women for the purposes of sexual exploitation or sexual exploitation, or in provincial or federal consultations on trafficking, including:

- the Standing Committee on Justice and Human Rights (2018);
- the Select Committee on the Sexual Exploitation of Minors (2019-2020);
- the awareness campaigns about trafficking during the GP (“Buying Sex is not a Sport” [2016] and “Un trop grand prix [Too Big a Prize]” [2017, 2018, 2019]);
- the National Strategy to Combat Human Trafficking (2018).

Other key informants were chosen because they work with groups of people who are purportedly overrepresented among victims of trafficking for the purposes of sexual exploitation or of human trafficking. Although they are overrepresented, these groups have not been included in the research on trafficking. Observers strongly urge researchers find ways to include them.

These groups include 2SLGBTQQIA¹⁵ people, Indigenous people, non-status women, migrant women, children taken into care by the Director of Youth Protection (DPJ) and young runaways.

1.4. Collection of data

We have assessed the trafficking of women for the purposes of sexual exploitation during the Montreal GP, while considering the abundance of interpretations and actions on the ground; we have done so to enable us to potentially meet with victims whose profiles and experiences are varied. We have considered the perspectives and actions of representatives from advocacy groups in Montreal, Quebec, and Canada as well as those of institutions in Quebec and Canada that work on the trafficking of women for the purposes of sexual exploitation and on human trafficking for the purposes of forced labour. These groups work with Indigenous women, non-status women, migrant women, sex workers, substance users, young, racialized women, young runaways and 2SLGBTQQIA youth.

In the months between June 2018 and July 2019, we conducted semi-open interviews (see Appendix 1) with most of these target organizations, resulting in 20 interviews.¹⁶

We also organized meetings or participated in activities with institutional representatives, including employees of the Service de police de la Ville de Montréal (SPVM) (from the PDQ Centre-ville, Research and Strategic Planning Division, Youth Intervention and Prevention, and the Équipe intégrée de lutte contre le proxénétisme), officials from Canada Economic Development, heads of downtown Montreal and Vieux-Montréal/Old Montreal business development companies (BDCs), Ville-Marie borough officials, and staff from the Octane racing group and the Hotel Association of Greater Montreal (AHGM).

2. The Montreal Formula 1 Grand Prix

2.1. The City of Montreal and the GP

The Montreal GP is a major event, and some consider it a mega-event, on par with the Olympic Games or the FIFA World Cup. It is true that it can be an “event that manages to captivate both spectators and television viewers alike on a global scale. These events are able to secure colossal investments and generate extraordinary capital, garnering interest both locally and worldwide and therefore becoming major dates for the host city or organizing country’s prosperity.”¹⁷ Many analysts, in fact, believe that the GP, along with other international events, is playing an increasingly important part in the economic development and politics of cities.

The GP has taken place in Montreal since 1978. The race takes place at Circuit Gilles-Villeneuve in Parc Jean-Drapeau. The event’s four funders are the City of Montreal, through the Société du parc Jean-Drapeau (SPJD), the Government of Quebec, through Tourisme Québec, the Government of Canada, through Canada Economic Development for Quebec Regions (CED) and the Greater Montréal Convention and Tourism Bureau, through Tourisme Montréal.¹⁸

The three levels of government have signed an agreement with Formula One World Championship Limited (FOWC) to keep the Montreal GP at Parc Jean-Drapeau’s Circuit Gilles-Villeneuve from 2015 to 2024. The ongoing presence of the GP is therefore a testament to the concerted effort by these three levels of government, including the City of Montreal, to keep this event in Montreal.

The Ville-Marie borough, where festivities related to the race take place, connects the relevant City services with contractors. These contractors are generally BDCs (mostly) and promoters who go to the borough to obtain temporary public domain occupancy permits (some companies will approach the borough for permits to park cars in front of hotels, for example).

The borough offers varied subsidies of up to \$35,000 for activities organized in Ville-Marie during the week of the GP. The City also incurs expenses related to the logistics of organizing GP activities in public spaces, including: site preparation, setup and takedown, cleaning, and so on. These expenses are included in the borough’s regular activities and are therefore not additional expenditures.

The total economic impact of the GP on Montreal and on the province is the subject of much discussion. The GP is often designated as the event that has the greatest impact.¹⁹ More recently, however, some have suggested that the GP has little to no major economic impact if we consider the public subsidies distributed.²⁰

2.2. Organizing the event

The GP event in Montreal occupies a huge number of municipal bodies. Octane Racing Group oversees the organization of the race on Circuit Gilles-Villeneuve. The City of Montreal manages all security related matters for the event at Parc Jean-Drapeau, including road safety and fire safety services. Octane Group has its own security service onsite. The SPVM, while involved in the planning committee, is not present onsite. No uniformed police are present at Parc Jean-Drapeau during the event.

The City of Montreal—more precisely, in this case, the Ville-Marie borough—is responsible for overseeing the management of public spaces in the downtown area during the event. It must provide the necessary permits for the use of public property and for holding special events. The borough also continues to manage traffic and garbage collection. In this way, it oversees organizing the GP in the downtown area along with an informal F1 committee made up of the concerned parties.

Octane Racing Group is the official entity responsible for organizing the GP at Parc Jean-Drapeau. It also organizes promotional opening and closing night events in the downtown area and in Vieux-Montréal/Old Montreal. Octane Group organizes these parties in partnership with event promoters and its official partners, including the bars and clubs synonymous with GP festivities both downtown and in Vieux-Montréal/Old Montreal.

3. Human trafficking for the purposes of sexual exploitation in Quebec and in Canada

3.1. The Palermo Protocol

The United Nations Convention Against Transnational Organized Crime, known as the “Palermo Convention,” is a United Nations convention signed in 2000 in Palermo, Italy. Its objective is to establish international legal and law enforcement cooperation to improve the prevention and repression of organized crime activities. The Convention is supplemented by three protocols that target specific activities and forms of organized crime. One of these protocols is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children²¹ (which we will hereafter refer to as the Palermo Protocol).

The Palermo Protocol is the first international legal instrument to include a definition of human trafficking agreed upon by a large number of states. It defines human trafficking as follows:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the

purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (Article 3a).

The Protocol's goal is also to protect and assist victims of human trafficking with respect for their human rights.²² For this reason, the fight against human trafficking is built on three pillars: prevention, protection, and repression.

The Palermo Protocol focuses on three elements:

- 1) actions: recruiting, transportation, transfer, harbouring or receipt of persons;
- 2) forms of coercion: the threat or use of force or other forms of coercion (abduction, fraud, deception, abuse of power or of a position of power);
- 3) the purpose (goal): the exploitation of the persons.

This means human trafficking's goal, or objective, is human exploitation. Exploitation is not specifically defined by the Protocol, but it does list forms of exploitation.²³ In 2013, a judgement recognized that an end goal of exploitation is the key element to human trafficking.²⁴

Coercion is another central element in the definition of human trafficking. Its presence is measured by the fear a person has for their safety.

To determine whether coercion is present, a court may specifically consider the threat or use of force, the use of deception or the abuse of power or of the trust of a person.

We know that this control may vary in intensity. What matters is the effects of the behaviour and/or actions on the sense of security of the victim or victims. This means it is important to acknowledge that trafficking situations are characterized by coercive actions that cause victimized persons to fear for their safety.

Article 3 of the Palermo Protocol determined that the recruiting, transportation, transfer, harbouring, or receipt of a child for the purposes of exploitation is considered human trafficking, whether or not there is any threat or use of force or other form of coercion.²⁵ It was only in 2010, however, that Canada introduced an offence relating to the trafficking of a person under the age of eighteen years²⁶ (see Appendix 3).

3.2. Human trafficking: contexts in Canada and in Quebec

Human trafficking is a global issue. It mobilizes all the main supranational bodies of the United Nations and many governments: there are 190 States Parties to the Palermo Protocol.

The Palermo Protocol was ratified by Canada on May 13, 2002. In keeping with the obligations set out by the Protocol, Canada introduced a number of new offences to combat human trafficking, first in 2002 under the Immigration and Refugee Protection Act (IRPA),²⁷ then in 2005 with Bill C-49.²⁸ The latter created three new offences.²⁹ The main offence defines human trafficking for the purposes of exploitation (article 279.01, see Appendix 3) using the main elements of the Palermo Protocol definition.

In 2005, the Royal Canadian Mounted Police established the Human Trafficking National Coordination Centre (HTNCC). The Center serves mainly to provide a focal point for law enforcement efforts to combat and disrupt individuals and criminal organizations involved in human trafficking activities.³⁰

In 2012, the Government of Canada launched the National Action Plan to Combat Human Trafficking, which ended in 2016. In 2018, the government conducted a national consultation to develop its strategy to combat trafficking. This consultation led to the publication, in 2019, of the National Strategy to Combat Human Trafficking 2019-2024.³¹

The U.S. Department of State has designated Canada a source, transit, and destination country for human trafficking.³² The profile of victims has changed since the HTNCC was established in 2005. Victims used to be primarily women from Thailand, Cambodia, Malaysia, Vietnam, and Eastern Europe who were not Canadian citizens. These victims of human trafficking were, for the most part, women being trafficked for the purposes of sexual exploitation.

The various Canadian actors involved in combatting trafficking regularly obtain evidence of the existence of human trafficking for the purposes of forced labour, but according to many organizations, this phenomenon remains underestimated.

More recently, during testimony before the Standing Committee on Justice and Human Rights, many witnesses cited risk factors that could cause a person to become a victim of trafficking. Poverty, social isolation, homelessness, precarious housing, violence experienced as children, a history of violence, drug use, mental health problems, and lack of access to education and employment have been cited in the most recent Canadian strategy.

Besides stating these vulnerabilities, the testimony also revealed groups that are more likely to be victims of human trafficking. Those groups are Indigenous women, girls, and children, 2SLGBTQQIA people, migrants, new immigrants, children in foster care and young runaways.

The Committee's report also reveals that both in Canada and abroad "the number of police-reported incidents of human trafficking is on the rise."³³ According to Statistics Canada, based on cases reported to police, we see that 95% of the 865 victims recorded between 2009 et 2016 were women; 72% were under 25, and 26% were under 18.

Statistics show that men are most likely to be the perpetrators of trafficking (81% of cases between 2009 et 2016) and that the vast majority (80%) of those accused over this period were between 18 and 34 years old. Also between 2009 et 2016, 32% of incidents related to human trafficking were cross-border offences.³⁴

This data on human trafficking includes cases of both sexual exploitation and forced labour. Statistics Canada does not have distinct data for these two forms of trafficking.

Trafficking scenarios vary depending on whether they involve forced labour, servitude, or sexual exploitation. Victims in cases of international trafficking may have entered Canada legally or illegally, some having accepted jobs in the entertainment and restaurant sectors (as waitresses) or in domestic service (as nannies). Men usually come to work in the agriculture and construction sectors.³⁵

From 2005, the year it was created, to November 2017, the HTNCC (the RCMP) identified 455 files in which charges of human trafficking were laid. These files involved 321 victims and 180 people convicted of multiple offences. There are currently nearly 296 cases of human trafficking before the courts. These cases involve a total of 506 accused parties and 420 victims.³⁶

3.3. Human trafficking and the trafficking of women for the purposes of sexual exploitation

International bodies (the Organization for Security and Co-operation in Europe, the Council of Europe, the United Nations, and the European Union) have been mobilizing against the human trafficking phenomenon since the turn of the 20th century, primarily to combat prostitution, pornography, and the commercial sexual exploitation of children. Although the comparison is hotly contested,³⁷ the narrative around human trafficking has been constructed around the imagery of the trafficking and enslavement of Black people—imagery that had already been used to describe the trafficking of White women in 19th century Europe.

The 19th century's so-called white slavery refers to the dramatic abduction of young girls. It has been understood by many historians as a phenomenon of women migrating who were “professionals of transactional love wishing to escape the wretched conditions associated with their activities in their native countries.”³⁸

Since it first appeared, the phenomenon of the trafficking of white women, and later human trafficking, including its definition and the actions taken to suppress it, has focused primarily on the trafficking for the purposes of sexual exploitation of persons considered to be “victims of prostitution.”

For many, the debate between abolitionist or neo-abolitionist and sex worker advocacy groups is at the heart of the definition of human trafficking and of the Palermo Protocol. Many states and international or supranational organizations also gravitate around these groups.

According to sociologists Anderson and O’Connell Davidson,³⁹ the debates around human trafficking are specifically held between three main groups of actors:

- Governments. Their interest in trafficking is often grounded in concerns about irregular immigration and/or transnational organised crime, which are viewed as threats to the national security of affected countries.
- National and international abolitionist organizations.⁴⁰ These organizations see human trafficking as the globalization of the sexual exploitation of women.
- National and international organizations advocating for migrant workers, sex workers, the rights of children, and human rights. These organizations see trafficking as a violation of human rights and worker’s rights.⁴¹

The debate around human trafficking took center stage again in the 1970s, with discourses around sex work, prostitution, and sexual exploitation, driven by a number of international feminist alliances against the trafficking of women and by others advocating for the rights of sex workers. These opposing perspectives were promoted by two main alliances: the International Human Rights Network and the Human Rights Caucus. The former, under the direction of the Coalition Against Trafficking in Women (CATW), is a group that combats human trafficking from an abolitionist standpoint. The Human Rights Caucus, on the other hand, combats human trafficking while recognizing sex workers and their rights, and is under the direction of the International Human Rights Law Group (IHRLG) and the Global Alliance Against Traffic in Women (GAATW).⁴²

These diverging perspectives on sex work have since been fodder for debate around the definition of trafficking for the purposes of sexual exploitation. For abolitionist groups, sex work is a form of trafficking for the purposes of sexual exploitation and a form of violence against women.⁴³ The groups supporting the recognition of sex work see human trafficking as a form of the exploitation of sex work and as forced labour. They distinguish between sex work, which is an exchange of services between consenting adults, and trafficking for the purposes of sexual exploitation, which is characterized by coercion and exploitation.⁴⁴

For some groups, the resurgence of the anti-trafficking movement in the early 2000s was an abolitionist direct response to movements advocating for the rights of sex workers. These concerted actions were organized progressively starting in the 1980s, and notably in 1986, as the International Committee for Prostitutes' Rights (ICPR).⁴⁵ The ICPR was led by European sex workers demanding, among other things, the decriminalization of sex work, access to health services, and a shift in public opinion when it came to sex work. In response to these demands, some women's groups united to define "prostitution" as a form of violence against women.⁴⁶

These two perspectives have since framed all literature and action on the trafficking of women for the purposes of sexual exploitation and on human trafficking generally.

For many, it seemed that the experiences of "victims of exploitation" were the only guiding factor in the 2000 adoption of the Palermo Protocol. In the eyes of most, this international legal framework "permanently links trafficking to the issue of prostitution."⁴⁷ The adoption of its definition of trafficking was also the result of a compromise in distinguishing between human trafficking and sex work. In the drafting of the Protocol's *Travaux préparatoires*, an interpretative note was included specifying that "The protocol addresses the exploitation of the prostitution of others and other forms of sexual exploitation only in the context of trafficking in persons. The terms "exploitation of the prostitution of others" or "other forms of sexual exploitation" are not defined in the protocol, which is therefore without prejudice to how States parties address prostitution in their respective domestic laws."⁴⁸

These debates over the definition of human trafficking for the purposes of sexual exploitation from an international perspective have an impact on national struggles on related issues. Some researchers believe that an understanding of the human trafficking of girls who are minors and awareness of this issue has led to the redefinition of "juvenile prostitution," which has come to be called, in Quebec and elsewhere, "the sexual exploitation of minors."⁴⁹

In Quebec, the social and legal implications of “sexual exploitation” have evolved within a context of polarized interpretations of the issues of human trafficking and sex work. Since the 1980s, what sexual exploitation encompasses has changed considerably. Understanding this change is important to understanding how the groups and institutions we encountered currently understand human trafficking for the purposes of sexual exploitation and sexual exploitation.

3.4. The sexual exploitation of minors

In Canada, sexual exploitation of minors was first regarded as child prostitution, then as sexual commercial exploitation, then as the procuring of minors (particularly in cases related to street gangs).⁵⁰

The expression “sexual exploitation of minors” was first used and defined in the 1980s, following the publication of two major reports on child prostitution.⁵¹ This expression describes the abuse of power by an adult over a person under 18 years. A related offence was added to the Criminal Code under article 153 (1) and remains in force. Sexual exploitation as described under article 153 (1) refers more to situations occurring between two persons in a family context than within the context of the sex industry.

In the late 1990s, the expression “commercial sexual exploitation of children” emerged, mainly at the international level. The Stockholm Declaration adopted in 1996 during the World Congress against Commercial Sexual Exploitation of Children defines the commercial sexual exploitation of children as “a form of coercion and violence against children (that) amounts to forced labour and a contemporary form of slavery.”⁵²

According to the International Labour Organization (ILO), victims of commercial sexual exploitation are “girls, boys and adolescents who are victims of internal and cross-border trafficking for the purpose of sexual exploitation. Girls, boys and adolescents who are engaged in prostitution either on the streets or in establishments. Girls and boys who are used in pornography and sex shows. Girls and boys who are used to satisfy sexual gratification of paedophiles.”⁵³

This means that, as of the 2000s, minors in the sex industry are no longer regarded as criminals, and the concept of child prostitution is no longer used. These minors are now considered victims who are being forced and exploited. This has been a transition from the criminalization of these minors to the recognition and protection of their rights, taking into account, among other things, their living conditions.

Most recently, in 2019, Bill 99 came into force, amending the grounds for compromise⁵⁴ related to “sexual abuse” under Section 38 of the Quebec Youth Protection Act. The grounds were amended to include “any form of sexual exploitation.” Since these grounds already included cases of the sexual exploitation of young people under article 153 of the Criminal Code, this amendment specifically targets contexts in which there is the solicitation of sexual services by minors.

Although the term sexual exploitation still refers to an offence committed by an adult against a minor, as stated under article 153 of the Criminal Code, it has also come to be used today to refer not only to minors, but also to adult persons, and essentially to women, in the sex industry.

3.5. Human trafficking and sexual exploitation

The Palermo Protocol does not define “sexual exploitation.” Nor is this expression defined internationally. It is language taken from legislation on the rights of children.⁵⁵

Yet this language is used in Quebec and has been since the early 2000s. In 2002 (the year Canada ratified the Palermo Protocol), the Conseil du statut de la femme (CSF) published an opinion paper on prostitution in which it defined prostitution as a form of sexual exploitation.⁵⁶

In 2007, in Quebec’s second government action plan on gender equality within its policy for gender equality, sexual exploitation is defined as “the embodiment of an abuse of power which cannot be tolerated in a society that defends values of justice and equality between men and women.”⁵⁷ This definition can also be found in the *Stratégie gouvernementale pour prévenir et contrer les violences sexuelles* [government strategy to prevent and combat sexual violence].⁵⁸

The Secrétariat à la condition féminine (Quebec’s Status of Women office) sees sexual exploitation as “a complex issue, particularly due to the diversity of contexts in which it may occur (prostitution, erotic massage parlours, strip clubs, etc.) and the many criminal activities it is associated with (procuring, human trafficking for the purposes of sexual exploitation, the purchase of sexual services, etc.) [...] We consider victims of sexual exploitation to include victims of trafficking for the purposes of sexual exploitation.”⁵⁹

Bill C-36, An Act to amend the Criminal Code in response to the Supreme Court of Canada decision in *Attorney General of Canada v. Bedford* and to make consequential amendments to other Acts⁶⁰ was adopted in 2014. This legislative document led to a significant reform of the Criminal Code following the Bedford decision, which was rendered in 2013 by the Supreme Court of Canada,⁶¹ and defines “selling sexual services in public” as a form of “sexual exploitation that disproportionately and negatively impacts on women and girls.”⁶² “Its overall objectives are to: protect those who sell their own sexual services; protect communities, and especially children, from the harms caused by prostitution; and reduce the demand for prostitution and its incidence.”⁶³

The Bill clearly establishes a cause-and-effect connection between increased demand for sexual services and human trafficking: “Commercial enterprises in which prostitution takes place also raise these concerns and create opportunities for human trafficking for sexual exploitation to flourish.”⁶⁴

Following these amendments to the Criminal Code, which came into force in 2014, the offences for human trafficking and procuring became almost synonymous, and their penalties were harmonized. Bill C-36 harmonizes the penalties imposed for cases linked to human trafficking and sexual exploitation, as these practices are considered to be related. Trafficking for the purposes of sexual exploitation and procuring, however, continue to be separate crimes⁶⁵ (see Appendix 3). Still, for many legal experts, the human trafficking and procuring provisions of the Criminal Code are nearly identical: legislators equate the two concepts, as is made obvious in the Bill’s preamble, which mentions “the exploitation that is inherent in prostitution,”⁶⁶ “thereby eliminating any distinction.”⁶⁷

The acts (recruiting, transporting, transferring, receiving, holding, concealing, or harbouring a person) and the means (exercising control, direction, or influence over the movements of a person) that constitute procuring and trafficking offences are the same. What's more, in the eyes of the law, sexual services equal exploitation.

In fact, Statistics Canada calculates that more than half of cases of human trafficking in Canada include another offence, usually one related to prostitution:

“Of the human trafficking incidents reported by police between 2009 and 2016, more than half (51%) involved at least one other violation. Among the large majority (89%) of these incidents, human trafficking was the most serious violation. [...] Incidents involving multiple offences where human trafficking was the most serious violation often involved prostitution offences as secondary violations (58%). Other common secondary violations included assault (all levels) (39%) or sexual violations (20%).”⁶⁸

Recent judgements have also shown that these acts (recruiting, transporting, transferring, receiving, holding, concealing or harbouring) and means (exercising control, direction, or influence over the movements) invariably lead to criminal charges of human trafficking or procuring. It therefore seems that it is not necessary for all elements (acts, means, and ends) to be present for a situation to be deemed an instance of trafficking. In 2013, a judgement established that travel across borders (whether international or national) or even within a city is not one of the criteria necessary to determining a trafficking offence.⁶⁹

According to many commentators, the vague nature of the legislation, the weight of the legislated definition, and its similarity to other provisions of the Criminal Code, particularly relating to procuring, raises questions as to what distinction Parliament makes between human trafficking, sex work, and sexual exploitation.⁷⁰

There is, however, a distinction between these phenomena. The degree of coercion present has a direct impact on victims' sense of security⁷¹ (which they do not need to prove). This, in theory, distinguishes human trafficking from sexual exploitation. The notion of the fear for one's safety, however, has been called into question, and must be the result or consequence of the degree of coercion and violence used against the person.

This has led to what one might call a “semantic fusion” of the concept of sexual exploitation with both the sexual exploitation of minors and the trafficking of persons for the purposes of sexual exploitation.

When it comes to the former, an offence created to protect children from abuses of power committed by adults, it has become an offence that relates to adults, particularly women, in the specific context of the sex industry. When it comes to the latter, two phenomena which were formerly distinct depending on the presence of coercion and, by extension, a lack of consent, they are now considered equivalent. Thus, human trafficking and sex work are now synonymous.

4. Sporting events and trafficking for the purposes of sexual exploitation

The research mandate to examine the trafficking of women for the purposes of sexual exploitation during the GP taken on by the Conseil des Montréalaises focuses on an issue that is widely discussed in the scientific literature and in grey literature. There have been several dozen studies done to attempt to evaluate and calculate the supposed magnitude of trafficking for the purposes of sexual exploitation during major sporting events.

These studies all ask the same question: do major sporting events lead to an increase in the trafficking of women for the purposes of sexual exploitation?

4.1. Sporting events and “demand”

The connection between the trafficking of women and sporting events has been developed based on research that shows that sporting events, being large gatherings of people and particularly men, increase the demand for sexual services offered by women: “experience has shown that any major event at which large numbers of people congregate results in a temporary and spectacular increase in the demand for sexual services.”⁷²

The demand for sexual services during major events is said to be not only the result of tourism, but also of an influx of workers, contractors, media, and the athletes themselves.⁷³

In fact, the events and sites identified as most at risk for human trafficking were anywhere large numbers of men gathered and were in the majority. Sporting events that draw men as tourists, work environments where men are in the majority (ports, borders, etc.), and conventions or political gatherings attended by men are all examples.⁷⁴

A number of studies on sports and the social construction of masculinity have describe the worlds of professional and amateur sports as sexist. The sports world facilitates the development of macho culture and hegemonic masculinity built on misogyny, homophobia, and sexism.⁷⁵

These observations have led to international actions to raise awareness. A recent UN Women campaign as part of the UNiTE initiative “UNiTE to End Violence against Women,”⁷⁶ targeted the FIFA World Cup with the slogan “The Brave are not Violent.” The goal was to “educate soccer fans about the responsibility men should take to end violence against women and to combat gender stereotypes.”⁷⁷ This action was aimed at combatting gender stereotypes, providing information about violence against women, and increasing women’s participation in all sports, particularly those historically limited to men.

The premise here is that the more men there are in a given space-time, the more demand there will be for sexual services and the more women will be victims of trafficking for the purposes of sexual exploitation. As a consequence, it is presumed that, during major sporting events, sex workers arrive on-site in large numbers. Generally speaking, it is accepted that the sex-tourism industry and the sex industry derive profit from major sporting events.⁷⁸

Big international sports events are therefore assumed to contribute to increasing trafficking in two ways: by favouring the sex industry, which is exploitative, and by facilitating, through tourism, the entry of persons who are victims and who may then be transported elsewhere to be exploited.⁷⁹

4.2. Actions to counter “demand” and the trafficking of women for the purposes of exploitation during sporting events

Starting in the 2000s, governments and national and international organisations began asking questions about the presence of cases of human trafficking and of the trafficking of women for the purposes of sexual exploitation during major sporting events. Shortly before the 2004 Olympic Games in Athens and following the adoption of the Palermo Protocol, different actors, including the police, the Greek Government, and different organizations, began to see an increase in the demand for sexual services. These actors felt that this increase could lead to a significant surge in the trafficking of women for the purposes of sexual exploitation to meet demand. In 2004, the Palermo Protocol had been in effect for two years, and its signatories had begun to mobilize.

For the Athens Olympic Games, the Greek Government was on the alert, setting up a telephone hotline to help victims of trafficking. There was also funding for various organizations to allow them to aid potential victims, and police forces were mobilized.⁸⁰

In 2006, during the FIFA World Cup in Germany, different international authorities predicted the arrival of 40 000 foreign women, supposedly forced into prostitution to respond to an increased demand for sexual services. This spectacular extrapolation was a direct response to the German Government’s decision to legalize sex work.⁸¹

On the eve of the World Cup, European Parliament passed a resolution on forced prostitution in the context of world sports events, “whereas experience has shown that any major sporting event at which large numbers of people congregate results in a temporary and spectacular increase in the demand for sexual services.”⁸²

In the leadup to the event, police forces, NGOs, religious associations, and the International Labour Organization and Amnesty International came together to create national campaigns addressing forced prostitution during sporting events. The goal of these campaigns was to educate potential clients and decrease the demand for sexual services. These information campaigns addressed human trafficking, prostitution, and sexual exploitation, and took their cues from the Palermo Protocol.

Article 9.5 of the Protocol states that signatories should take action to discourage demand in any campaign to prevent human trafficking. The International Olympic Committee, sports associations like FIFA, the Union of European Football Associations (UEFA), the German Football Association and others, as well as athletes were therefore asked to support the “Red Card”⁸³ campaign and to denounce human trafficking loudly and clearly.

Another information campaign directed at clients was started in Vancouver beginning in 2007 in the leadup to the 2010 Olympic Games. The campaign, entitled “The truth is not sexy,” was spearheaded by the Salvation Army. The 2006 campaign “Buying sex is not a sport” was supported by a global petition overseen by the Coalition Against Trafficking in Women.

4.3. Contradicting conclusions

A number of studies have been carried out to determine the magnitude of the trafficking of women phenomenon during these large-scale events.

In 2004, following the Athens Olympic Games, the NGO Lost Coin reported that no victims of trafficking had been found during the Games, and that they had seen a general increase in prostitution.⁸⁴ The Greek Government did not do its own follow-up on the numbers. A 2007 report by Canadian organization The Future Group, however, showed that, to the contrary, cases of trafficking had gone up 95%.⁸⁵ This steep increase was attributed to the bolstering of on the ground efforts to combat trafficking by Greek police authorities.⁸⁶ Then again, the International Organization for Migration (IOM) found, in examining documents provided by the Greek Government as well as consulting its own databases, that no cases of human trafficking for the purposes of sexual exploitation could be linked to the Athens Olympic Games.⁸⁷

Reports on the German World Cup also contain contradicting numbers, both for the increase in sex workers and for the number of cases of trafficking for the purposes of sexual exploitation. In Munich, for example, the number of sex workers rose from 500 to 800.⁸⁸ A report from The Future Group shows that the German Government identified five cases of trafficking that could be linked to the World Cup.⁸⁹

In a 2007 report presented to the European Union's Multidisciplinary Group on Organized Crime, the German Government stated that the anticipated increase in human trafficking for the purposes of "forced prostitution" did not materialize. "They further noted that, while there was 'an increase in the number of prostitutes... recorded at game venues and the surrounding areas,' the 'police and to a large extent the special counselling services also noted that the increase in the number of punters [clients] which was forecast by some did not materialize and this was the reason why some prostitutes left before the 2006 World Cup was over.'"⁹⁰ Besides the numbers, all observers were in agreement in saying that the estimate of 40 000 victims was unfounded and unrealistic.

At the Beijing Olympic Games, no cases of trafficking for the purposes of sexual exploitation were reported, although it is felt that authorities were lax in their analysis of the phenomenon.⁹¹

In Canada, in the leadup to the Olympic Games in Vancouver many representatives from the government, policing, and community sectors organized to prevent a potential increase in human trafficking and demand for sexual services. A post-Games report ordered by Public Safety Canada showed that:

"[Following the Vancouver Olympic, the] interview data provided contrary evidence about whether or not there were indications that human trafficking had occurred prior to and during the 2010 Olympic Games. Nonetheless, without out ruling the possibility that human trafficking for the purposes of labour and sexual exploitation might have evaded detection with the risk of domestic trafficking into the commercial sex sector specifically mentioned, the vast majority of informants across stakeholder sectors suggested that they had no specific knowledge of or that there was no concrete and verifiable evidence of trafficking in persons for the purposes of sexual or labour exploitation linked to the 2010 Olympic Games."⁹²

In the data they provided, organizations and police forces, while prepared to detect victims of trafficking and offer them services, stated that they had not been witness to a rise in cases of human trafficking. This is also true of the 2014 FIFA World Cup in Brazil,⁹³ the 2004 Olympic Games in Athens,⁹⁴ and the 2008 Olympic Games in Beijing.⁹⁵

Generally speaking, it would be reasonable to conclude that the data collected during these different events and published in a number of studies is not enough to determine the extent of human trafficking. The absence of data and the absence of trafficking cases reported by public authorities when it comes to large-scale sporting events, however, is also not enough to conclude that this phenomenon is not present.

Trafficking's clandestine nature, the barriers to reporting cases to the authorities, the disparity of the legal framework, the existence or non-existence of shared databases between States parties, and the lack of reference data on the number of victims of human trafficking before these sporting events are all factors that limit our ability to accurately measure this phenomenon.⁹⁶

When it comes to sporting events that are always held in different cities, it is also important to consider the willingness of host countries to intervene or acknowledge the existence of this phenomenon within their borders. According to Wright, prior to the 2004 Olympic Games and the 2006 FIFA World Cup, data on human trafficking and major sporting events was non-existent.⁹⁷

Another obstacle to making a conclusive assessment of this phenomenon, as we can see from the example of the Olympic Games in Athens, is the correlation between police operations and the increase in trafficking recorded by these same police bodies: "the concern about sex trafficking specifically for the Games may have increased investigative efforts in general, causing investigators to detect and report higher numbers without an actual increase in sex trafficking."⁹⁸

Beyond the question of determining whether sporting events are a factor in increasing trafficking for the purposes of sexual exploitation, it is important to note that quantifying this phenomenon is not the only way to document trafficking.

Those researchers who do maintain that sporting events lead to an increase in demand for sexual services, and therefore in human trafficking, also acknowledge that quantifying this increase is a challenge.⁹⁹

New research was conducted recently in response to the ever-increasing number of news and science articles on trafficking. An American team has developed protocols for large-scale research to quantify variations in the publication of ads for sexual services before, during and after events with significant numbers of attendees.

The team analyzed over 32 million ads for sexual services on the internet, paying particular attention to their origins (local or otherwise). They conducted this analysis over several years, from 2011 to 2016, during 33 events, whether sports-related or not, held in different cities in the U.S. and Canada. Their goal was, among other things, to verify whether the number of ads for sexual services increased significantly during the Sper Bowl, an event regularly associated with the trafficking of women for the purposes of sexual exploitation.

Their research showed that a number of events led to an increase in the advertising of sexual services, including U.S. Memorial Day Weekend in Myrtle Beach. Research teams also observed a significant influx of sex workers during the Formula 1 Grand Prix in the U.S. (in Austin, Texas) and during other events, including the Electronics Show, the Super Bowl and Oracle OpenWorld.

The authors of the study concluded that their analysis revealed the presence of human trafficking in several cities and at several events, but that they were unable to determine its prevalence at events held once a year. They also found that sporting events associated with presumed increases in trafficking did not stand out from other events that were not presumed to be associated with trafficking.¹⁰⁰

Recently, a research team focused its attention on the Austin GP,¹⁰¹ which draws nearly 200 000 people over a single weekend. The research was conducted in collaboration with the Austin Police Department, which provided its daily crime reports for three months, from 48 days prior to 39 days following the weekend of the race.

The categories of crimes included in the study were those linked to human trafficking for the purposes of exploitation and to sexual exploitation (prostitution, forcible confinement, etc.). Analysis of the data showed that only a single crime of this nature was committed over the three months examined. The heads of the research stated that the study was motivated by recurring law enforcement discourse on the suspected increase in these kinds of crimes during the GP. The study found that the numbers did not support this hypothesis, since the rate of crimes linked to human trafficking for sexual exploitation and the rate of property crimes did not increase prior, during, or following the event.

Although these researchers acknowledge that trafficking for the purposes of sexual exploitation is a crime that is rarely reported to law enforcement, they feel that their research shows that there is no crime in particular that is prevalent during the GP. These research teams are considering conducting similar research in the future on other major sporting events also associated with specific types of crimes in the media.

In all studies conducted on the specific context of large-scale sporting events, findings on a possible increase in cases of human trafficking have been contradictory, and the estimates as to these phenomena have yet to be corroborated.

5. The Formula 1 Grand Prix in Montreal and trafficking for the purposes of sexual exploitation

For the past twenty years, major awareness campaigns have been organized globally during big sporting events by local organizations, police forces, and international bodies. These campaigns aim to combat trafficking for the purposes of sexual exploitation. In Montreal, this has resulted in both police

operations that receive immediate coverage across all media outlets, and awareness campaigns jointly organized by a number of community organizations. These actions have only been carried out during the GP, the only major Montreal event targeted.

5.1. Information campaigns against trafficking for the purposes of sexual exploitation during the GP

The campaigns organized to combat trafficking for the purposes of sexual exploitation during the GP began to appear progressively as of the early 2010s and are inspired by international campaigns carried out in the early 2000s both in Europe and the United States.

In Montreal, the awareness-raising activities organized by a coalition of different organizations denounce the Grand Prix as an event that is “harmful in terms of human trafficking” during which “sexual exploitation [...] increases at an alarming rate.”¹⁰² There have also been protests at GP sites, like the ones in 2012, for example.¹⁰³

The campaigns have taken different forms, including advertising on STM buses, illuminated publicity trucks passing through GP areas, billboards, and messaging on social media.

Every year there is a new slogan. In 2016, it was the 2006 German FIFA World Cup slogan “Buying Sex is not a Sport.”¹⁰⁴ Its goal was to raise awareness among men who create the demand for sexual services that leads to trafficking for the purposes of sexual exploitation.

According to one of the groups its organizers, the 2016 Montreal campaign was initiated following meetings with MLAs who, while not denouncing the event itself, felt that “the way it [was] promoted, since it helps draw those who want to look at cars and buy sexual services. This opens the door to sexual exploitation” (Org. 1; see Appendix 1 for more information on the organizations consulted).

In 2017, the slogan was “Buying Sex is not a Game,” and the campaign consisted of a video targeting clients. The goal was to “intercept clients searching ‘sex Montreal’ or ‘escort Montreal’ on Google by having the video come up in the results.”¹⁰⁵

In 2018 and 2019, the campaign was entitled “The Truth about Sexual Exploitation.” It was launched just before GP week by a committee made up of more or less the same groups.

These campaigns were funded by the provincial and federal governments and were organized by community organizations and Montreal health establishments on the South Shore and in Laval.

In 2016, in response to these campaigns, a group advocating for Montreal sex workers, Stella, l’amie de Maimie, created a poster series with the slogans “Contre l’exploitation, contre la prohibition” (against exploitation, against prohibition), and “Pour les droits des travailleuses du sexe, le droit de travailler” (for sex workers rights, the right to work). Stella started this campaign to remind people of “the reality and the impacts of the repression and prohibition of sex work [...] the campaign highlights the importance of combatting abusive conditions rather than the work itself. At the heart of this battle is our demand to repeal the repressive criminal legislation that criminalizes sex work and puts all sex workers at risk.”¹⁰⁶

All of these coordinated awareness campaigns were accompanied by prevention and repression actions by different police forces (municipal, provincial, and federal) that also targeted the week of the GP. These police actions included investigations, operations (raids), and training sessions for employees in the targeted industries like hotels, taxis, and airports.

The hotel industry has long been involved in and affected by the fight against trafficking, particularly in the United States. Research conducted on the hotel industry by American organizations that combat human trafficking¹⁰⁷ looks at the forms and prevalence of the phenomenon. This industry has led huge awareness campaigns in hotels in Europe (“This is a fair sex hotel”¹⁰⁸) and the United States (“No Room for Trafficking”¹⁰⁹), rallying together members of the hotel industry in the struggle against human trafficking, and specifically against trafficking for the purposes of sexual exploitation. There are also initiatives in Canada¹¹⁰ and, more recently, in Quebec. The tourism and hotel industries, accommodation-sharing platforms, and major events are the current targets of Montreal initiatives.¹¹¹ The label “Québec sans prostitution” was recently recommended to the government.¹¹² The focus of Programme Lueur — Accueillir sans jugement, agir sans nuire (Welcome without judgement, action without harm), a project bringing together a number of partners,¹¹³ is informing actors in the tourist and hotel sectors in Quebec of the realities of human trafficking for the purposes of sexual exploitation.¹¹⁴

During the GP, big events and hotels are singled out.¹¹⁵ Recently, police, in partnership with the tourism industry, established campaigns for the GP period. The RADAR project is a response to the demands of groups combatting human trafficking for the purposes of sexual exploitation.¹¹⁶ These groups would like to see the hotel and tourism industries, which they claim generally profit indirectly from trafficking for the purposes of sexual exploitation, held accountable.

5.2. Police action for the prevention and repression of human trafficking for the purposes of sexual exploitation

In Montreal, the SPVM has involved specialized teams in the fight against human trafficking since 2002. Along with a number of other bodies, the SPVM created the unit *Exploitation sexuelle des enfants à des fins commerciales* (the Commercial Sexual Exploitation of Children unit).

Since then, law enforcement’s fight against human trafficking and sexual exploitation has been organized and expanded. Police forces at all levels of government are involved in different operations and police investigations both during the GP and at other times during the year¹¹⁷ to combat trafficking, namely the Royal Canadian Mounted Police (RCMP), the *Sûreté du Québec* (SQ), the SPVM, the *Service de police de l’agglomération de Longueuil* (SPAL), the *Service de police de Laval* (SPL) and the Canada Border Services Agency (CBSA). These different services sometimes work in teams to carry out regular operations to counter human trafficking during the GP that involve the Quebec population, visitors, and tourists from abroad: “High profile and internationally renowned events draw visitors to Montréal in large numbers and require that law enforcement pay special attention to the demand for sexual services.”¹¹⁸

One of these awareness campaigns is Griffon, a Canadian initiative created in 2017. Griffon’s focus is on carrying out an action plan to prevent and combat sexual exploitation and human trafficking within the specific context of the Montreal GP. This action plan is coordinated by Canada Economic

Development for Quebec Regions, in close partnership with the RCMP, the CBSA, the Department of Public Safety and Emergency Preparedness, and Status of Women Canada.¹¹⁹ It includes operations deployed specifically during the GP and jointly targets demand (clients) and international organized crime.

March 2017 saw the debut of the *Équipe intégrée de lutte contre le proxénétisme* (EILP) (Integrated Team to Fight against Procuring). Its mandate is to fight active networks of procuring and human trafficking for the purposes of sexual exploitation in Quebec on an interregional, interprovincial, and international basis. Two workers from victims of crime assistance centres work as part of the EILP team. During the GP, the EILP organizes police operations that focus on arresting clients, which are then publicized through the media.

In 2019, the SPVM started another program to combat sexual exploitation called RADAR: Repérer, Agir, Dénoncer, Aider, Rétablir (detect, act, denounce, help, and recover). Its goal is to inform the Montreal hotel and taxi sectors so to enable them to detect victims of sexual exploitation.

RADAR was launched in 2019, two weeks before the GP. Police forces from Laval and Longueuil work together with the SPVM on this program. The Hotel Association of Greater Montreal (AHGM), the Bureau du taxi de Montréal, the Sun Youth organization, victims of crime assistance centres, as well as the *Les Survivantes*¹²⁰ project are also part of this initiative.

In this way community organizations, law enforcement, and, more recently, the hotel industry occupy public space and the media landscape, often concomitantly and in a concerted manner, during and after the GP. They all wish to denounce and prevent any increases in the trafficking of women for the purposes of sexual exploitation and sexual exploitation.

5.3. The question of increased trafficking during the GP

For the organizations we encountered, however, the increase in the trafficking of women during the GP is not a given. Although many of these groups are the same ones that carry out campaigns against trafficking and sexual exploitation during the week of the GP, they do not necessarily see a change in their service users or in the services they offer women during that specific period.

Shelters do not see an increase in the number of women they serve or in the number of calls they receive during the GP. Some organizations that offer street work services generally see more service users in the summer, particularly due to the influx of tourists. A number of other organizations did not have anything to report for the GP period in particular. Some are even skeptical and question the presumed link between the event and an increased trafficking of women.

Although none of these organizations can confirm that trafficking increases specifically during the week of the GP, some report hearing accounts of the GP: “We know it happens because women we meet tell us it does, that they’re forced to stay awake for 24 hours because there are clients [...] an abuser will take one of them to a hotel he chooses, he books the hotel, and she goes to the room and stays there. The payment is made directly to this gentleman, she never sees the money” (Org. 5).

Women are trapped in these networks, which explains why they do not access services offered by organizations during the GP. “They’re very well organized when it comes to the Grand Prix.” (Org. 15).

Shelters do not see any change during events like the GP. Women are “busy,” and these are not the times that “they will try to get away because they’re in the thick of it and being watched” (Org. 4). That being said, the GP does not stand out as an event frequently mentioned by the young women served by one group: “I know there’s a higher rate of runaways during the GP, but the cases we’ve had weren’t around the time of the GP” (Org. 10).

A number of groups definitely feel that targeting the GP to denounce a supposed increase in the trafficking of women for the purposes of sexual exploitation is strategic: “Why these campaigns during the Grand Prix? Because it’s the first event of the season and draws tourists both from outside the country and from other Quebec cities” (Org. 3).

The GP is, in fact, for a large majority of groups, a “perfect time” or “a means” to highlight a problem that is, in reality, present year-round. To these groups, this issue involves all Montreal festivals and big events, particularly during the summer (Org. 1, 2, 3, 4).

All events that draw large crowds are therefore targets, although those more associated with men are the most problematic:

“It’s mostly sports events that are linked to trafficking because they draw more men and that brings with it a number of prejudices: hockey, the F1, the World Cup, the Super Bowl. The Jazz Festival is no exception but isn’t as sexist as professional sports. At the Jazz Festival, you don’t see women on cars to help sell tickets. Sporting events are associated with strong men, sports, and sex. For men to have fun, there have to be naked women.” (Org. 4).

But advocates from these groups also say that targeting these big events has its limitations: “Sexual exploitation isn’t an issue for one weekend. It may be more visible, more present, and easier to see, but it exists all year long. [...] Some young people are exploited during the GP, but others are exploited even worse than that all year” (Org. 12).

Generally speaking, all activities related to street work increase, according to advocates who do street work: “It’s a big weekend for us, drug use increases during the GP weekend, and also before and after the weekend. We see a similar increase during Osheaga and other festive events. The number of sex workers coming to our permanent site also increases. Many come to here to get condoms” (Org. 11).

With that said, although an increase in the trafficking of women for the purposes of sexual exploitation during the GP is not a given because it occurs year-round, one thing the majority of groups are certain of is that there is an increase in the demand for sexual services during the GP.

Over the course of our interviews with advocates, they spoke more about the increase in the demand for sexual services than they did about increased trafficking for the purposes of sexual exploitation: “What’s specific to the Grand Prix is the increase in demand. There’s more demand, so there has to be more supply, and girls come to Montreal specifically for the Formula 1 Grand Prix” (Org. 1).

The “upsurge [in recruiting starts] earlier, in the spring.” These “girls” do talk to groups about the GP, particularly after the event. During the GP, there’s higher demand and more pressure on these girls.

The campaigns used during the Montreal GP over the past few years have therefore been described as campaigns to alarm the public in a more or less open attempt to fight against both sexual exploitation and the sex industry as a whole.

Although there is an implicit consensus between these groups on the fact that it is impossible to determine whether there is an increase in the trafficking of women during the GP, they are also in agreement that there seems to be an increased demand for sexual services during the GP.

Targeting the GP seems to be more a strategy to publicize the phenomenon and to inform the actors involved because, as stated above: “it’s the first event of the season and draws tourists both from outside the country and from other Quebec cities” (Org. 3).

5.4. A theoretical definition and various practical interpretations

In our interviews with organizations, we asked them what definition of human trafficking, and more specifically human trafficking for the purposes of sexual exploitation, they use in their missions and for their activities.

Expressions, terms, and definitions should always be understood through the lens of the historical and cultural contexts in which they evolve, and we can see noticeably clear differences not only in the definitions we have compiled, but also in how groups interpret the official definition in the Palermo Protocol or even the one in the Criminal Code. These legal definitions should be considered within the context of political struggles. They are subject to different interpretations by advocates on the ground, law enforcement, and victims themselves. The answers we received from our informants are therefore far from homogenous.

“Trafficking language” is primarily used by groups that offer services to women experiencing sexual or domestic violence or living with precarious immigration status. It is also used by organizations with mandates that are more political and that require them to occupy space in Montreal’s political and media landscapes when it comes to the trafficking of women or to sexual exploitation.

The Montreal organizations working on the issue of human trafficking and with victims of trafficking use various interpretations of the definition in the Palermo Protocol. Even if some groups are familiar with the official definition, they do not refer to it or use it in their intervention activities.

These organizations therefore list different elements as the building blocks that make up “hard-core” trafficking (Org. 8), particularly transport, coercion, and the fear for one’s safety. Also, “if luring, forcible confinement, or false promises are present, it’s trafficking” (Org. 3).

Transport, for many, illustrates the international nature of trafficking, like overseas closed networks, something many groups feel is far removed from them: “Trafficking is on a larger scale, and sexual exploitation is within the province” (Org. 15). For another group, transport is itself a form of coercion (Org. 2).

A few groups are critical of the definition of trafficking, and feel that “the word doesn’t make sense, considering the concepts behind it. There’s so much to deconstruct that we can’t agree on a definition” (Org. 17). For others, “the problem is the way trafficking is enshrined in federal legislation. The discourse is disconnected from the reality on the ground. When it comes to the legislation, there are many gaps and challenges that make it harder to advocate for the most vulnerable” (Org. 14).

These organizations also feel that the definition of human trafficking should not be limited to trafficking for the purposes of sexual exploitation: “We remain very critical because we feel that many of the definitions don’t reflect the realities of all women or the diversity of trafficking” (Org. 17).

In fact, a large majority of groups tautologically focus their definitions of trafficking exclusively around their understandings of and their definitions of sexual exploitation. “We use [the word ‘trafficking’] more generally, to include these phenomena as a whole. And since we work on issues of sexuality, we focus more on sexual exploitation, which is a by-product of trafficking. To me, it’s a form of trafficking” (Org. 12).

Often when it comes to the question of defining trafficking and sexual exploitation, the two concepts overlap. Some groups use the terms interchangeably.

Ultimately, to these organizations, trafficking for the purposes of sexual exploitation is a form of sexual exploitation, “a practice through which one or more people derive sexual gratification, financial gain, or advancement by abusing the sexuality of another person or group of persons in the same manner as street prostitution, escort services, erotic massage, domination and submission services, nude dancing, commercial erotic phone calls, pornography” (Org. 3).

A majority of these organizations consider sex work to be sexual exploitation. Trafficking for the purposes of sexual exploitation is seen as a form of sexual exploitation.

Through the interviews, it became quite clear that, for some groups, the human trafficking phenomenon does not always reflect the realities they encounter in their work and that sexual exploitation is a more relevant concept, or at least as relevant as the concept of trafficking: “I don’t really see any cases of trafficking, I see sexual exploitation” (Org. 15).

In research on the winter Olympic Games in Vancouver, the authors of a study also remarked that, “despite the legal definitions, various definitions of human trafficking for the purposes of sexual exploitation were circulating before and during the 2010 Winter Olympics, and some members of civil society, NGOs, and faith communities used definitions that equated or tended to equate prostitution with transnational and national human trafficking.”¹²¹

The Palermo Protocol definition has been the subject of a number of critiques due to its complexity. It is known to be difficult to apply and interpret legally. It is too sparse and practically useless day to day since it is hard to apply on the ground. In a review of the literature on trafficking, the authors of the review revealed that there are numerous definitions and interpretations of trafficking and that they are sometimes contradictory. Similarly, most representations of the phenomenon are fragmented and also contradictory.¹²²

The debates are many and raise various questions. “There has been, for example, considerable debate as to whether trafficking must involve some movement of the trafficked person, either within or across national borders, together with the process of recruitment, or whether the focus should be only on the exploitation that occurs at the end. A further issue has been whether trafficking for the purposes of exploitation necessarily involves coercion.”¹²³ For some, attempting to remain neutral in the wording of the definition of human trafficking in order to reconcile dissenting opinions in the debates around prostitution, has sacrificed clarity and even understanding when it comes to the trafficking phenomenon.

This is also the case for the responses compiled in this paper, which are truly split into two fairly homogenous and insular groups. Few groups believe that work other than sex work, like domestic work, factory work or restaurant work, exposes women to trafficking for the purposes of sexual exploitation in forced labour situations. So, the question remains: who are the actual victims of trafficking for the purposes of sexual exploitation during the Montreal GP?

6. Victims of trafficking

Identifying victims, meaning determining whether they are “victims of trafficking,” is the subject of a number of political, law enforcement, and legal debates, and ultimately depends on the definitions of trafficking of women for the purposes of sexual exploitation, sexual exploitation, and sex work. All stakeholders, including advocates from organizations, acknowledge that in this context, the detection of victims is complex.

This means there is no actual “victims of trafficking” category. The category has been created and influenced by society, and is a product of political, institutional, legal, media and social discourse and decisions. A victim becomes “an object of knowledge” as a result of practices that classify and regulate, that problematize and constitute [...] the designated “victim of trafficking.”¹²⁴

“Although the law might say one thing, practice [...] may highlight different elements of trafficking whilst service providers again may have their own criteria as to what constitutes trafficking and who qualifies as a victim. At the same time political sensitivities can influence interpretations and responses to trafficking.”¹²⁵

We did not encounter any victims of trafficking for the purposes of sexual exploitation during the GP. None of the strategies implemented (our field observation, interviews with organizations) brought us in contact with women who have been victims of trafficking during the GP.

This does not mean that they do not exist. It simply means that our methodology choices did not allow for us to meet with any.¹²⁶ This may also mean that the definition and terminology used for trafficking is more political than functional.

Instances of human trafficking are present in the data we collected from groups. These are concrete situations that are inconsistent and difficult to describe and measure. Human trafficking is also present in the media and political discourse as a “cause” to defend or a “social problem” to prevent, “that is, as an unfortunate problem that requires public action to put an end to it.”¹²⁷

6.1. Political and media discourse on victims when it comes to the GP

Local and national media as a whole regularly publish sensationalist, alarmist articles about human trafficking. In these articles, this phenomenon is always presented as being an out of control “challenge to overcome”¹²⁸ internationally. During the GP, this kind of exaggeration is even greater.

Each year, intense media coverage irreversibly links the GP to “increased trafficking,” “young women brought to Montreal,” and “very well paid but questionable” “suspicious want ads.” This coverage also features catastrophizing headlines like “double the arrests,” and “four times as many clients arrested,”¹²⁹ even though the numbers remain relatively low.¹³⁰ The phenomenon they describe is reportedly particularly dangerous for young women. These articles on arrests and police presence in general are telling readers two things: that the situation is serious enough to warrant police presence on the ground, and that police have the situation under control.

Community and police prevention campaigns are widely picked up and reported on television, on the radio, and in print media. Interviews with representatives from organizations, chiefs of police, or even police officers confirming the arrests made during the GP are the main sources for this coverage. Community organizations and police departments use this visibility to inform the public about procuring and human trafficking for the purposes of sexual exploitation.

The media response is partly due to a constant interest in covering women and sexuality in news items,¹³¹ which reproduces the various stereotypes related to sexual assault and human trafficking.¹³² The staging of the image of a young, innocent, naive white woman who needs to be saved from the clutches of violent men¹³³ is, according to Edward Snadjr,¹³⁴ the main (or original) narrative of the fight against the trafficking of women for the purposes of sexual exploitation.

This is also the narrative used for the fight against the trafficking of white women, which has been described as a moral crusade by many historians, transforming a news item into an international issue.¹³⁵

Quebec researcher Alexandra Ricard Guay, who is a specialist on the issues of human trafficking and sexual exploitation, reports that the purpose of the current simplified and simplistic portrayals of human trafficking in political and media discourse is to spark indignation and solicit emotional responses.¹³⁶ These portrayals therefore have an effect on public opinion, but also on political stances and the legal system.¹³⁷

It was, in fact, only days before the 2017 GP when some MNAs requested the creation of a Select Parliamentary Committee on the Sexual Exploitation of Minors in order to “stop the underage prostitution and procuring that plague more and more women in Quebec,” and to “discuss these scourges, which make the news year after year during the Grand Prix,” according to MNA Lise Lavallée, spokesperson on the Status of Women for Coalition Avenir Québec (CAQ).¹³⁸

This Select Committee,¹³⁹ which was announced in the press, was heavily influenced by these alarmist media portrayals. When announcing its creation, Select Committee President Ian Lafrenière stated that teen girls from Quebec were in demand, and regarded as “exotic,”¹⁴⁰ as confirmed by his police colleagues in the rest of Canada.¹⁴¹ This therefore meant Quebec was a “hub” for the sexual exploitation of minors in North America.¹⁴² The phenomenon was growing;¹⁴³ young women in Quebec centres jeunesse (youth centres)¹⁴⁴ were easy to recruit and the same was true in Quebec in general, which was considered a “choice recruiting pool.”¹⁴⁵

A supposed increase in instances of young women running away from youth centres in response to the increased demand for sexual services during the GP has more recently become part of media coverage on this issue. This speculation contributes to feeding the association of the GP with the trafficking of women and the sexual exploitation of minors. But in a report written at the request of the government and published in 2016 on the specific issue of runaways at the Centre de réadaptation de Laval, we learn that there has only been a 5% increase in the number of runaways compared to the 2014-2015 period, that nearly 65% of young people placed in care do not run away, and that nearly 70% of runaways return within 24 hours. According to André Lebon, the Child Protection Specialist mandated to produce the report, there is no runaway crisis.¹⁴⁶

In reality, repeat runaways are only a “hardened” minority. Similarly, Jade Bourdages, a Professor at the Université du Québec à Montréal (UQAM) École de travail social (School of Social Work) believes that the situation is far from being a crisis. She feels it would be best to “lessen the drama of the moral panic that is always at play when it comes to this issue [...] Not all runaways end up in prostitution or street gangs.” Besides which, running away can be a sign of pre-existing issues.¹⁴⁷

Lastly, we may very well ask why the runaway crisis is never focused on boys, who run away, who are at risk of “falling into delinquent drug addiction or delinquent violence that they will not escape unscathed.”¹⁴⁸

Echoing both media coverage and awareness and prevention efforts that target major tourist events, and particularly the GP, one of the objectives of the Parliamentary Committee was to “inform the tourism and hotel industries, accommodation-sharing platforms and major events and invite them to contribute their thoughts.”¹⁴⁹

Although it was specifically focused on the situation of minors, the Parliamentary Committee was actually addressing the situation of both underage and adult women.¹⁵⁰ Many organizations argue that it is necessary to situate the committee’s discussions within the wider context, since the violence experienced by adult women is trivialized, despite the fact that these are the “same women,” but older.¹⁵¹

The victim profile used by this Select Committee was first and foremost focused on women,¹⁵² whether minor or adult, who had entered into prostitution as minors,¹⁵³ and are in the sex industry. These victims present certain vulnerabilities and risk factors;¹⁵⁴ they may be runaways;¹⁵⁵ they may come from any walk of life, but are generally from low-income, often single-parent, families;¹⁵⁶ these women may also be victims of human trafficking.¹⁵⁷ Many groups report that young Indigenous women are overrepresented among victims of sexual exploitation.¹⁵⁸

Knowing who is considered a victim, and according to whom, is essential to evaluating the increase in trafficking during the GP and understanding the forms this phenomenon takes. As we have seen, groups who occupy the political and media landscape on matters related to trafficking have different, sometimes diverging, definitions of trafficking for the purposes of sexual exploitation, sexual exploitation, and sex work.

6.2. Advocacy groups on victims of trafficking during the GP

In our exchanges with organizations, we asked all groups to give us a portrait of the victims of trafficking for the purposes of sexual exploitation they work with. Unsurprisingly, the advocates we communicated with gave responses that alternated between descriptions of victims of sexual exploitation within the sex industry, victims of trafficking who had been sexually exploited at some point in their migratory journey, and young sex workers.

While their responses do not make it easy to capture how these groups define and interpret human trafficking for the purposes of sexual exploitation in the context of the GP, their victim profiles do, however, contain a series of descriptions that help us get a richer and more complex picture of this issue.

Since their definitions of trafficking may vary, it makes sense that advocates do not describe just one kind of victim profile and that there is no consensus when it comes to identifying victims of trafficking. However, the overall picture that these descriptions produce is more nuanced than the results we might see from a parliamentary committee, which is essentially a political exercise, and in interviews in the media.

A number of groups believe that there are many women who come to Montreal to work during the GP: “They’re from outside Quebec, a lot of Americans and women from English Canada. They come here because it pays. [These young women are supposedly] prettier [...] Formula 1 girls, it’s another world [...] These women look like the girl-next-door, very pretty, and they’re often independent” (Org. 8).

Young women working the streets during the GP also work for escort agencies and in other locations throughout the year. Street-level sex workers who have multiple addictions or are Indigenous, however, are not the ones getting the most clients during the GP. Men coming to the Grand Prix “are not looking for the Indigenous women I work for. They’re more interested in looking for escorts online. These men don’t go near Atwater Metro. Indigenous women don’t post ads online and don’t work in strip clubs, which reduces their chances of getting clients from among the Grand Prix attendees” (Org. 20).

Since the GP is a limited-time event, the victims portrayed in the interviews we conducted are those encountered in the course of their regular advocacy work. Based on the information we gathered, two victim profiles have emerged: young Canadian women who are underage, and migrant women.

The Canadian women portrayed as victims of trafficking for the purposes of sexual exploitation are essentially young women, sometimes underage, who work in the sex industry, mainly at street-level.

Three groups doing street work in Montreal report that the young women who work in the sex industry either come independently or are brought to Greater Montreal and to different neighbourhoods in and around the city (Org. 8, 12). They may disappear for a while and then reappear, sometimes as adults who are more independent, and sometimes they are pregnant. When they are minors, at 14, 15 years old, young women are more controlled by pimps. They may have addictions, or be runaways:

“I don’t remember seeing any 15-year-olds who were recruited coming back at 16 or 17. We see them more at 19 or 20, when they’ve been stripping for several years. [...] When they get to about 20 years old, they get more independent from their pimps, but they’re still dependent on the industry [...] At 20, they can strip in Montreal, work for escort agencies, and work in massage parlours because they’re of age. They pay their pimps, but it’s less than when they were younger and gave him everything” (Org. 8).

Most groups who do street work intervene with young women who are adults more often than with minors. Young women who are minors and those under 25 rarely do street-level sex work. Generally, young people “will have explored sex work some other way, through strip clubs or erotic massage. At 25, they start to branch out more” (Org. 12).

These women may live on the street or not have housing of their own: “they put up with certain things to get housing.” They are sometimes in relationships with men who are sexually exploiting them. These are often women with drug addictions (Org. 12).

These same groups, who work in collaboration with police and youth centres, also mention women who are even younger: 14 and younger (Org. 12). These are minors who participate in projects with these stakeholders because “they have clearly communicated that they no longer want to be in that situation, that they’re scared, that they’re coerced” (Org. 12).

Some Indigenous women may be sex workers but are not necessarily being sexually exploited. Women may experience two realities: sometimes being sexually exploited, but also sometimes being a sex worker by choice (Org. 15). The majority of women offer sexual services in exchange for a place to sleep or somewhere to use drugs. One such woman even went to live with a client for protection (Org. 20).

They arrive in Montreal with long histories of violence (Org. 20). “Most women I meet have suffered an enormous amount of violence in their communities;” they are newly at risk of violence when they arrive in Montreal. Sometimes they come to Montreal because drugs are less expensive here. These women leave bad living conditions and arrive in Montreal with no money. They are not able to find affordable rentals, and they have no networks. Because of this, when they get to the city, they can get “taken in” (Org. 15).

Many advocates observe that an increasing number of women are involved in recruiting other, younger women. “It’s part of the rules of street-level sex work that you need to find a pimp, and older women find younger women to make money. It’s a way to make money, and it’s also for survival” (Org. 20). This happens when young women get older. Women and men who are pimps may also be sex workers (Org. 15).

Groups that do not do street work have less contact with minor and adult women working in the sex industry, whether or not they are victims of trafficking.

Groups point to a number of factors to explain the paths taken by these young women: their age, socioeconomic status, living in a rehabilitation centre, drug addiction, and intrafamilial sexual violence. Some of these women are white, others are racialized or are second generation immigrants.

Most are born in Quebec or came here through a difficult migration path. Others come from South America or the Caribbean. These are “girls who still live with their families, girls who have run away and are in youth centres, girls who don’t have a lot of money” (Org. 10). Two groups brought up the fact that young women from immigrant backgrounds are targeted in schools (Org. 10, 16).

They come from all social backgrounds, “but there is less risk for those who have families and are good at school, who have good friends. Pimps pay attention to girls who have trouble at school, come from difficult [dysfunctional] families, and are friends with other girls like them” (Org. 8).

One organization noted that young women are generally contacted through social media: “They’re targeted, and there’s a whole ideology behind it. These are girls who get messages on Facebook and get invited to parties.” This advocate believes this “normalizes prostitution” (Org. 16).

While Canadian “victims” working in the sex industry mostly appear to be victims of sexual exploitation, migrants, no matter their immigration status, are victims of trafficking during migration, in workplaces (domestic work or agricultural labour). In the case of migrants, there is little to no mention of the sex industry, and there does not seem to be a typical victim profile.

Groups working with migrants who have precarious immigration status observe that precarious status and exploitation are often linked. Programs for temporary workers often address situations of exploitation that are connected to not only working conditions, but also sexual exploitation (Org. 14).

An advocate from one of these organizations gives the example of a woman from the Philippines living in Montreal as a domestic worker. Her employer withheld her passport and forced her to work in deplorable conditions. She was isolated and had no private life. This was a case of forced labour that also involved sexual exploitation.

Another advocate spoke about the specific situation of farm workers from South America: the long work hours required of them (80 to 100 hours per week), the isolation they experience, their poor health. These women are under video-surveillance and are hard to reach (Org. 13).

Several respondents explain that there is no typical victim profile for trafficking. They also specify that it may be a long time before groups know enough about a woman’s story to determine whether or not she has been the victim of trafficking, particularly when it comes to migrant women.

One advocate shares the story of a Sri Lankan woman who was kidnapped and brought to Canada. She was sponsored. Police had long considered hers a case of domestic violence. “It was just before she left us that she told us everything she’d been through. I think we worked with her for at least five years before she told us” (Org. 4).

Many groups work with women who are victims of multiple forms of cumulative violence, and who do not have a typical trafficking victim profile (Org. 17). Trafficking for the purposes of sexual exploitation may be the main thing framing their experience or it may come second.

6.3. The protection of victims and the police: between prevention, protection, and repression

Police departments are main actors in the fight against the trafficking of women for the purposes of sexual exploitation during the GP. The community organizations we met with do not all agree on the nature of the police operations carried out during the GP, and they do not all have the same relationships with police in the course of their everyday work.

Police operations carried out during the GP are considered essential by a number of groups, although, according to them, these efforts to counter trafficking for the purposes of sexual exploitation and sexual exploitation are insufficient. Many groups also believe that these actions should not be taken only during this four-day period (Org. 4). These are organizations that advocate for the abolition of prostitution and tend to have what they see as positive relationships with police, since police share the same discourse and even serve to amplify it. For them, the fact that police services take action during the GP brings attention to issues that are not always covered in the media (Org. 3).

Police work can also be seen in a negative light by these organizations that generally endorse police actions, however. Although they have good relationships with police, they disagree, for example, with only targeting minors, since adult women can also be exploited (Org. 3), and believe that the resources deployed are too few (Org. 4). Many of these organizations feel that the police do not enforce the law in a coherent manner (Org. 16). One group is disappointed that the fight against the trafficking of women and sexual exploitation is not ongoing and insists that it should be written into policy (Org. 4). Police forces can also be seen as inefficient or hypocritical if they do not intervene at sites reported by these organizations. For some, it is even seen as “complicity between police and pimps [...] The law is not enforced year-round, and clients and pimps waltz around with impunity while women are scared and think they’re still criminalized even though they’re not” (Org. 3). This inaction makes women suspicious of the police. Others have even harsher criticism when it comes to police actions during the GP.

Many people from population groups identified by international institutions and law enforcement as being more vulnerable to human trafficking paradoxically denounce the excess police surveillance and repression they experience (Org. 10, 15, 17, 20). Sex workers, Indigenous women, young, racialized women, and substance users observe that they have more altercations with police in the summer because of increased police presence during this season: “Different squads are formed, which means there is a lot more police presence” (Org. 11). Many marginalized people therefore feel like they are under constant surveillance in the summer.

Indigenous women who are substance users and sleep on public benches are often harassed by police (Org. 15). One group reports that an Indigenous woman was once beaten during the GP during a police raid (Org. 15). The operations carried out every year during the GP to combat trafficking for the purposes of sexual exploitation and sexual exploitation in targeted industry sites like strip clubs and hotels are also strongly condemned by sex workers because this puts them at greater risk of arbitrary charges and arrest.¹⁵⁹

In the course of their work, a certain number of groups have developed close working relationships with police. Some organize trainings with police forces, and others have partnership agreements for urgent shelter needs, for example (Org. 3, 4, 16.)

For others, their relationships with police are not at all positive (Org. 15). Some groups working with women who have precarious or no immigration status, racialized women, sex workers, and Indigenous women have complex and mitigated relationships with the police. One of the reasons they raise to explain their mistrust is the fear of “police repercussions for non-status women meeting with them with their faces uncovered” (Org.13).

One organization believes police lack training: “they’re not informed [...] lack knowledge when it comes to the realities of immigrant women, which puts these women at risk [...] Police encourage all women to report those who are assaulting or trafficking them, but a non-status woman will be placed in detention and deported if she files a report” (Org. 16). This organization, which has collaborated with federal police on the issue of human trafficking in the past, chooses to no longer does so because “we had to report the women who came to us, even though we don’t even keep files on them” (Org. 16).

Other groups denounce the discrimination victims are subjected to by police, particularly investigators who “don’t believe Black girls. I think investigators profile our girls [...] they come quickly when there’s a complaint and they take the complaint seriously at first. But then the investigation often just stagnates. This means there is a sense of disappointment when it comes to investigations into assaults on the girls” (Org. 10). This is also the experience of groups working with Indigenous women: “We really have to push them to investigate missing women because there is a lot of prejudice [towards] Inuit women” (Org. 20).

This, among other things, is what keeps women from filing complaints. These women often live on the street, and so do their assailants. “If they file a complaint, it can put them more at risk. There aren’t a lot of protections in the system for these women.” One such Indigenous woman, who was the victim of assault, filed a complaint: “We went through the whole process, it went all the way to Major Crimes. It took hours because we had to describe every detail. In the end, she was with me and I had nowhere to send her. There is no financial compensation or anything. They ended up arresting the perpetrator, but then they let him go without pressing charges. The woman was really scared and didn’t feel safe in Montreal anymore. She ended up leaving town” (Org. 20).

An advocate working with migrant women without status or with precarious immigration status remarks that “having more police doesn’t mean less women will be exploited or assaulted” (Org. 16).

Without a doubt, the call to “protect victims,” and particularly, as we have seen, to protect women, is the driving force of police action during the GP in particular. And although political institutions and the media rally behind this message, it is complicated by the complexity of women’s journeys and the diversity of their experiences, which may not fit the image of the victims we expect to see. One advocate explains that, for example, “when we talk about murdered and missing Indigenous women, these women may also have been incarcerated, criminalized, violent, or a drug dealer” (Org. 20).

Women in the field are not, by far, the images of the “innocent victims” of trafficking for the purposes of sexual exploitation or of sexual exploitation. This is also why the women who tend to want to file complaints “are seen as acceptable victims, are often women who are not personally at risk of arrest or deportation and are women who have legal status” (Org. 17), and are not drug users, sex workers, Indigenous, or racialized.

Indigenous and racialized women are, in fact, more often the victims of police profiling, harassment, and discrimination when filing complaints and interacting with the courts. As we have seen, they do not trust the police. The under-protection of certain population groups (Org. 10, 15, 20) is paradoxically the flipside of their “oversurveillance.” Faced with this recurring reality, some advocates express the wish that there were a form of community policing that would be more informed on marginalized and sometimes criminalized women who may also be victims (Org. 16).

In a way, the police system, and by extension the legal system, does not really offer support to victims, because it exposes them to too many risks. Nor is the system culturally adapted, particularly when it comes to Indigenous women (Org. 20). In reality, as one advocate says, “no law in Canada truly protects victims of trafficking specifically. It’s really based on a justice system that seeks to charge traffickers. Victims are left to fend for themselves” (Org. 16).

Our interviews with groups who work on the front lines more closely, including groups who do street work, reveal greater complexity and a portrait of the situations that are invariably identified as either trafficking for the purposes of sexual exploitation or sexual exploitation. Working with groups who have experience in the field can allow us to set aside momentarily the political and media discourse that precedes and even accompanies interventions intended for the women they work with.

In conclusion, we submit that in order to get to know and understand the human trafficking phenomenon in Montreal, whether during the GP or the rest of the year, we must develop a more complex understanding. In other words, we must acknowledge the difficulty of measuring trafficking and admit that exaggerated estimates are an obstacle to developing knowledge, since the policies they engender are not built on a solid foundation.

7. Towards a more complex understanding of human trafficking

7.1. Difficult to measure and constantly overestimated

There is currently a growing consensus on the fact that the scale and different forms of the trafficking phenomenon are not well known. Although there are many estimates, these give only an impressionist, not an actual portrait of the phenomenon, both globally and nationally. In the past few years, many have tried to analyze the ways in which human trafficking has historically been problematized, and particularly the way it came to be seen as a crisis, despite the scarcity of data on the subject.

In 2009, Antonio Maria Costa, director of the United Nations Office on Drugs and Crime (UNODC) stated that the annual UNODC report would shed light on human trafficking, but also revealed the UN Office’s ignorance of specifics: “We have a big picture, but it is impressionistic and lacks depth. We fear the problem is getting worse, but we can not prove it for lack of data [...] if we do not overcome this knowledge crisis we will be fighting the problem blindfolded.”¹⁶⁰

In its 2016-2017 Horizontal Evaluation of the National Action Plan to Combat Human Trafficking (NAP-HT),¹⁶¹ the Government of Canada's Human Trafficking Taskforce also put forth a number of observations on the persistent lack of reliable, accurate data, such as:

- The absence of a centralized, reliable, accurate and recurrent database;
- The under-reporting of all activities related to human trafficking (due to the clandestine nature of trafficking, victims who do not identify as such, dropped charges of human trafficking and the lack of inclusion of these charges in databases);
- Different, even diverging, understandings of trafficking (of what trafficking is and of who the victims and perpetrators are) depending on the stakeholders: governments, law enforcement, and groups providing services.

As one of the foremost international legal experts on human trafficking¹⁶² puts it:

“The hunger for hard data – especially around the number of victims and the profits being generated – is intense and increasing. That is understandable. In our metrics-obsessed world, Bill Gates’ assertion, ‘If you can’t measure it, it doesn’t exist,’ rings unsettlingly true. Without being able to paint a clear picture of the size of the trafficking problem, it is difficult to attract attention, to solicit money, to show how well we are doing. Few public figures speaking on this issue have resisted the temptation to cite trafficking statistics that are at best unverifiable and at worst demonstrably false. The anti-trafficking community as a whole has been unconscionably silent about the shoddy research methodologies that regularly produce the wildly varying numbers on which it so heavily relies. [...] But the simple, unspoken truth is that we just don’t know how many people have been or are being exploited.”¹⁶³

Yet human trafficking is still discussed in terms of numbers. International and national government institutions are demanding more and more quantitative studies. Social issues are categorized in terms of numbers and indicators. Which means these numbers alone come to define the state of these political issues.

National and international organizations regularly do global mapping on the extent and forms of human trafficking worldwide:

- International and supranational bodies including the International Organization for Migration, various United Nations bodies and particularly the United Nations Office on Drugs and Crime, the International Labour Organization, and the International Labour Office;
- Main government agencies, such as the United States Department of State;
- Various national groups that combat trafficking and have ties to police forces from all three levels of government.

The magnitude of trafficking victims is measured in the thousands, even millions. Two reports on this phenomenon are regularly cited as references because they regularly publish international portraits of human trafficking: the UNODC *Global Report on Trafficking in Persons*¹⁶⁴ and the United States Department of State *Trafficking in Persons (TIP) Report*.¹⁶⁵

In the annual reports from the United States Department of State, estimates vary between 4 million¹⁶⁶ and 600 000-800 000 victims.¹⁶⁷ In 2018, in a speech¹⁶⁸ given during National Slavery and Human Trafficking Prevention Month, President of the United States Donald Trump estimated that there were 25 million victims worldwide. According to the Not For Sale organization, “45.8 million people today [are victims of human trafficking and] are living in slave-like conditions. That’s bigger than the population of California, Canada, or Argentina.”¹⁶⁹

For all of the data and estimates compiled over almost 20 years, the methodology is vague at best, or non-existent at worst.¹⁷⁰ As far as data collected on trafficking is concerned, it is difficult to determine what methods have been used or to compare the data produced. Groups and institutions collect data according to their missions and objectives, creating even more disparities in the definitions and, consequently, in the data collected.

However, according to observers, what is most striking is the discrepancy between the estimated number of victims, the number of identified victims, and the number of prosecutions and convictions.¹⁷¹ There is a large discrepancy between the TIP estimates, those of governments or groups on the ground, and the statistical data collected by law enforcement. For example, the number of 40,000 women and children victims of trafficking used during the first awareness campaigns against trafficking for the purposes of sexual exploitation during the FIFA World Cup in Germany has never been corroborated.

The contradictory nature of research results also illustrates the competing interests and politicizing, or polarizing, debates on the subject of the trafficking of women for the purposes of sexual exploitation as a phenomenon. For many, astronomical estimates are the result of a “moral panic” surrounding trafficking for the purposes of sexual exploitation, and of sensationalist media coverage that uses the numbers with abandon.¹⁷² Because of this, many people believe that “ideology comes to substitute for evidence”¹⁷³ or that the “supporters of demand-side prohibition [...] manipulate evidence; they rely on research legends and anecdotes that do not stand empirical scrutiny.”¹⁷⁴

A large portion of the literature on the trafficking of women for the purposes of sexual exploitation, including that which specifically examines trafficking during sporting events, maintains that abolitionist ideology takes the place of data: “The impulse undergirding the neo-abolitionist crusade creates and maintains ideological blinders that resist the testing of core assumptions and objective assessment of the impacts of neo-abolitionist policymaking.”¹⁷⁵

In fact, over the last few years, a number of actors agree that the human trafficking phenomenon is a political issue that is not shaped by realities on the ground. Data on trafficking is indeed difficult to collect. The trafficking of women, like all violence against women, is under-reported. It has also been acknowledged that it is difficult to collect data on both migration and criminalized activities such as sex work. Fear of retaliation or deportation, as well as the stigma associated with sex work and immigration status are among the reasons cited.¹⁷⁶ The data is also considered to lack credibility due

to trafficking being confused with the related phenomenon of irregular and illegal migration.¹⁷⁷ There is also the fact that the definition of trafficking is hard to understand and is considered too abstract, simplistic, and unrepresentative of the reality on the ground.¹⁷⁸

The majority of data currently being used, particularly in Canada and specifically during the GP, is police data. This data has many limitations precisely because they are, above all, a reflection of police actions.

According to a number of researchers, an increased police presence could also explain, as in the example of the Olympic Games in Athens, the increase in the number of trafficking cases recorded by police forces, rather than an actual rise in trafficking.¹⁷⁹ The United Nations Global Initiative to Fight Human Trafficking website features an article on trafficking has the following criticism of the data collection methods used to measure increased human trafficking during the Super Bowl:

“As countless news media outlets pick up the story every year, the numbers offered are misleading. Arrest numbers are actually collected during a multi-week initiative that involves a national coalition of law enforcement agencies in cities throughout the country, and not just the Super Bowl’s host city. The uniqueness of this vast initiative is that there is no other such collaborative effort done other months of the year, so when the staggering arrest numbers are released, there is no way to determine how much of an increase actually occurred.”¹⁸⁰

7.2. Getting to know victims: the necessity of going beyond police data

This institutional police data is also difficult to compare from one year to the next since it can be analyzed by various methods. The director of the Canadian Centre for Justice Statistics has clarified this, stating that it is difficult to determine whether an increase is a true increase in the number of victims, or “a mere indication that police services and authorities are better equipped to detect and report such incidents.”¹⁸¹

As stated by one witness to the Standing Committee on Justice and Human Rights,¹⁸² police data is also limited in what it can reveal, for example, about the consequences of trafficking on its victims.

A large number of observers in the field therefore denounce the fact that only so-called official data, i.e., police data, is used to determine the contours of what is a social phenomenon. Researchers believe it is important to “[provide] carefully researched on-the-ground accounts of life in and after trafficking,”¹⁸³ and also call for a better understanding of the different forms of trafficking, even if this means moving away from quantification.

We rarely hear the voices of trafficking victims, and there is little interest in them beyond their status as victims of trafficking.¹⁸⁴ They are invisible and rendered invisible, even though they are at the heart of the discourse of the fight against trafficking. The consequence of this is that their perspectives are absent from discussions and the public policies drafted and enforced.

For the Select Committee on the Sexual Exploitation of Minors hearings in late 2019 and early 2020, the sources cited to support findings on the sexual exploitation of minors were federal and provincial action plans, parliamentary committee reports on the sexual exploitation of children,¹⁸⁵ human trafficking,¹⁸⁶ and sexual violence,¹⁸⁷ and police reports focusing primarily on human trafficking for the

purposes of sexual exploitation and the procuring of underage and adult women.¹⁸⁸ These police reports are based on data from investigative files. The Committee did not consult any youth organizations and no young people provided testimony. Some groups or individuals who have testified or appeared in the newspapers have expressed regret that the portrait of the victims are based on police data.¹⁸⁹ One organization testifying before the Committee lamented that the studies available focused on youth populations who share the same profile, which makes it harder to hear from people with different backgrounds and discourses.¹⁹⁰ We do not know, for example, how minor women in Quebec interpret and experience the commitment by police and political institutions to combat the sexual exploitation of minors.

7.3. The consequences: actions that miss the mark?

A large proportion of experts agree that the exaggerated estimates of the trafficking phenomenon lead to the weakening of public policies to combat trafficking, rendering them inefficient.¹⁹¹ In fact, “to the extent that regulation and the government rely on what quantitative data show, these discrepancies have implications for international governance practices.”¹⁹²

Furthermore, the alarmist statistics and the marked politicization of this phenomenon may have led to inflated investment, while “the issues related to trafficking have gradually turned into a highly competitive market for knowledge and know-how, prescribed positioning, and funding.”¹⁹³

In a pan-Canadian study on services catering to victims of trafficking, respondents from organizations stated that they fear significant energy and money are dedicated to the trafficking phenomenon despite the fact that, for them, it is just one piece of the puzzle of social problems they must address in their work. In other words, they worry that “...attention and resources for human trafficking, [monopolize] the support for crucial work on other social issues.”¹⁹⁴

In fact, as stated by the Canadian Women’s Foundation, the language and imagery of trafficking for the purposes of sexual exploitation are not always used by organizations and women’s groups offering services to women on the ground: “The use of the term trafficking may only suit organizations when they are applying for funding.”¹⁹⁵

These prescriptive representations of trafficking and victim profiles are also used by funders in their calls. They encourage groups to include only the cases of victims who most closely resemble the profiles they are seeking, which tend to match media representations of victims that distort the portrait of trafficking and the forms it takes.¹⁹⁶

The groups we met with spoke about these limitations, which affect, to varying degrees, community sector funding as a whole.¹⁹⁷ Some workers stated that the trafficking victims sought are not always visible within their organizations: “We put cases in our reports because they are needed for the statistics, but when it comes to violence, everything overlaps and gets mixed up.” For the worker from this organization, these questions are hard to address, but there is a real interest in classifying types of violence experienced by women according to the descriptions these women give (Org. 4). Which is why another group, which does not have a human trafficking mission, still registered with the Global Modern Slavery Directory: “We are not a group that is identified with trafficking, it’s not our mission. But since we help women in difficulty, it could be a difficulty” (Org. 5).

The services needed by victims of trafficking overlap and may be similar to those of other population groups that have experienced abuse or other forms of exploitation. Research regularly shows that, in Canada, victims of trafficking do not have access to housing, health services, or security mechanisms to prevent future reprisals.¹⁹⁸

Many advocates believe that the assistance available to victims is underfunded compared to repressive actions: States are quick to repress the actions of those responsible for human trafficking, but do not include activities to provide women with alternative employment opportunities and better living conditions.¹⁹⁹

In fact, besides awareness campaigns and the services community organizations offer victims, the initial response from governments has been to implement police operations. The criminalization of trafficking and traffickers has transformed an issue rooted in systemic discrimination against women (involving violence, poverty, and economic insecurity) into a border security and immigration issue.²⁰⁰ And although human trafficking is certainly a violent act in many respects, not to mention a criminal act, the current legal framework “addresses the consequences of the trafficking phenomenon but not its root causes.”²⁰¹

Many experts in the field believe it is time to develop responses to human trafficking outside of the criminal justice framework. Creating a regime for the protection of human rights, particularly the rights of migrants, would make it possible to develop policies to both reduce trafficking and prevent the violations of human and labor rights that too often affect migrant workers.

7.4. Questioning the crime-fighting approach and denouncing police repression

Since its inception, the Palermo Protocol has represented a major step forward in the fight against transnational organized crime by the international community. Since its adoption, it has put the issue of human trafficking at the top of the political agenda by establishing cross-border collaboration and the protection of trafficked persons.²⁰² Since its ratification, however, it has faced strong criticism because of its use of repressive logic.²⁰³ The protocol is actually a supplement to the United Nations Convention Against Transnational Organized Crime, which aims to foster international cooperation between police and judicial authorities to combat transnational organized crime. But the Palermo Protocol is not the only protocol supplementing this convention. There is, in fact, a second protocol, the Protocol against the Smuggling of Migrants by Land, Sea and Air, which aims at preventing and combating the smuggling of migrants.

Although it is common to assert that human trafficking and human smuggling (and, generally speaking, all so-called illegal immigration) are distinct and fundamentally different phenomena, the fact remains that, in practice, these situations are often linked and confused.²⁰⁴ In Canada, it seems that it is not uncommon for cases of forced labour to be considered cases of illegal immigration.²⁰⁵

The Convention and its associated Protocols are oriented towards the fight against transnational organized crime, essentially the prosecution of traffickers, to the detriment of enforcement mechanisms that could ensure that victims are identified and protected. According to one organization working with refugees, the real problem in cases of trafficking for the purposes of sexual exploitation or forced labour is women’s lack of legal status. Racialized women who do not have legal status in Canada are most vulnerable to trafficking and other forms of exploitation.

Many groups find it unfortunate that the discourse is out of step with the realities on the ground. They see many cases of people with precarious immigration status being exploited, and this exploitation often involves working conditions (Org. 13, 14). Decent working conditions are not enforced, and women in these situations may also be victims of sexual exploitation. As far as legislation is concerned, many legal loopholes make it difficult to advocate for the most vulnerable women, even when they are found to be victims by this same system.

This has led many groups to sign a petition asking for victims of trafficking to be given the right to crime victims compensation (IVAC).²⁰⁶

Using an anti-crime legal and policy framework instead of a human rights framework has major consequences on the protection of victims of trafficking and the protection of all marginalized people. In this context, the dual police mandate to repress migrant traffickers and protect victims may seem paradoxical, even dangerous.²⁰⁷

Police interventions to combat human trafficking at sporting events also lead to the arrest and criminalization of women who are not victims of trafficking. In general, the increased police presence on the streets during these events can lead to the harassment, discrimination and marginalization of sex workers, homeless women, drug users and others targeted by police profiling in public spaces. These actions put these women more at risk for various forms of abuse.

The often exaggerated and alarmist estimates of the number of victims are for many a way to instrumentalize the trafficking phenomenon in order to justify strengthening controls on migration and police actions directed towards the sex industry and marginalized populations in general. These estimates, which, as we have seen, are based on inaccurate data and myths about human trafficking, sex work and migration, according to Canadian groups advocating for the rights of marginalized people, “increase surveillance of marginalized communities and create barriers for sex workers to be listened to, and to access supports and services.”²⁰⁸

The term “human trafficking”, which is regularly replaced by “modern slavery” or described in misleading terms,²⁰⁹ perpetuates this central narrative: “Invoking the language of slavery also worked to shut down political debate about these ever harsher and more violent state controls over human mobility, and often also over sex workers. Because once you say “We are doing x, y, or z to eradicate a slave trade,” who can argue with you? If it’s slavery, even the most draconian responses seem justifiable.”²¹⁰ The fight against human trafficking and sexual exploitation as well as the threat of terrorism allow, in the name of public safety, the establishment of large police and state apparatus. Although the emphasis is ostensibly on the protection of victims, the discourse of danger, and therefore of repression, is pervasive.²¹¹

The argument for protecting potential trafficking victims may serve to tighten controls over migration and irregular migration. The mobilization around trafficking during sporting events reinforces border surveillance, participates in the sexist and racial profiling of migrants, and leads to the expulsion of some racialized people.²¹²

In their research into police actions to combat trafficking during the 2006 FIFA World Cup, study authors Sanja Milivojevic and Sharon Pickering, observed that moral panic went hand in hand with the fight against trafficking in the concrete actions to control both borders and bodies: “What is apparent

from our review of the moral panic surrounding sex trafficking during the World Cup is that [...] not only those agents that patrol the physical border but those (male and female) agents that patrol moral borders around the acceptability and otherwise of sex work.”²¹³

This was also the conclusion drawn by the United Nations Committee on the Elimination of Discrimination against Women in one of its observations on raids by anti-trafficking units: “The Committee is also concerned at the persecution of women in prostitution as a result of measures taken to address trafficking, such as raid and rescue operations.”²¹⁴ The Council of Europe’s Group of Experts on Action against Trafficking in Human Beings also stated that, “in the name of rescuing “foreign women” from situations of sexual exploitation, police in Berlin and in other host cities aggressively targeted sex workers, raided brothels [...] and sex clubs, and intensified checks on brothels and other establishments.”²¹⁵

These raids and interventions have not, however, shown proof of the presence of human trafficking. In other words, according to the Council of Europe’s Group of Experts on Action against Trafficking in Human Beings, all activities linked to the World Cup or other similar events should not be misinterpreted or used to discriminate against persons who are prostitutes or to further marginalize them, which would render them more vulnerable to trafficking and other forms of abuse. These interventions during major events are timely, yet they do establish precedents that Lancaster²¹⁶ refers to as residues of law and structures that remain in place and are used to other ends. In the case of the 2014 FIFA World Cup in Rio de Janeiro, researchers showed that the sexual panic around the event had been used to push “problematic” segments of the population out of gentrified neighbourhoods and had led to heightened controls to reinforce this segregation, while the official line was that this was to protect and defend human rights.²¹⁷

One of the paths to transforming the approaches taken by police and the legal system to human trafficking is therefore to recognize their impact on these groups of people who, paradoxically, are seen as the main victims. It is also important to acknowledge that the fight against trafficking is not a fight against sex work, and that it is essential to question whether forced labour is present in Montreal.

7.5. Beyond trafficking for the purposes of sexual exploitation: recognizing the different types of human trafficking

During the renewed debates around the creation of an international legal framework around human trafficking in the 1990s, many national and international institutions were of the opinion that human trafficking takes many forms and affected a greater range of people. It was only after the publication of the document *Trafficking in Human Beings: Implications for the OSCE* that a real reflection on sur human trafficking for the purposes of forced labour began, as of the adoption of the Palermo Protocol.²¹⁸

Trafficking for the purposes of sexual exploitation is still the form of trafficking almost exclusively recognized in Canada. An increasing number of critics, however, are demanding that other forms of trafficking²¹⁹ gain recognition: “It is now widely recognized that a large and apparently growing proportion of human trafficking cases involve labour [...] Yet, as compared to human trafficking for the purpose of sexual exploitation, labour trafficking has received relatively little attention [...]”²²⁰

Analyzing human trafficking as a unique and uniform phenomenon in public policy or, as we have seen, in statistics masks certain specific and distinct characteristics of the other forms of trafficking. In the same way, makes public policy objectives weaker and lessens their capacity to prevent and

eradicate the different forms of trafficking.²²¹ Furthermore, political disagreements over the definition of trafficking have led to the legal equation of human trafficking with sexual exploitation, which also has consequences on the application and interpretation of the Criminal Code.²²² This tool that is central to international struggles against trafficking seems to be ineffective when it comes to prosecuting those responsible for human trafficking.

When the Palermo Protocol was adopted, it was pointed out that the problem with equating human trafficking and sex work, besides excluding all other forms of exploitation, was the repercussions this would have on the safety of both sex workers and men who are victims of trafficking.²²³

The almost exclusive attention paid to the trafficking of women for the purposes of sexual exploitation by governments, many groups on the ground, and law enforcement is obvious when it comes to the GP. Trafficking for the purposes of forced labour is never mentioned, or even considered, although it also affects women and Montreal. In Montreal, groups point to employment agencies that pick workers up in buses and take them to work as orderlies or in factories, particularly textile factories (Org. 13).

Most of the groups we met with, and particularly those concerned with forced labour and migrant and non-status women, felt that human trafficking should also be understood as “above all a situation of precariousness that needs to be countered, because that’s what can lead to trafficking. Internationally, it’s an issue. We can combat the trafficking of migrant women by giving them legal status [...] Trafficking is on a spectrum of exploitation. The human rights violations involved are related to sexual exploitation, discrimination, harassment, dismissal due to pregnancy discrimination, unequal treatment, violations of the Criminal Code, etc.” (Org. 14).

7.6. Trafficking for the purposes of sexual exploitation and sexual violence

Associating the trafficking of women with sexual exploitation and the sex industry renders other forms of human trafficking invisible. It also obscures the political and institutional violence experienced by sex workers.

“What we know, [...] from a more general standpoint and outside of the legal framework, is that human trafficking, on a social level, could be seen as a talking point, a concept used to justify the oppression and hatred of sex workers, and to infantilize sex workers and try to make it so that our voices and our own perspectives on our lives are considered invalid” (Org. 17).

Groups working with sex workers, and particularly with trans sex workers, spoke about the sexual assault these workers experience rather than situations of exploitation, seeing as “trans sex workers don’t mention experiences of sexual exploitation, they keep all the money they earn” (Org. 18).

The failure to recognize the sexual violence experienced by sex workers and understanding their experiences only in terms of sexual exploitation limits their ability to assert their rights. When sex workers file complaints, “whether for sexual assault they have experienced, because they are being harassed in an attempt to extort them, or because they are experiencing domestic abuse [...] these are not case studies, not just a story you can easily say ‘let’s label this human trafficking.’ That’s ridiculous. These could be problems in their personal lives, problems with co-workers, a boss, or whatever. But you know it all goes into the same pile [...] The response from police and from the criminal [justice]

system has been to identify it as human trafficking, procuring, even if that is not the person's experience. Sometimes women in our community will use the system to their advantage, to get someone out of their lives, for example" (Org. 17).

For groups working with sex workers, its essential that we recognize that, "when a sex worker is raped, it's rape, and when a sex worker is assaulted, it's assault" (Org. 16).

Violence experienced by sex workers does not translate into sexual exploitation on the ground, which "is what's complicated, because there are women who do sex work on the street, who may or may not be coerced. Many are not, but in a way, they are, because they have addictions. They have addictions to multiple substances. Sometimes your biggest coercer is addiction. They're anywhere from 30 to 50 years old" (Org. 20).

Groups that work with migrant women in particular would also like to see more recognition of situations of sexual violence that are not the result of trafficking for the purposes of exploitation as currently defined. Many women in forced labour situations are also victims of sexual violence perpetrated by their employers or co-workers. Their precarious immigration status and financial situation in a broader sense force them to stay silent. When it comes to human trafficking, sexual exploitation and forced labour often intersect. For example, women who are brought to Canada as domestic workers often experience both forced labour and also sexual exploitation (Org. 4, 14, 16).

CONCLUSION

Human trafficking can take many forms: forced labour, sexual exploitation, domestic servitude, organ trafficking, or forced marriage. Sexual exploitation dominates among efforts employed in the fight against trafficking. The adoption of the Palermo Protocol was the result of intense feminist struggles coordinated on a global scale by international feminist organizations. These organizations monopolized discussions on the terms of the definition of trafficking because of their differing opinions as to what qualifies as trafficking for the purposes of sexual exploitation, sexual exploitation, and sex work.

The consequence of this has been that the definition of this phenomenon, although now enshrined in an international convention, remains vague and open to various interpretations. In fact, some groups, bodies, and institutions equate human trafficking with human trafficking for the purposes of sexual exploitation, sexual exploitation, and sex work. Many others, however, maintain that trafficking is a form of exploitation defined by coercion, by a use of control that can cause victims to fear for their safety. These organizations also feel it is important to advocate for the rights of sex workers and to distinguish their experiences from those of trafficking victims.

Therefore, a group's choice to use one term over another reveals their specific stance. In Quebec, the social and legal meaning of "sexual exploitation" has also evolved within a context of polarized interpretations of the issues of human trafficking and sex work. Since the 1980s, the recognized forms of situations of sexual exploitation have therefore changed considerably. Understanding this evolution is important to parsing what the concepts of human trafficking for the purposes of sexual exploitation and sexual exploitation currently mean to the groups and institutions we met with.

It is established in the scientific literature that the question of the increased trafficking of women in the context of sporting events does not have a clear answer. Research on the subject paints only a partial portrait of this phenomenon during major events, and study results are often contradictory.

The interviews we conducted have shown that the trafficking phenomenon is not understood in the same way by all, and that there are major variations in definitions of human trafficking. Many groups also believe that human trafficking is not only a question of sexual exploitation, and that it is urgent that we also take into account the presence of forced labour.

The majority of groups also stated that they are unable to show any particular increase in cases of trafficking for the purposes of sexual exploitation during the GP.

This fact must be understood as being part of a context in which specialists and authorities measuring the number of victims of trafficking all agree that little is known about the experiences and profiles of these victims. Human trafficking is a hidden and criminalized phenomenon and there is no consensus on its definition. Therefore, although many estimates exist, they paint a picture that is more impressionistic than accurate on both a global and national scale.

The victims driving the actions to combat the trafficking of women for the purposes of sexual exploitation during the GP are often thought of as young, likely white, runaways from youth centres. These misrepresentative and incorrect portrayals of victims come up short when it comes to summing up the issues of human trafficking and sexual exploitation in Montreal.

Numerous papers also posit that the exaggerated numbers on the trafficking phenomenon, much like the conflation of sexual exploitation and sex work, lead to actions, particularly police actions, that have harmful consequences for some groups of women, including women in the sex industry, Indigenous women, and migrant women.

Critics denounce actions to combat human trafficking during the GP, since they have serious consequences on women's sense of security. Many women who are under excessive surveillance are the victims of police harassment, profiling, and repression.

This political instrumentalization of human trafficking and especially of trafficking for the purposes of sexual exploitation is a barrier to the development of knowledge as to the phenomenon of human trafficking and does not allow us to focus on issues of safety that genuinely concern women during the GP.

Groups whose missions do not relate to human trafficking or sexual exploitation reported, unprompted, that the populations they serve experience a decreased sense of safety and harassment during the GP. These populations do not feel safe in the GP zones. This is the case for 2SLGBTQQA people, particularly young people and trans people, who tend to frequent the downtown area less during the week of the event.

Women working in the tourism industry also report that their working conditions during the GP expose them to harassment and more frequent sexual violence. The safety and sense of security of these women during the GP will be the subject of our second opinion paper on the GP.

RECOMMENDATIONS

The mandate taken on by the members of the CM stipulates that although this opinion will be addressed to the municipal government, the CM may make recommendations that relate to other levels of government, organizations, or the tourism industry.

It is also stated in our mandate that the municipal government will be responsible for communicating our recommendations.

In light of this, the CM has drafted 23 recommendations to the City of Montreal, including one that is also intended for the Government of Canada.

Recommendations to the City of Montreal and related bodies to guide the city's interventions on human trafficking

Taking action on human trafficking at the municipal level

- R1** That the City of Montreal recognize that human trafficking is present on its territory.
- a) That the City of Montreal adopt a broad definition of trafficking that includes exploitation for the purposes of forced labour and sexual exploitation, national and international trafficking of minors or family-related exploitation (forced marriage, domestic servitude, or adoption for example).
 - b) That the City of Montreal recognize the difference between trafficking for the purposes of sexual exploitation, sexual exploitation, and sex work.
 - c) That the City of Montreal recognize that different forms of trafficking can sometimes be distinct, linked, or concurrent.
- R2** That the City of Montreal communicate this position to its known partners (the SPVM, the provincial and federal governments, Tourisme Montréal, the relevant municipal services) and reach out to the sectors affected (the tourism industry, community organizations, etc.).
- R3** That the City of Montreal help to deconstruct myths around human trafficking in all its actions during major tourist events including the Formula 1 Grand Prix, particularly when it comes to municipal safety. That the City do so through the publication and distribution of awareness materials that are specifically anti-racist and anti-sexist, and that it take care to avoid using images and representations of trafficking that are stereotypical and monolithic.
- R4** That the City of Montreal make representations to the provincial government to reform the Crime Victims Compensation Act to include victims of human trafficking.

The Service de police de la Ville de Montréal (SPVM) and the City of Montreal

R5 That the SPVM and the City of Montreal recognize that the practices of police units intervening in matters of human trafficking for the purposes of sexual exploitation and matters of sexual exploitation, particularly those of the criminal investigation services, are discriminatory towards a number of population groups including sex workers, Indigenous women, and substance users.

R6 That the SPVM and the City of Montreal organize, within the framework of their work to combat human trafficking, annual mandatory training on the different forms that forced labour can take, and that this training be based on testimony from people who have been the victims of forced labour. That this training be provided to all employees, particularly investigators.

R7 That the SPVM and the City of Montreal document the profiles (gender, age, ethnic origin) of those detained, arrested, or aided as well as the type of interventions used by police forces present during each Formula 1 Grand Prix. The police units in question include the Brigades des espaces publics, the Emergency Measures and Antiterrorism Module, neighbourhood police, the Section Éclipse, the Groupe tactique d'intervention, the Sûreté du Québec, and the RCMP.

a) That the SPVM and the City of Montreal make this report public in the six months following the close of the event.

R8 That the SPVM and the City of Montreal stop targeting sex workers, particularly migrant sex workers and those with precarious immigration status, during police operations to combat human trafficking and sexual exploitation during the Formula 1 Grand Prix and throughout the year.

R9 That the SPVM and the City of Montreal create an action plan in collaboration with women who are part of, or who have been part of, the sex industry to provide a framework for police interventions in the industry.

R10 That the SPVM and the City of Montreal put in place a specific mechanism for responding to complaints filed by sex workers against the police.

R11 That the SPVM and the City of Montreal prioritize developing and maintaining internal expertise on Indigenous people in Montreal by hiring Indigenous staff at the SPVM, particularly for liaison officer positions and as investigators for the criminal investigation services.

Taking action on the trafficking of women for the purposes of sexual exploitation from a collective and community standpoint

R12 That the City of Montreal offer recurring funding to groups specializing in street work that have expertise with or develop initiatives for Indigenous communities and 2SLGBTQIA people and work together with these communities with a view to preventing and intervening on these issues.

R13 That the City of Montreal create a consultative committee on sex work made up of the various stakeholders in order to improve the safety and health of sex workers and prevent trafficking for the purposes of sexual exploitation.

- a) That the City of Montreal ensure that this committee is created together with sex workers, minors who are or have been in the sex industry, as well as victims of trafficking for the purposes of sexual exploitation, and that it ensure their inclusion.

R14 That the City of Montreal create a municipal strategy on the trafficking of women for the purposes of sexual exploitation and on sexual exploitation and that it adopt a “by and for” approach. That the City do so by inviting the different stakeholders from the community sector, public health sector, and health and social services to contribute their ideas.

R15 That the City of Montreal take leadership and reach an agreement with the SPVM, the Sûreté du Québec, and the RCMP to stop reporting non-status persons, particularly women, to the Canada Border Services Agency, which will proceed to detain and deport them.

Prevention and protective factors

Short term shelter and social housing

R16 That the City of Montreal, in partnership with the appropriate bodies, support, through recurring and adequate funding, day and night shelters for Indigenous women, 2SLGBTQQIA people, and substance users where consumption is authorized (wet shelters), as a way of promoting harm reduction and the prevention of trafficking for the purposes of sexual exploitation.

R17 That the City of Montreal create a funding program for short-term stay (a few weeks to a few months) shelter projects with community support for youth experiencing temporary precarious situations.

R18 That the City of Montreal fund the development of social housing that is culturally adapted for Indigenous people and that these projects be conceived and developed in partnership with Indigenous people.

Conducting consultations and research to prevent the trafficking of women for the purposes of sexual exploitation

R19 That any policies, action plans, and programs financed or implemented by the City of Montreal addressing human trafficking of adults or minors for the purposes of sexual exploitation be the subject of consultations that include representatives from each group of stakeholders.

- a) That the City of Montreal ensure that every child’s right to be consulted is respected.²²⁴
- b) That the City of Montreal ensure that the content of its policies, action plans, and programs include the recommendations of stakeholders.

R20 That the City of Montreal remunerate all marginalized persons participating in consultations or working committees, particularly people who are victims of sexual exploitation, sex workers, trans, migrants, and substance users, as well as the community organizations that represent them.

R21 That the City of Montreal, in collaboration with the Government of Quebec, Tourisme Montréal, business development companies and any other relevant partner, document the presence of forced labour within the tourism industry.

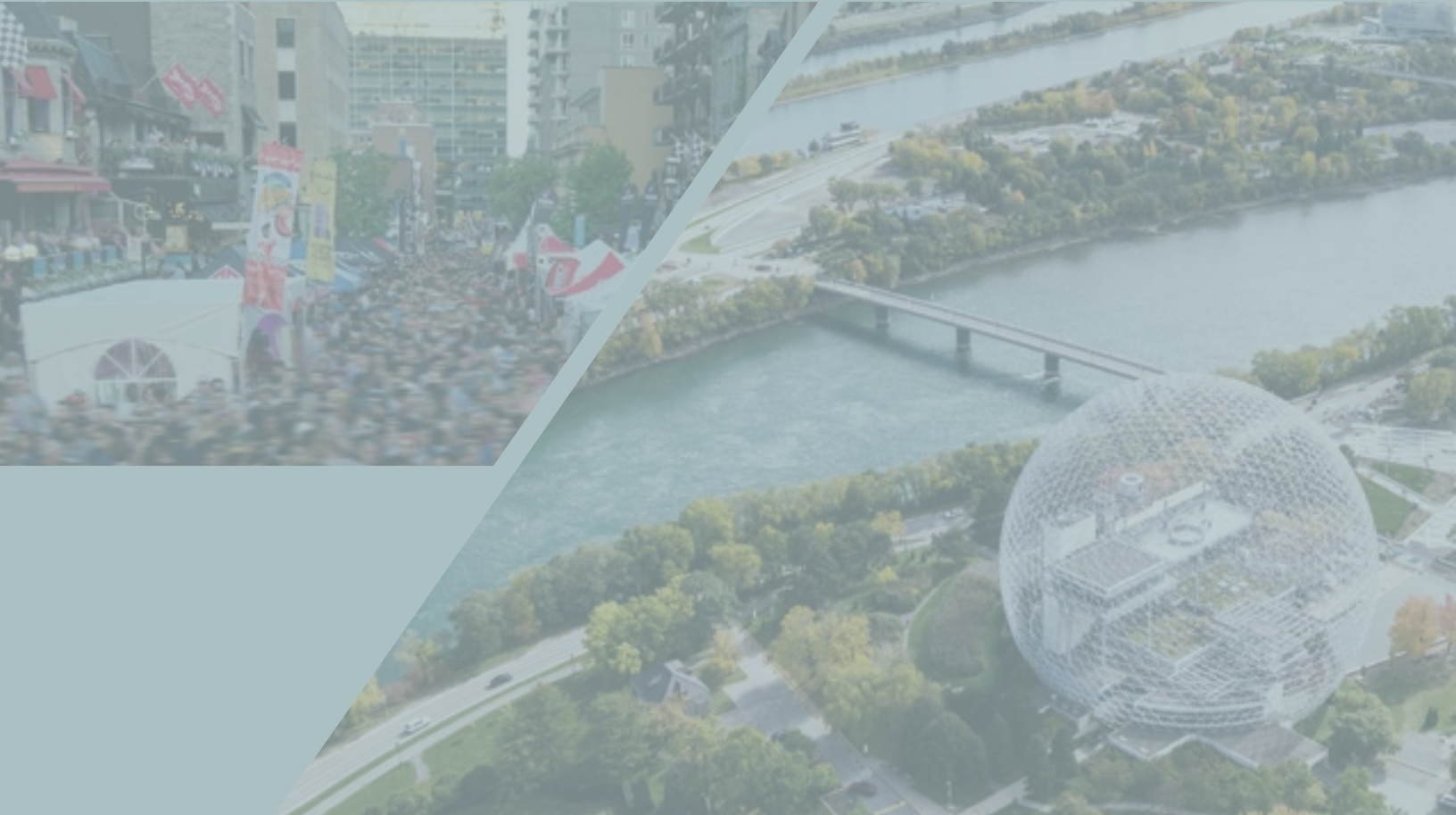
R22 That the City of Montreal fund a study on the impacts of the police managing women's safety during major events held in Montreal public spaces.

- a) That the City of Montreal make this report public in the six months following the close of the event.

Recommendation to the City of Montreal and the Government of Canada for implementation as of the 2021 Formula 1 Grand Prix

R23 That the City of Montreal and the federal government, with the purpose of honouring Canada's international commitments to protect victims of human trafficking, provide long-term funding to community organizations advocating for human rights of Indigenous people and migrants who are non-status or have precarious immigration status, in order to ensure the stability and efficiency of the services provided to these communities.

APPENDIX



APPENDIX 1

GROUP PROFILES

	MISSION/ MANDATE	SERVICE USERS	Standing Committee on Justice and Human Rights	Select Committee on the Sexual Exploitation of Minors	Awareness campaigns about trafficking during the GP ("Buying Sex is not a Sport" [2016] and "Un trop grand prix [Too Big a Prize]" [2017, 2018, 2019])	Consultations on the National Strategy to Combat Human Trafficking	Specific programs to address the trafficking of women for the purposes of sexual exploitation or sexual exploitation
ORG. 1	Combatting human trafficking (education and information, services and programs, political action, research).	Any victims of human trafficking (rights advocacy)	No	Brief	2016	Yes	Lueur program (training and tools for the tourism sector on the reality of human trafficking for the purposes of sexual exploitation).
ORG. 2	Eradicating human trafficking (research, lobbying, education and raising awareness, shelter, and support for victims)	Victims of trafficking (shelter and support)	Witness	No	2016, 2017, 2018	Yes	No

ORG. 3	Coalition of groups and persons critical of the sex industry (services for women, political action, awareness, and training)	Women who have had experiences in the sex industry and their loved ones (training, workshops, support groups, solidarity fund).	Witness	Brief	2016, 2017, 2018, 2019	Yes	The "12 jours d'action pour l'élimination de la violence envers les femmes" campaign.
ORG. 4	Association of women's shelter resources (supporting, representing, and defending the interests of women's shelter resources)	Victims of violence against women (shelter, intervention)	Witness	No	No	Yes	The "12 jours d'action pour l'élimination de la violence envers les femmes" campaign.
ORG. 5	Building a better future for women, girls, and their families (providing services to the public, developing tools, providing education and information)	Women, girls, and their families (activities, support, housing, and employment services)	Brief	Brief	2016, 2017, 2018, 2019	Yes	Lueur program (partnership)
ORG. 6	Help, support, and accompaniment for women who wish to leave the sex industry In the Montreal area (services and information).	Women who are victims or at risk for exploitation between the ages of 18 and 35 (housing, direct support, social reintegration).	Witness	No	No	No	No

APPENDIX 1

GROUP PROFILES

	MISSION/ MANDATE	SERVICE USERS	Standing Committee on Justice and Human Rights	Select Committee on the Sexual Exploitation of Minors	Awareness campaigns about trafficking the GP during the GP ("Buying Sex is not a Sport" [2016] and "Un trop grand prix [Too Big a Prize]" [2017, 2018, 2019])	Consultations on the National Strategy to Combat Human Trafficking	Specific programs to address the trafficking of women for the purposes of sexual exploitation or sexual exploitation
ORG. 7	Ending women's isolation (listening and referrals, activities, mobilization).	Women	No	No	No	No	No
ORG. 8	Street work (prevention, presence et accompaniment)	Youth and those in difficulty (street work).	No	No	No	No	No

ORG. 9	Provide services, information, and programs, and advocate for the legal, social, and economic rights of people who are migrants.	Migrant LGBTQ people (asylum seekers, refugees, immigrants, and those with precarious status)	No	No	No	No	No	No
ORG. 10	Integration of families, social inclusion and improving the Lives of Quebeckers of Haitian origin.	People in Quebec of Haitian origin from the community in Montreal's Saint-Michel neighbourhood (education, welcome, services).	No	Brief	2018	No	No	"Juste pour elles" program: empowerment and creativity for girls between 11 and 17 (prevention of sexual exploitation and hyper-sexualization)
ORG. 11	Prevention of infections that are transmittable through sex and blood (welcome, housing, support).	People who use injection and inhalation drugs, sex workers, trans people (supervised injection site, street work).	No	No	No	No	No	No

APPENDIX 1

GROUP PROFILES

	MISSION/ MANDATE	SERVICE USERS	Standing Committee on Justice and Human Rights	Select Committee on the Sexual Exploitation of Minors	Awareness campaigns about trafficking during the GP	Consultations on the National Strategy to Combat Human Trafficking	Specific programs to address the trafficking of women for the purposes of sexual exploitation or sexual exploitation
ORG. 12	Promoting safe behaviour and equal relationships, prevention of infections that are transmittable through sex and blood (education and prevention, on the ground intervention)	Youth and persons with at-risk behaviour (street work)	No	Brief	No	No	Projet SPHÈRES (partnership): accompaniment for young girls and women (between 12 and 24) who are victims of or at risk for sexual exploitation. Projet Satellite: fun workshops for 12 to 25-year-olds to promote equal and consensual relationships and prevent sexual exploitation.

ORG. 13	To advocate for the rights of immigrants in their workplaces (public education, mobilization, welcome, and referral)	Immigrant workers	No	No	No	No	No
ORG. 14	To advocate for the rights of des refugees and other vulnerable migrants (networking, information, awareness).	Vulnerable persons who are refugees and migrants (advocacy).	Brief	No	No	Yes	“Because I am Human” Anti-trafficking campaign (2019)
ORG. 15	Representing and defending the interests of Indigenous women, their families, and their communities. (advocacy, education, tools and programs).	First Nations and Indigenous women in Quebec living in an urban setting (services to the public)	No	Brief	No	Yes	Programme Lueur (partnership). The “On guérit ensemble” campaign against sexual violence
ORG. 16	Countering the violence women experience (direct support, information and prevention, advocacy).	Teen girls and women who are survivors of violence and sexual assault (listening, follow-up, support)	Witness	No	2016, 2017, 2018	No	No

APPENDIX 1

GROUP PROFILES

	MISSION/ MANDATE	SERVICE USERS	Standing Committee on Justice and Human Rights	Select Committee on the Sexual Exploitation of Minors	Awareness campaigns about trafficking the GP during the GP ("Buying Sex is not a Sport" [2016] and "Un trop grand prix [Too Big a Prize]" [2017, 2018, 2019])	Consultations on the National Strategy to Combat Human Trafficking	Specific programs to address the trafficking of women for the purposes of sexual exploitation or sexual exploitation
ORG. 17	Improving the quality of life of sex workers (information and education, and education, services, and support).	Sex workers	Witness	Presentation	No	Yes	The "Contre l'exploitation, contre la prohibition" campaign
ORG. 18	Support the well-being of LGBTQ2+ youth (programs, support, workshops, advocacy).	LGBTQ2+ people between 14 and 25 years old (drop-in, workshops)	No	No	No	No	No

ORG. 19	Promoting gender equality (programs, services, rights advocacy).	LGBTQ2+ people (drop-in, workshops)	No	No	No	No	No
ORG. 20	Services and advocacy for Indigenous women and children.	First-Nations, Métis, and Inuit people (street work, shelter, support to the public, accompaniment, therapy, workshops)	No	No	No	No	No

APPENDIX 2

INTERVIEW GRID – THEMES DISCUSSED

1. Your organization:
 - a. Mission
 - b. Objectives
 - c. Members
 - d. Funding
2. Your definition and portrayal of human trafficking, particularly trafficking of women for the purposes of sexual exploitation and forced labour.
3. Your definition of trafficking for the purposes of sexual exploitation and of sexual exploitation.
4. Actions you take:
 - a. Victims
 - b. Legislation
 - c. Prevention
5. How you have evaluated these actions over the last 10 years.
6. Your knowledge of victims:
 - a. Profiles (gender, age, ethnic or national origin)
 - b. Experiences
 - c. Needs
7. Your knowledge of traffickers:
 - a. Profiles (gender, age, ethnic or national origin)
 - b. Experiences
 - c. Needs

Trafficking and the Formula 1 Grand Prix (GP)

1. Your thoughts on trafficking during the GP.
2. Your awareness and prevention activities during the GP.
3. Your evaluation of these activities, impact for victims.
4. Your knowledge of victims of trafficking during the GP.
5. Your knowledge of human trafficking at other Montreal events.

Any upcoming challenges and issues related to trafficking for the City of Montreal to address?

APPENDIX 3

LEGAL PROVISIONS

Bill C-49 An Act to amend the Criminal Code (trafficking in persons), 2005	Bill C-36 Protection of Communities and Exploited Persons Act, 2014
Procuring	Trafficking in persons
286.3 (1) “Everyone who procures a person to offer or provide sexual services for consideration or, for the purpose of facilitating an offence under subsection 286.1(1), recruits, holds, conceals or harbours a person who offers or provides sexual services for consideration, or exercises control, direction or influence over the movements of that person , is guilty of an indictable offence and liable to imprisonment for a term of not more than 14 years.”	279.01 (1) “Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person , for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence.”
Procuring — person under 18 years	Trafficking of a person under the age of eighteen years
286.3 (2) “Everyone who procures a person under the age of 18 years to offer or provide sexual services for consideration or, for the purpose of facilitating an offence under subsection 286.1(2), recruits, holds, conceals or harbours a person under the age of 18 who offers or provides sexual services for consideration, or exercises control, direction or influence over the movements of that person , is guilty of an indictable offence and liable to imprisonment for a term of not more than 14 years and to a minimum punishment of imprisonment for a term of five years.” ²²⁵	279.011 (1) “Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person under the age of eighteen years, or exercises control, direction or influence over the movements of a person under the age of eighteen years , for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence.”

NOTES

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- 2 [Our translation]. Maria Mourani in the Quebec National Assembly (2019). *Journal des débats de la Commission spéciale sur l'exploitation sexuelle des mineurs*, 45 (3), November 6, 2019. Online: <http://m.assnat.qc.ca/fr/travaux-parlementaires/commissions/csesm-42-1/journal-debats/CSESM-191106.html>.
- 3 *Grid girl*: A young woman holding a car or motorcycle race driver's flag or umbrella on the starting grid.
- 4 Formula 1. (2018) *Formula 1 to stop using Grid girls*. Published January 31, 2018. Online <https://www.formula1.com/en/latest/article.formula-1-to-stop-using-grid-girls.5HPVglzLHOcliGaAS8eOWE.html>.
- 5 [Our translation]. Ville de Montréal. (2008). *Pour une participation égalitaire des femmes et des hommes à la vie de Montréal. Plan d'action 2015-2018*, p. 6.
- 6 Brennan, D. (2005). Methodological challenges in Research with Trafficked Persons: Tales from the Field. *International Migration*, 43 (1/2): 35-54; Weitzer, R. (2014). New Directions in Research on Human Trafficking. *The ANNALS of the American Academy of Political and Social Science*, 653 (1): 6-24.
- 7 United Nations Office on Drugs and Crime (UNODC) (n.d.) How widespread is Human Trafficking. Human Trafficking FAQs. Online: https://www.unodc.org/unodc/en/human-trafficking/faqs.html#How_widespread_is_human_trafficking.
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- 9 [Our translation]. Jakšić, M. (2013). La souffrance faite cause. L'entrée de la traite des êtres humains dans l'arène publique, *Genre, sexualité & société*, 9. Online: <https://journals.openedition.org/gss/2785?lang=en#citedby>.
- 10 Farrell A. et al. (2019). *Capturing Human Trafficking Victimization Through Crime Reporting*. National Criminal Justice Reference Service. Online: <https://www.ncjrs.gov/pdffiles1/nij/grants/252520.pdf>.
- 11 Harding S. (1991). *Whose science? Whose knowledge? Thinking from women's lives*. Cornell University Press.

- 12 Baird, K., McDonald, K. P., & Connolly, J. (2020). Sex trafficking of women and girls in a southern Ontario region: Police file review exploring victim characteristics, trafficking experiences, and the intersection with child welfare. *Canadian Journal of Behavioural Science / Revue canadienne des sciences du comportement*, 52(1), 8–17; Ricard-Guay, A. (2015). *Exploitation sexuelle d'adolescentes et jeunes femmes au Québec: perception et interventions. De l'ambivalence des sujets aux dilemmes d'intervention*. Doctoral thesis, School of Social Work, McGill University.
- 13 Swaner R et al. (2016). *Youth Involvement in the Sex Trade: A National Study*. Center for Court Innovation. Department of Justice. Online: <https://www.ncjrs.gov/pdffiles1/ojdp/grants/249952.pdf>; Curtis R. et al. (2008). Commercial Sexual Exploitation of Children in New York City. *Volume One: The CSEC Population in New York City: Size, Characteristics, and Needs*. National Criminal Justice reference Service. Online: <https://www.ncjrs.gov/pdffiles1/nij/grants/225083.pdf>.
- 14 See Woodhead, M., & Faulkner, D. (2008). *Subjects, objects or participants? Dilemmas of psychological research with children*. In P. Christensen & A. James (dirs.), *Research with children: Perspectives and practices* (p. 10–39). Routledge/Taylor & Francis Group.
- 15 As recommended by the National Inquiry into Missing and Murdered Indigenous Women and Girls, the CM has chosen to use the acronym 2SLGBTQIA: Two-Spirit, lesbian, gay, bisexual, transgender, queer questioning, intersex and asexual people. According to the Inquiry, “by putting “2S” at the front of the acronym, we are remembering that Two-Spirit people have existed in many Indigenous Nations and communities long before other understandings of gender and orientation came to us through colonization.” National Inquiry into Missing and Murdered Indigenous Women and Girls (2019). *Lexicon of Terminology*. Online: https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/MMIWG_Lexicon_FINAL_ENFR.pdf.
- 16 In order to ensure best practices on this, we established an ethical framework for this research. Each participant was asked to sign an information and consent form in order to participate.
- 17 [Our translation]. Julien L., Lefebvre S. and Mottet E (dirs) (2012). *Géopolitique et virages de la Formule 1. Regards croisés sur des dérapages contrôlés*, Québec, Septentrion, p. 13.
- 18 Tourisme Montréal is a private, non-profit organization, founded in 1919 and incorporated in 1924. It comprises more than 750 members and partners from Montreal’s tourism industry, who share the common goal of promoting the city as a premier travel destination to non-local markets.
- 19 Fillion G. (2016). *F1: Le calcul des impacts économiques*. Radio-Canada. Online: <https://ici.radio-canada.ca/nouvelle/785995/f1-automobile-impact-economique-retombée-dependence-touriste>.
- 20 Schepper B. (2017). *Arrêtons de payer pour la F1*. Institut de recherche et d’informations socioéconomiques (IRIS). Online: <https://iris-recherche.qc.ca/blogue/arretons-de-payer-pour-la-f1>; Gauthier J. (2017). *La mondialisation de la F1 est-elle à l’origine de sa crise de popularité?* Geostrategic Observatory on Sport. Sport and International Relations Programme, under the direction of Gomez C. and Verschuuren P.
- 21 Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, November 15, 2000, 2237 UNTC 319 (entry into force: 25 December 2003).

- 22 Article 2 states the purpose of the Protocol:
- a) To prevent and combat trafficking in persons, paying particular attention to women and children;
 - b) To protect and assist the victims of such trafficking, with full respect for their human rights; and
 - c) To promote cooperation among States Parties in order to meet those objectives.
- 23 In 2012, a provision was added to the Criminal Code to clarify the meaning of “exploitation.”
- According to Article **279.04, which applies in cases of trafficking**, a person exploits another person if:
- a) they cause them to provide, or offer to provide, labour or a service by engaging in conduct that, in all the circumstances, could reasonably be expected to cause the other person to believe that their safety or the safety of a person known to them would be threatened if they failed to provide, or offer to provide, the labour or service.
 - b) if they cause them, by means of deception or the use or threat of force or of any other form of coercion, to have an organ or tissue removed.
- 24 *Urizar c. R.*, (2013) QCCA 46.
- 25 “The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph. (a) of this article[.]” *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000, 2237 UNTC 319, Article 3 c).
- 26 A new offence relating to the trafficking of a person under the age of eighteen years was adopted in 2010. It is essentially the same offence as the one relating to adults (section 279.01), but the minimum penalty is longer (five to six years).
- 27 Article 118 of the IRPA prohibits the organized entry of persons into Canada. The offence is limited to trafficking in persons whose destination is Canada and focuses on trafficking organized by criminal organizations.
- 28 *An Act to amend the Criminal Code (trafficking in persons)* (S.C. 2005, c. 43), in force as of November 25, 2005.
- 29 The two other infractions created through this bill are defined as:
- making it an offence to receive any material benefit (money) in cases of human trafficking (279.02).
 - making it an offence to conceal, remove, withhold, or destroy any travel documents from a person in cases of human trafficking. (279.03).

30 The HTNCC has six main priorities:

1. develop tools, protocols and guidelines to facilitate human trafficking investigations;
2. coordinate national awareness/training and anti-trafficking initiatives;
3. identify and maintain lines of communication;
4. identify issues for integrated coordination and provide support;
5. develop and maintain international partnership. and coordinate international initiatives; and
6. coordinate intelligence and facilitate the dissemination of all sources of information/ intelligence to operational units across the country (...)

Online: <https://www.publicsafety.gc.ca/cnt/cntrng-crm/plcng/cnmcs-plcng/ndx/dtIs-en.aspx?n=489>

31 Public Safety Canada (2020). *Human Trafficking National Coordination Centre (HTNCC)*.

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

32 United States Department of State (2019). *Trafficking in Persons Report 2019*. Office of the Undersecretary for Civilian Security, Democracy, and Human Rights. Online: <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>.

33 Evidence from Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada. Standing Committee on Justice and Human Rights (2018). *Moving Forward in the Fight Against Human Trafficking in Canada*. House of Commons of Canada. Online: <https://www.ourcommons.ca/Content/Committee/421/JUST/Reports/RP10243099/justrp24/justrp24-e.pdf>, p. 22.

34 Ibrahim, D. (2016). Trafficking in persons in Canada, 2016, Juristat Bulletin, Statistics Canada, in Standing Committee on Justice and Human Rights (2018). *Moving Forward in the Fight Against Human Trafficking in Canada*. House of Commons of Canada. Online: <https://www.ourcommons.ca/Content/Committee/421/JUST/Reports/RP10243099/justrp24/justrp24-e.pdf>.

35 Barnett, L. (2016 [2011]). *Trafficking in Persons* (Background Paper). Library of Parliament, Ottawa, Canada. Publication 2011-59-E. Online: <https://lop.parl.ca/staticfiles/PublicWebsite/Home/ResearchPublications/BackgroundPapers/PDF/2011-59-e.pdf>.

36 “It is important to note that the methodology used by the RCMP to collect the data differs from the one used by Statistics Canada. As a result, the statistics are not comparable (...) ‘statistics identified by the coordination centre are derived from human trafficking specific cases across Canada that the centre’s research has identified and should not be taken as a full representation of the extent or the prevalence of human trafficking.’” Evidence from Yvan Clermont, Director, Canadian Centre for Justice Statistics, Statistics Canada Standing Committee on Justice and Human Rights (2018). *Moving Forward in the Fight Against Human Trafficking in Canada*. House of Commons of Canada. Online: <https://www.ourcommons.ca/Content/Committee/421/JUST/Reports/RP10243099/justrp24/justrp24-e.pdf>, p. 25; Evidence from Joanne Crampton, Joanne Crampton, Assistant Commissioner, Federal Policing Criminal Operations, RCMP, JUST,

- Standing Committee on Justice and Human Rights (2018). *Moving Forward in the Fight Against Human Trafficking in Canada*. House of Commons of Canada. Online: <https://www.ourcommons.ca/Content/Committee/421/JUST/Reports/RP10243099/justrp24/justrp24-e.pdf>, p.24-27.
- 37 See Chaumont, J.-M. and Wibrin, A.-L. (2007). Traite des Noirs, traite des Blanches: même combat? *Cahiers de recherche sociologiques*, 43: 121-132.
- 38 [Our translation] Chaumont, J.-M. and Wibrin, A.-L. (2007). Traite des Noirs, traite des Blanches: même combat? *Cahiers de recherche sociologiques*, 43, p. 125.
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- 40 Abolitionist in this context means the abolition of sex work and refers to the movement to abolish slavery. Abolitionist group. are associated with the radical feminist tendency.
- 41 Anderson, B. and O’Connell Davidson, J. (2002). *Trafficking – a demand led problem? A Multi-Country Pilot*. Save the Children Sweden, pp.5-6. Online: <http://lastradainternational.org/lsidocs/11%20Trafficking%20-%20a%20demand%20led%20problem.pdf>.
- 42 Wijers, M. (2015). Purity, Victimhood and Agency: Fifteen years of the UN Trafficking Protocol. *Anti-Trafficking Review*, 8: 56-79.
- 43 See Ekberg, G. (2004). The Swedish Law that Prohibits the Purchase of Sexual Services: Best Practices for Prevention of Prostitution and Trafficking in Human Beings. *Violence Against Women*, 10 (10): 1187-1218.
- 44 See especially Kempadoo, K. (dir.) (2005). *Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work, and Human Rights*. Ann Arbor: Paradigm Publishers; Outshoorn, J. (2005). The Political Debates on Prostitution and Trafficking of Women. *Social Politics: International Studies in Gender, State and Society*, 12(1): 141-155; Segrave, M., Milivojevic, S. and Pickering, S. (2009). *Sex Trafficking: International Context and Response*. Cullompton: Willan Publishing.
- 45 See Day S. (2010). The re-emergence of ‘trafficking’: sex work between slavery and freedom, *The Journal of the Royal Anthropological Institute*, Vol. 16, No. 4., pp. 816-834.
- 46 See Toupin, L. (2006). Analyser autrement la « prostitution » et la « traite des femmes ». *Recherches féministes*, 19 (1): 153-176, 19 (1): 153-176; Nengeh Mensah, M. and Laberge, M.-C. (2006). Évolution du discours féministe sur « la prostitution » au Québec. *Bulletin d’histoire politique*, 15 (1): 71-80.
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- 52 International Labour Organization (ILO) (2020). *Commercial sexual exploitation of children* Online: <https://www.ilo.org/ipec/areas/CSEC/lang--en/index.htm>.
- 53 International Labour Organization (ILO) (2020). *Commercial sexual exploitation of children*. Online: <https://www.ilo.org/ipec/areas/CSEC/lang--en/index.htm>.
- 54 Grounds for compromise are reasons to report (a grounds for reporting) a minor to the Youth Protection Branch when it is believed that their safety or development could be compromised due to any of the following six situations: abandonment, neglect, psychological abuse, sexual abuse, physical abuse and serious behavioural problems.
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