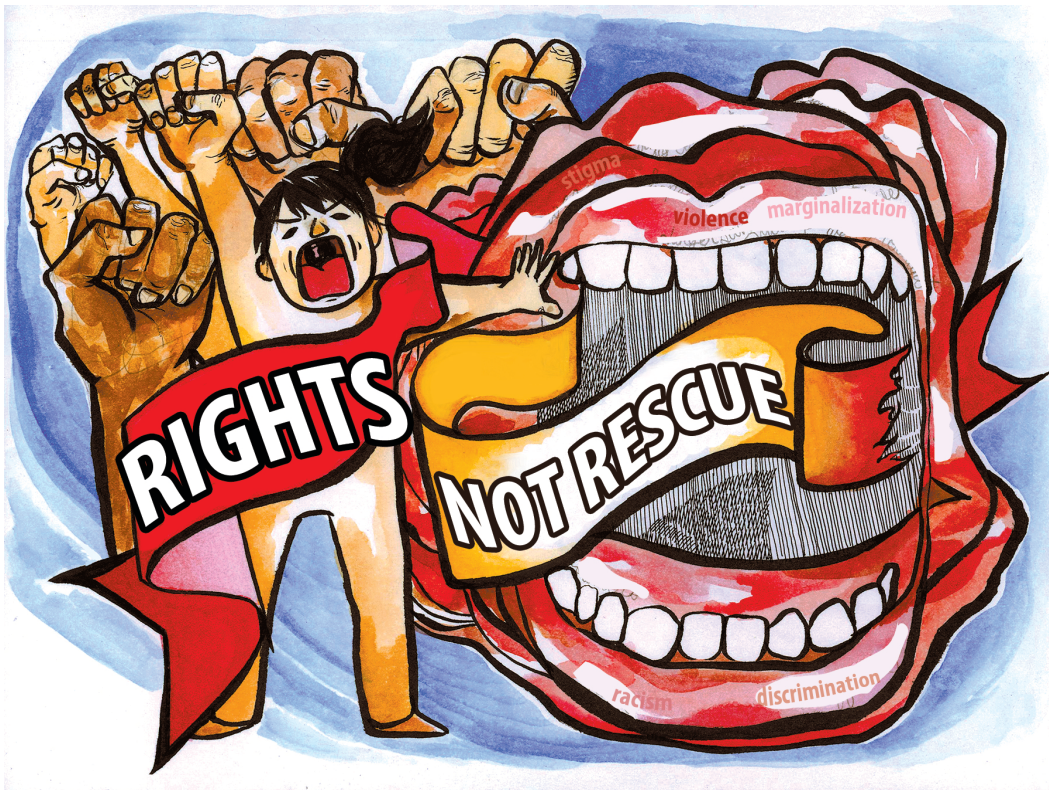


# **Stop the Harm from Anti-Trafficking** **Policies & Campaigns:** **Support Sex Workers' Rights, Justice, and Dignity**

*By Butterfly (Asian and Migration Sex Workers Support Network)  
In collaboration with Migrant Sex Workers Project, Maggie's, Canadian HIV/AIDS  
Legal Network, STRUT and No One Is Illegal*



***“The police was very rude. They treated us a criminal. My friends was taken away by them -and she was sent home now. They asked me if I am exploited, I told them I was not, they asked me to leave and told me that I was not allowed to work here. They will arrest me if I come back to work again. ”***

***-An Asian migrant sex worker who worked during a raid in Ontario***

## **Who are we?**

We are a group of sex workers (both migrant and not), sex workers' organizations and allies who are concerned about the harmful impact of anti-trafficking policies and campaigns on sex workers, especially migrant sex workers. Anti-trafficking measures are often anti-sex work and anti-migration in focus, and do not assist the people they claim to help. Instead, they endanger sex workers' lives and violate their human rights.

Human trafficking is frequently conflated with sex work. It is wrong to assume that sex work is a kind of sexual exploitation and that all migrant sex workers are trafficked victims.

## **The current policy is harmful to sex workers**

The *Immigration and Refugee Protection Act* (IRPA) and the *Criminal Code* both contain many provisions that enhance the state's surveillance, deportation, and detention powers. They are not only being used to control and limit migration; these laws prohibit migrant involvement in the sex industry, even for those who are allowed to work in Canada and freely choose to be sex workers. As sex work is frequently conflated with sexual exploitation and trafficking by government and law enforcement, anyone who assists with the migration and labour of sex workers is criminalized. These measures limit sex workers' safe migration, and increase their risk of exploitation.

The *Protection of Communities and Exploited Persons Act* (PCEPA), now a part of Canada's criminal law, endangers sex workers by criminalizing most of the common labour-related activities that sex workers engage in, as well as many of the relationships that sex workers develop as part of their work. The criminalization of co-workers and clients, for example, prevents sex workers from seeking help from these allies. Indeed, co-workers and clients can be helpful resources and allies in protecting sex workers' rights, especially for migrant sex workers who may have limited resources and language barriers. Even sex workers who work in association with other sex workers, or who advertise their services, may also be prosecuted. Peer supports, for example sex workers supporting other sex workers, can be particularly helpful for the people experiencing problematic labour conditions.

The RCMP, local police forces, and the Canadian Border Services Agency (CBSA) have conducted periodic investigations and raids in the name of anti-trafficking investigations. Racialized and migrant sex workers are often subjected to surveillance, harassed, arrested, detained, and deported, even when there is no evidence that they have engaged in human trafficking. For example, in 2015, 11 women were deported in an anti-trafficking investigation in Ottawa. The RCMP failed to provide justification and information for their claim that there were 500 “victims” who were involved in a “Canadian-wide prostitution ring”. These investigations push racialized and migrant sex workers underground, where they are less able to seek help even they have experienced abuse, violence, and exploitation from clients, law enforcements or employers.

### **Anti-trafficking campaigns victimize sex workers**

Since sex work is not recognized as “real” work, migrant sex workers are not able to work legally. This means that migrant sex workers are not entitled to labour protection. But labour exploitation and forced labour exist in many different industries, especially for those who cannot obtain labour protection, either because of immigration policies, or racism, sexism, and classism in society. Similarly, many people experience violence in their lives, including domestic and intimate partner violence, not just those who work in the sex industry. It is problematic and harmful to frame that type of exploitation and violence as “human trafficking” only when the people affected are working in the sex industry.

Sex workers are often framed as victims or trafficked victims. Some sex workers complain that they are forced to identify themselves as victims in order to obtain social services or to avoid being treated as criminals by the police or non-profit organizations. This not only denies the agency of sex workers, but fails to respond to the socio-economic and political oppression experienced by sex workers. Anti-trafficking campaigns often provide misleading messages and statistics (such as promoting “rescues” of potential victims, which increases anxiety, moral panic, and racism against racialized migrants and sex workers). Sex workers’ labour and work relationships are frequently framed by the Anti-Trafficking Movement as “transactional or national organized crime”, which increases stigma, marginalization, and discrimination against sex workers and pushes them further underground.

## **Rights, justice, and dignity for sex workers**

We believe that law enforcement raids and “rescues” are harmful to sex workers, especially those who are marginalized (e.g. people of colour and migrants), because of resulting criminalization and stigmatization. Sex workers and migrants may experience exploitation at their workplaces like those who work in other industries, but they do not enjoy any labour protection. The decriminalization of sex work, and the creation of labour protections and rights for migrant workers, would greatly assist those who want to seek help and improve their working conditions.

## **What can you do?**

1. Recognize that sex work is work and eliminate discrimination against sex workers. Support sex workers’ rights, and justice, and the right not to be “rescued”.
2. Support peer-led models so that the sex work community can connect with others and assist in cases of exploitation and abuse. Stop using criminal laws to address sex workers’ migration and review anti-trafficking policies with sex workers’ organizations to develop measures that are rights-based and supportive to the community.
3. Urge the federal government to repeal the *Protection of Communities and Exploited Persons Act* (PCEPA), which endangers sex workers’ lives, health, and safety.
4. Urge the government to stop raids, detentions, and deportations of sex workers. CBSA should never be involved in anti-trafficking investigations.

## **Contact us:**

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