

CANADA (2017)
THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR
Protocol of 2014 (P029) to the Forced Labour Convention

REPORTING	Fulfillment of Government's reporting obligations	YES.	
	Involvement of Employers' and Workers' organizations in the reporting process	YES, according to the Government: the Canadian Employers Council (CEC), the Canadian Labour Congress (CLC), and the Confédération des syndicats nationaux (CSN) have been consulted in the reporting process.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	No.	
	Workers' organizations	2017 AR: Observations by CLC 2017 AR: Observations by CSN	
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	Ratification	Ratification status	Canada has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		Ratification intention	2017 AR: According to the Government, a technical review is ongoing to assess if federal, provincial and territorial legislation and practices are in line with the Protocol's provisions. The Protocol deals in large part with issues falling under provincial/territorial jurisdiction. The Government of Canada seeks the agreement of the provincial and territorial governments before ratifying such instruments. The ratification of the Protocol is likely.
	Existence of a policy and / or plan of action for the suppression of forced or compulsory labour	2017 AR: The Government indicated that there are national policies and plans of action aimed at suppressing all forms of forced or compulsory labour as well as setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour.	
	Measures taken or envisaged for systematic and coordinated action	2017 AR: The Government reported that Canada's National Action Plan to Combat Human Trafficking (NAP) (adopted in 2012) consolidates ongoing efforts of the federal government to address human trafficking and introduce aggressive new initiatives to prevent human trafficking, identify victims, protect the most vulnerable, and prosecute perpetrators. In line with internationally accepted best practices. Canada focuses on four core areas, known as the 4-Pillars (the 4-Ps): 1) the prevention of human trafficking, 2) the protection of victims, 3) the prosecution of offenders, and 4) working in partnership with others both domestically and internationally. A Human Trafficking Taskforce, led by Public Safety Canada and comprised of key federal departments, is responsible for overseeing the implementation of the National Action Plan commitments under the 4-Ps and for coordinating the federal anti-human trafficking response and reporting annually on progress to the public. The National Action Plan expired in March 2016; however, the work of federal departments and agencies to combat human trafficking has continued. A horizontal evaluation of the NAP is currently underway and should be finalized in the Fall 2017, the outcomes of which will help to inform the Government of Canada's way forward on this important issue.	
	Measures taken or envisaged to prevent all forms of forced labour	2017 AR: According to the Government: Under the National Action Plan to Combat Human Trafficking, prevention is one of the key pillars. Many preventive initiatives have been implemented throughout the country during the reporting period. For instance, the	

		<p>Ministry of Labour of Ontario, in collaboration with an official from the Labour Program at the federal level, completed awareness training for approximately 450 Occupational Health and Safety Inspectors and Employment Standards Officers to increase inspectorate awareness of the indicators of human trafficking and to allow, when appropriate, possible referrals to the appropriate agencies. Under the National Action Plan, the Government of Canada has also funded several activities and research projects through federal grants and contributions programs. Two research reports commissioned by Public Safety: "Uncovering Labour Trafficking in Canada: Regulators, Investigators and Prosecutors"; and "Labour Trafficking in Canada: Indicators, Stakeholders, and Investigative Methods" (Annette Sikka, 2013); The Action Coalition on Human Trafficking Alberta's "Labour Trafficking in Edmonton", a research project designed to increase capacity of service providers to respond to victim's needs and create a baseline of knowledge about labour trafficking; and funding provided to the West Coast Domestic Workers' Association to develop and provide public awareness and education about labour trafficking. These trainings were developed with a focus on migrant workers and other vulnerable workers and their networks of social supports and other service providers. The aim of the project was to provide training and workshops in communities throughout British Columbia, with a focus on communities with limited access to legal services. In addition to these, federal efforts under the National Action Plan have also included: Training and awareness sessions and tools developed for labour inspectors, domestic workers employed by diplomats, parents, youth, teachers and service providers, among others. Development of awareness products for temporary foreign workers, employers, third parties, and Service Canada officers, including updating and translating into seven foreign languages a brochure informing temporary foreign workers of their rights and providing important contact information.</p>
	<p>Measures taken or envisaged to protect victims of forced labour</p>	<p>2017 AR: The Government reported that throughout Canada, numerous initiatives have been put in place with regards to assisting victims. For instance, the Government of Alberta works with victims to provide referrals to all available community and governmental supports, as well as enforcement agencies where appropriate. The Government of Alberta provides other resources/services to assist victims, some of which are administered through the Ministry of Community and Social Services as well as the ministry of Children's Services. For example, the Government of Alberta has specific Income Support policy to support victims of human trafficking under the authority of the Income and Employment Supports Act, Part 2, Division 1 and the Income Support, Training and Health Benefits Regulation, Section 10(2)(e). Foreign Nationals with a Temporary Resident Permit (TRP) issued under and who are recognized as Victims of Human Trafficking by Immigration, Refugees and Citizenship Canada (IRCC) are eligible to receive Income Support up to the duration of their TRP, including any extension granted by IRCC. These individuals are also eligible for Health Benefits under the Alberta Works program if they are not receiving health care benefits under the Interim Federal Health Program.</p>
	<p>Measures taken or envisaged to facilitate access to remedies</p>	<p>2017 AR: According to the Government: In Canada, offenders sentenced for human trafficking offences under the Criminal Code may receive a restitution order as part of their sentence. Restitution orders require the offender to pay an amount directly to the victim of the offence to cover the victim's monetary losses up to the time of sentencing or damage to property caused by the crime. Under the Canadian Victims Bill of Rights, every victim has the right to have the court consider making a restitution order. A restitution order can be issued for certain losses: (a) to cover the cost of damage to, the loss of or destruction of the property of any person as a result of the commission of an offence; (b) to cover all pecuniary damages, including loss of income or support, to any person who has suffered</p>

		<p>bodily or psychological harm as the result of the commission of an offence; (c) to cover the cost of all actual and reasonable expenses incurred by a member of the offender's household associated with a person having to move out of that household to cover temporary housing, food, childcare and transportation. Restitution may be ordered regardless if the offender received a custodial sentence and/or (d) to cover the cost of removing an intimate image of the victim from the Internet. Civil redress by victims against the perpetrators of crime is a matter of provincial/territorial responsibility in Canada. Additionally, some provinces have enacted legislation which establishes compensation or financial benefits programs for victims of a crime that occurred in that province. Such programs vary widely in terms of eligibility and compensable expenses and are not available in all jurisdictions. Examples of initiatives seeking to facilitate access to remedies throughout the country include: In 2016, the province of Ontario launched its \$72 million Strategy to End Human Trafficking. On May 30, 2017, Ontario's Prevention of and Remedies for Human Trafficking Act, 2017 received Royal Assent. In early 2017, Ontario made two regulatory changes that made it easier for human trafficking victims to access compensation and supports. It amended regulations under the Victims' Bill of Rights, 1995 and the Civil Remedies Act, 2001. The Government of Alberta has Income Support policies to support individuals who require emergency financial assistance, including those who may be victims of domestic human trafficking. Specifically, the Ministry of Community and Social Services provides escaping abuse benefits to ensure the ongoing safety of victims of abuse. This includes ongoing Income Support when appropriate as well as an additional personal benefit for telephone and transportation costs and an escaping abuse benefit to establish a household in the community and remain independent from their abuser. These benefits are available at all Community and Social Services offices, and are available after hours through an emergency telephone contact centre at 1-866-644-5135. In Newfoundland and Labrador, the provincial government has committed annual funding to the Safe Harbour Outreach Project (SHOP) created by the St. John's Women's Centre to support individuals engaged in sex trade activities in St. John's. Services include: peer support; safety and exit planning; crisis support and management; navigating the system of public services; housing support; referrals for health and addictions issues; referrals to educational programs; one-on-one counselling; legal advice; employment skills and; life development skills. Individuals who have been trafficked for the purpose of sexual exploitation may seek assistance through this program.</p>
	<p>Non-prosecution of victims for unlawful acts that they would have been forced to carry out</p>	
	<p>Cooperation with other Member States, international / regional organizations or NGOs</p>	<p>2017 AR: The Government stated that through its work at the bilateral, regional and international levels, it undertakes diverse cooperation activities to eliminate human and labour trafficking. For instance, the Empowering and Supporting the Human Rights of Children and Youth project (Ryerson University, 2012-2018) aims to improve the safety and quality of life for 10,000 boys and girls, often of Haitian origin, in the poorest and most vulnerable communities of the Dominican Republic. It supports enhancing the capacity of government agencies and civil society organizations that are responsible for protecting these boys and girls from abuse, and sexual or labour exploitation. The project has resulted in the creation of local community organizations for child protection and over 30 persons working in the field of psychology, social work, as well as regional and municipal coordinators were trained in the foster family system contributing to increasing the capacity of community and youth organizations that can participate in the protection of children and youth. The Understanding Children's Work (UCW) project aims to end violence, exploitation and abuse of children, with a focus on the progressive elimination of child</p>

		<p>labour. This includes the sale and human trafficking of children as a worst form of child labour. The UCW Programme (a joint ILO-UNICEF-World Bank initiative) provides a global platform for child labour policy dialogue, partnership building and research cooperation. The work of UCW will provide input to the Global Child Labour Conference in Argentina in 2017. Through the ASEAN Triangle Project, Canada is enabling a collaborative approach among ASEAN governments, workers and employers to reduce the exploitation of migrant workers and provide decent work opportunities across the region. This four-year initiative with the International Labour Organization aims to provide legal and safe migration for labour migrants across the ASEAN region through enhanced regional migration policy and governance mechanisms. The project has delivered valuable tools and knowledge products for labour migration training and decision-making, such as curricula and manuals for migrant worker resource centres, survey tools to measure migration costs, and an ASEAN Labour Migration Statistics Database. It has also supported ground-breaking efforts in such areas as the mutual recognition of skills and the portability of social services for ASEAN migrants. Finally, the project has provided essential support to the annual cycle of ASEAN exchanges on priority migrant labour issues, which culminates in the annual ASEAN Forum on Migrant Labour, where senior labour officials and ASEAN representatives set the way forward on these issues.</p>	
	Promotional activities		
	Special initiatives/Progress		
<p>CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL</p>	<p>According to the social partners</p>	<p>Employers' organizations</p>	
		<p>Workers' organizations</p>	
	<p>According to the Government</p>	<p>2017 AR: The Government identified that lack of lack of awareness, information and data and resources in the institutional framework are the main obstacles. However, the Government looks forward to continued collaboration with the vast array of experts and stakeholders at home and abroad engaged in combating the crime of forced or compulsory labour. Continued efforts are needed to ensure further collaboration and information sharing among all levels of government, law enforcement, NGOs and the full range of stakeholders.</p>	
<p>TECHNICAL COOPERATION NEEDS</p>	<p>Request</p>	<p>2017 AR: The Government stated that it is always interested in exchanging experiences and best practices between countries or regions within the ILO since these discussions could lead to productive partnerships. The tools drafted by the ILO to help raise awareness on forced labour (i.e. Forced labour and human trafficking: handbook for labour inspectors) are also very useful and have been used in awareness activities in Canada. The Government of Canada is also highly appreciative of the data produced by the ILO on forced labour and for the support provided by the ILO Office in terms of interpreting the Protocol's provisions. Technical cooperation with the ILO is required in the area of: a) awareness-raising and mobilization activities; b) collection and analysis of data and information; and c) exchange of experiences between countries or regions.</p>	
	<p>Offer</p>	<p>NIL.</p>	