

# What is Human Trafficking?

## Criminal Code of Canada Definition<sup>1</sup>:

**Human trafficking**, also referred to as “modern-day slavery”, by definition involves the recruitment, transportation, harbouring and/or exercising control, direction or influence over the movements of a person in order to exploit that person, typically through sexual exploitation or forced labour.

**Exploitation** is defined as causing a person to provide or offer to provide a labour or service by engaging in conduct that could reasonably be expected to cause the other person to believe that their safety or the safety of a person they know would be threatened if they did not provide the labour of service.

In Canada, the law states that no one can “consent” to any of the activities that are part of the definition of human trafficking.

Control	For the purpose of	Exploitation	In such a way that	Threat to Safety
<ul style="list-style-type: none"> <li>Recruiting</li> <li>Transporting</li> <li>Transferring</li> <li>Receiving</li> <li>Holding</li> <li>Concealing</li> <li>Harbouring</li> <li>Control over movements</li> <li>Influence over movements</li> </ul>		<ul style="list-style-type: none"> <li>Causing to provide/offer to provide</li> <li>LABOUR or</li> <li>SERVICES</li> </ul>		<ul style="list-style-type: none"> <li>the person believes that their safety or the safety of a person they know is threatened if they do not provide the labour or service</li> </ul>
<b>No consent is valid</b>				

## United Nations (UN) Definition<sup>2</sup>:

**Human Trafficking**, is the act of recruitment, transportation, transfer, harbouring or receipt of persons, by means of 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** is defined as including 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.

ACT of	by MEANS of	for the PURPOSE of
<ul style="list-style-type: none"> <li>Recruiting</li> <li>Transporting</li> <li>Transfer</li> <li>Harbouring</li> <li>Receipt of persons</li> </ul>	<ul style="list-style-type: none"> <li>Threat or use of force</li> <li>Coercion</li> <li>Abductions</li> <li>Fraud</li> <li>Deception</li> <li>Abuse of power</li> <li>Abuse of position of vulnerability</li> <li>Giving/receiving material benefit</li> </ul>	Exploitation – including at a minimum: <ul style="list-style-type: none"> <li>Sexual exploitation</li> <li>Exploitation of prostitution</li> <li>Forced labour or services</li> <li>Servitude</li> <li>Slavery or similar practices</li> <li>Removal of organs</li> </ul>

\* Service providers, law enforcement and the criminal justice system in Canada are bound by the legal definition of human trafficking provided in the Criminal Code of Canada.

<sup>1</sup> *Criminal Code*, RSC c C-46, s 279.01-279.04.

<sup>2</sup> United Nations, 2000, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*. URL: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx>