

# VCASE

September 4, 2024

Dear Members of UN Committee on the Elimination of Discrimination against Women.

Re: Canada's review – 89th session on Oct 16, 2024

Thank you for this opportunity to share our appreciation of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). Vancouver Collective Against Sexual Exploitation (VCASE) is a non-partisan collective of diverse individuals, survivors and organizations who have come together as a single voice to end all forms of sexual exploitation. Our aim is to retain, strengthen and enforce the Protection of Communities and Exploited Persons Act (PCEPA).

VCASE fully endorses CEDAW, particularly Part 1, Articles 5 and 6. In Article 5, “the Committee recognizes the discrimination against women stems from traditional attitudes that contribute to the propagation of pornography and the depiction and other commercial exploitation of women as sexual object, which in turn contributes to gender-based violence against women”. Article 6 calls States Parties to take all appropriate measures, including legislation, to suppress all forms of traffic in women and the exploitation of prostitution of women.

We are proud that Canada was one of the first world leaders to adopt the abolitionist model of law in 2014. Protection of Communities and Exploited Persons Act (PCEPA) aligns with Article 6 of CEDAW, as well as a central recommendation of the report of the UN Special Rapporteur on violence against women and girls. In section VI of her recent report, Reem Alsalem recommends that States adopt the abolitionist legal framework and its five pillars, including the decriminalization of women in prostitution; providing comprehensive support and exit pathways; criminalizing the purchase of sexual acts; criminalizing all forms of pimping; and implementing sensitization campaigns for sexual act buyers. With the adoption of PCEPA, our Canadian Government is acknowledging the criminal action of the buyers that are the main actors who drive the demand and fuel the commercial sex industry. Ms. Alsalem acknowledges that “courts in both France and Canada have ruled that prostitution is inseparable from pimping and human trafficking, violates human dignity and undermines women’s right to equality.”

Unfortunately, there are two extremely critical areas where the Canadian Government is lagging other world leaders and not fully implementing the actions as articulated in the CEDAW. The first disappointment is the lack of full implementation of PCEPA throughout all provinces in Canada. Secondly, Canada has been slow in implementing technology to protection from on-line luring into sexual exploitation.

## Lack of full implementation of PCEPA

Initially when PCEPA was adopted in 2014, our government failed to promote a full public education campaign about the law from coast to coast. Our federal and provincial governments also failed to sufficiently educate law enforcement and our judiciary system, thus not proactively and extensively investigating crimes under the prostitution system.

As reported in the recent 2024 Trafficking in Persons Report, our government meets the minimum standards, but it did not maintain comprehensive data on anti-trafficking law enforcement efforts and services provided to victims with government funding nationwide. Under Prioritized Recommendations, the report lists several recommendations inclusive of the following, “to vigorously investigate and prosecute trafficking crimes, including forced labor, and extraterritorial commercial child sexual exploitation and abuse, and to seek adequate penalties for convicted traffickers, which should involve significant prison terms, increase training for criminal justice officials, strengthening laws and policies and their enforcement,” etc. It is the role of governments to ensure that law enforcement have the direction, personnel, and tools to hold buyers of sexual exploitation accountable for the harm they cause.

Our Judicial system throughout Canada has fallen behind with the enforcement of PCEPA. Stats Canada 2022 report states the eighty-nine percent of human trafficking charges between 2018 and 2019 were withdrawn, stayed,

dismissed, or discharged. Less than 7% (1 in 10) of the charges ended in a guilty finding compared to 31% of violent offences.

In British Columbia, there has been a complete lack in the implementation of PCEPA. Our local police force in Vancouver (VPD) is governed by provincial guidelines that are out of date, last updated in January 2013. They do not reflect the standards of our current federal law. VCASE has made several attempts to challenge this neglect to no avail. VCASE and other organizations such as EVE, Asian Women for Equality etc. have repeatedly tried to meet with VPD, Mayor and Board about their outdated policies to no avail.

Our province has taken positive action regarding sextortion but only after several youth died in the province. In April 2023, the BC government introduced the Intimate Images Protection Act and established Intimate Imaged Protection Services aimed at protecting those who have intimate images of themselves shared without consent. It is unfortunate that deaths occurred before legislation action.

Our Canadian government including Prime Minister Justin Trudeau have repeatedly voiced their desire and commitment for gender equality. The intent of PCEPA is reduce the demand for prostitution recognizing that it is a harmful activity and highly gendered. It is a transaction whereby male buyers who are of higher wealth, status, and power exploit (mostly) female persons who are of lower status, power, and wealth. The prostitution system reinforces gender inequality. By not fully enforcing PCEPA, gendered practices are further entrenched in Canada. Prostitution continues in Canada because inequality continues in our society.

Our government needs to take to heart the prophetic voice of Benjamin Perrin. Benjamin is a professor at Peter A. Allard School of Law at UBC. He served in the Prime Minister's office as in-house legal counsel and lead policy advisor on criminal justice and public safety. He was also a law clerk at the Supreme Court of Canada. In his book, *Indictment, The Criminal Justice System on Trial*, Perrin, calls for a bold new vision of transformative justice in Canada, a complete revamping of our justice system which he believes is broken.

#### Lack of protection from online sexual exploitation

As online child sexual abuse and exploitation grows at alarming rates, resources in both trained personnel and innovative tools are urgently needed to address the demand. Child safety policies need to be regularly monitored and updated to keep pace with the emerging risks. "International and domestic organized crime groups capitalizing on vulnerable youth, says police. It is a growing space that is becoming more difficult to police, experts say. Ten of thousands of cases are reported to Canadian Law Enforcement, including Alberta agencies, but countless go unreported."

Our Canadian Centre for Child Protection is actively and diligently addressing this issue as indicated by the following report called *How We are Failing Children: Changing the Paradigm*:

Since it launched in 2017, C3P's Project Arachnid has detected 20+ million suspected images of child sexual abuse for analyst review, and issued more than five million removal notices to industry.<sup>1</sup>

The National Center for Missing and Exploited Children's (NCMEC's) Cyber Tipline, the largest hotline of its kind in the world, averages approximately one million reports of child sexual exploitation each month and has received, in total, more than 45 million<sup>2</sup> reports.

87% of participants in C3P's International Survivors' Survey<sup>3</sup> noted they were 11 years old or younger when hands-on abuse began, and for 56% of the survivors, the abuse began before the age of four.

Deeply concerning was the duration of the abuse, which for 36% of the survivors, continued into adulthood.

Nearly 70% of respondents indicated they constantly worry about being recognized by someone who has seen images/videos of their abuse, and thirty respondents reported being identified by someone who has seen images/videos of their abuse.

Today we are witnessing a technological revolution of an epic proportion presenting a huge online threat of sexual exploitation of women, youth, and children. It is critical that governments take immediate action to protect the vulnerable and to shape a future where technology will be controlled and used only for good. Canada needs

regulations that protect children online in the same way that they ensure safety offline such as alcohol, cigarettes, and nicotine pouches restrictions for underaged.

As shared at a recent 2024 CESE Summit conference, there are numerous tech innovators with tools to combat sexual exploitation. Here are a few that were highlighted at the conference.

AngelKids.ai allows children to safely explore the Internet, while only seeing age-appropriate content. The AI translates search results into kid-friendly responses.

Hawkeye connects law enforcement with advanced investigative tools that delve deep into the dark web, making cybercrime investigations easier and more effective.

RSCU Mobile provides mobile services that generate revenue for fighting sex trafficking.

DejaVuAI is a revolutionary image-recognition technology that will considerably increase the accuracy and scalability of efforts to remove abusive images.

Delevit provides a more efficient and easier way to remove abusive content, reducing the process to a matter of seconds.

Troomi Wireless, Bark, Gabb, and Cyber Drive create phones that are designed with children in mind and automatically give parents the tools to monitor and keep their kids safe online.

Gamesafe.ai uses artificial intelligence to flag and alert parents of suspicious chats within games.

Regarding pornography, Reem Alsalem, UN Rapporteur, in her report recommends that States “apply a strict age verification system on all online pornography, rigorous moderation, labelling and warning systems, and mandated filtering by Internet Service providers with options for adult opt-in; and sanction pornography and social media sites for hosting illegal pornographic sites.”

Currently in Canada, age verification is being seriously considered but needs further government support. Our Canadian government is slow to support and pass Bill S- 210 to ensure age verification regarding minors accessing pornography sites. This bill, originating in the Canadian Senate was accepted with no opposition in April 2023. At the second reading in the House of Commons, the Conservatives, NDP, Bloc and Greens parties along with 15 Liberals voted in support of Bill S-210. This bill needs immediate endorsement for the safety and health of our young people in Canada.

Germany, France, the EU, and the UK, with Spain (in process) have all adopted age verification for online pornography as well as numerous States in the USA. In a recent poll 77% of Canadians indicated support for age verification legislation.

In conclusion, we call on CEDAW to challenge our Canadian government to:

Initiate greater public awareness campaigns and education throughout our country about the PCEPA Law, especially during large sport events, such as the 2026 FIFA World Cup.

Establish comprehensive and standardized education for law enforcement and our judiciary system throughout our country to increase convictions.

Undertake clear communication with the provincial Attorneys General and Crown Attorneys to encourage the enforcement of PCEPA.

Encourage our government to pass immediately Bill S-210 to force tech platforms to have age verification systems in place to protect youth from online pornography.

Encourage the provinces to continue or reinstate educational diversion programs for first time prostitution offenders.

Provide law enforcement with the resources and technological tools they need to address the surge online sexual exploitation throughout our world.

We thank you for your attention to our concerns. In Canada we look forward to the day when our women, youth and children will be fully protected from sexual exploitation with human rights respected fully.

Sincerely,

Sandra Harrison, VCASE Chair