

REVIEW OF CANADA'S INITIAL REPORT ON THE *OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC) ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY*

Canada's response to the list of issues adopted by the Committee on the Rights of the Child in advance of the examination of Canada's Initial Report on the *Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography* (CRC/C/OPSC/CAN/1)

September 2012

1. The following responds to the lists of issues prepared by the United Nations Committee on the Rights of the Child related to the consideration of Canada's Initial Report on the *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography* (OPSC). The response does not repeat information contained in the report, and provides information updated generally to March 2012.

Issue 1: Please provide statistical data at the federal, province and territory levels (disaggregated by sex, age, socio-economic background, indigenous status and ethnic origin) for 2009, 2010 and 2011, on the number of:

- (a) **Reports of sale of children, child prostitution and child pornography, with additional information on the type of action taken as a result, including the prosecution and punishment of perpetrators;**

2. The relevant statistical data is provided in response to Part III, Issue 8 of the response to the list of issues related to the consideration of Canada's combined Third and Fourth Report on the *Convention on the Rights of the Child* (CRC list of issues).

- (b) **Children trafficked into and out of Canada and children trafficked within the country for the purpose of sale, child prostitution, or child pornography as defined in article 3, paragraph 1, of the Optional Protocol;**

3. Please also see the section on Human Trafficking under Part III, Issue 8 a) of the response to the CRC list of issues.

4. Out of the 15 convictions for human trafficking specific offences, five involved underage females ranging in age from 14 to 17 years old. These underage females were trafficked within Canada for the purpose of sexual exploitation. The sentences in these five cases varied from 30 months to seven years imprisonment.

5. The following chart includes information about the number of victims from investigations where human trafficking specific charges were laid in Canada, which included convictions and cases before the courts.

	2007	2008	2009	2010
Total (children and adults)	9	19	46	54
Children – male	0	0	0	0
Children – female	2	7	9	11
Total	2	7	9	11
Adult – male	0	0	2	21
Adult – female	5	5	26	11
Total	7	12	37	43
Source: RCMP-HTNCC. Information was taken from Canadian police investigations where human				

trafficking specific charges were laid. The above number of victims is from the year in which the human trafficking specific charge was laid. In some cases the age of the victims was unknown and not included in the numbers represented in the response to this question.

6. In 2006, Temporary Resident Permits (TRPs) were made available to victims of trafficking in persons. Between 2006 and 2011,¹ five TRPs were issued to one female child trafficking victim and seven Temporary Resident Permits were issued to three minor dependants of adult victims, two males and one female. These numbers include both new and subsequent TRPs issued to extend permit holders' status in Canada. Additional information regarding TRPs is provided in response to Issue 5 below.

(c) Child victims who have been given assistance with reintegration or been paid compensation.

7. Canada does not collect data on child victims who have been given assistance with reintegration or paid compensation.

Issue 2: In view of the National Plan of Action for Children, 'A Canada Fit for Children' containing several provisions addressing offences under the Optional Protocol, please provide detailed information on implementation measures and the budget allocated to them.

8. Protecting children from harm is one of the four central goals of Canada's National Plan of Action for Children, as explained in response to Part I, Issue 3 of the response to the CRC list of issues. Examples of measures taken to address the issues covered by the Optional Protocol are provided below.
9. Canada's National Strategy for the Protection of Children from Sexual Exploitation on the Internet was launched in 2004 to increase law enforcement capacity to investigate and track down on-line predators, to enhance public education and awareness, and to support further research on child sexual exploitation. The Government announced the renewal and expansion of the Strategy in February 2009. With an additional \$6 million per year announced in Budget 2007 to strengthen initiatives to combat child sexual exploitation and trafficking of children, the Government has committed a total of \$71 million over five years to protect children from predators.
10. Under the Strategy, the National Child Exploitation Coordination Centre serves as Canada's headquarters for combating child sexual exploitation. The Centre provides a range of services to law enforcement, including the ability to respond immediately to a child at risk, investigative coordination, expertise in victim identification techniques, management of multi-jurisdictional cases, undertaking operationally relevant research,

¹ The numbers may be subject to change, as final data for 2011 is still being gathered. It is important to note that this data does not include the number of trafficking victims who are Canadian citizens or permanent residents. Furthermore, data limitations do not permit a breakdown of the number of victims of trafficking who may have chosen to pursue other immigration options, such as applying for refugee protection or permanent residence for humanitarian and compassionate reasons. Source: Citizenship and Immigration Canada, Victims of Trafficking in Persons Case Monitoring as of April 12, 2012.

and providing specialized training in the area of online child sexual exploitation investigations.

11. The Strategy also supports a non-governmental partner, the Canadian Centre for Child Protection, for the operation of Cybertip.ca, Canada's national tipline for the public to report suspected cases of online sexual exploitation of children. Cybertip analysts triage reports and forward relevant leads to the appropriate law enforcement agencies. From September 2002 to September 2011, Cybertip.ca processed over 50,000 tips from the public.
12. The Cybertip.ca website also provides the public with a broad range of education and awareness materials for children, youth, educators and parents, as well as support and referral services.
13. In relation to immigrant, refugee, and asylum-seeking children, the Government of Canada works with provincial and territorial children's aid societies and the appropriate authorities to ensure the best interests of the child. In addition to a determination of the admissibility and eligibility of refugee claimants, officers must determine if a child claimant should be referred to provincial child welfare authorities.² In the case of unaccompanied minors, border officials contact the relevant provincial child protection office and make every attempt to obtain interpretation services in the interim. Children who are foreign nationals in need of protection are handled through existing Canadian programs for vulnerable children. The Government of Canada has explored initiatives in the Greater Toronto Area to ensure that unaccompanied minors have legal representation and strives to continuously improve the Refugee Claim Process at Canadian Ports of Entry.³
14. When a child is unaccompanied, or is accompanied or being met by persons without legal custody or guardianship, the child is considered to be at risk. However, children accompanied by one parent may also be deemed at risk. Unless a child is with both parents, a sole custodial parent, or his or her legal guardian, the child is referred to the Our Missing Children program as a protective measure.⁴ This program is a partnership between the Royal Canadian Mounted Police (RCMP), the Canada Border Services Agency (CBSA), the Department of Foreign Affairs and International Trade, and the Department of Justice. Officers are on alert for abducted or missing children at international airports and land border crossings in the hopes of returning them to their proper guardians.
15. Citizenship and Immigration Canada's primary role in the fight against trafficking in persons is protecting foreign national victims of trafficking in Canada by helping them to legalize their immigration status. Identified victims are issued Temporary Resident

² Immigration officers follow the guidelines found in the PP1 manual "Processing claims for refugee protection in Canada", online: www.cic.gc.ca/english/resources/manuals/pp/pp01-eng.pdf.

³ For more information on the Refugee Claim Process, see: www.irb-cisr.gc.ca/eng/brdcom/references/procedures/proc/rpdspr/pages/rpdsp.aspx.

⁴ For more information on the 'Our Missing Children' program, see: www.ourmissingchildren.gc.ca.

Permits (TRPs) valid for up to 180 days. A longer term subsequent permit may also be issued depending on individual circumstances. Victims are not required to collaborate with enforcement agencies or testify against their traffickers to access the permit. The initial short-term TRP provides limited, temporary health coverage under the Interim Federal Health program and is fee-exempt, as are work permits, if victims choose to apply for them. If a victim wants to remain in Canada permanently, they can apply for humanitarian and compassionate reasons, or through the permit holder's class. Victims may also make a claim for refugee protection. Minor foreign national victims of trafficking in persons are eligible to apply for TPRs under this policy and receive the same benefits. Work permits have also been issued to adolescent TRP holders.

16. The Government of Canada is undertaking the following measures to better equip border officials to identify and intercept cases of child trafficking:
 - Participate in the dissemination of awareness materials at Canadian Embassies and High Commissions abroad;
 - Work with partners, such as Citizenship and Immigration Canada (CIC), the RCMP and the CBSA – Border Operations to make outreach information available to foreign nationals who may be vulnerable to human trafficking. Outreach information will be provided after the Primary Inspection Line (PIL), which is the first point of official inspection for all travelers arriving in Canada, within identified areas at ports of entry;
 - Review and update any existing training and awareness materials, and where appropriate will employ partner agencies' awareness materials on support and services available to victims of human trafficking. This includes the provision of ongoing training and the updating of online training, which will facilitate delivery;
 - Enhance the procedures on immigration examinations within the Port of Entry Examinations manual;⁵ and
 - Provide regular briefings on new human trafficking detection methods, indicators and best practices to all CBSA staff with human trafficking related functions.
17. Since the signing of a “Letter of Intent Between the CBSA and the RCMP with Respect to Criminal Investigation and the Laying of Charges Under the Immigration and Refugee Protection Act” in 2007, CBSA Investigators have successfully prosecuted six individuals for smuggling children into Canada, which is directly linked to the potential for trafficking of children.
18. At the provincial level, the Alberta *Protection of Sexually Exploited Children Act* provides for supportive interventions with young people who are engaging or attempting to engage in prostitution. Under this Act, young people who are trading sexual acts for food, shelter, clothing or other items are deemed to be sexually exploited. Further, public awareness and education campaigns on child sexual exploitation have been undertaken in Alberta to increase awareness of the public and targeted industries, such as hotel and lodging accommodations.

⁵ Port of Entry Examinations Manual, online: www.cic.gc.ca/english/resources/manuals/enf/enf04-eng.pdf.

19. The Newfoundland and Labrador *Children and Youth Care and Protection Act* allows for investigations into allegations of sexual abuse or sexual exploitation by a parent or by a person where the parent does not protect the child, and to determine if the child is in need of protective intervention.

Issue 3: Please indicate which government mechanism(s) is/are established to ensure coordination, monitoring and evaluation between governmental departments and bodies having responsibility for the implementation of the Optional Protocol at federal, provincial and territorial levels. Furthermore, with reference to those provinces/territories which do not have coordinating mechanisms, please provide detailed information regarding monitoring and evaluation of the implementation of the Optional Protocol at federal, provincial and territorial levels.

20. Responsibility for issues covered by the Optional Protocol is divided between the federal government and provincial and territorial governments. Paragraphs 54 to 65 of Canada's Initial OPSC Report outline a number of mechanisms that ensure a coordinated approach within, and between F-P/T governments.
21. Federal anti-trafficking efforts are guided by the UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* (the Trafficking Protocol), ratified by Canada in 2002. These efforts are coordinated and monitored by the Interdepartmental Working Group on Trafficking in Persons (IWGTIP), which brings together 18 departments and agencies and serves as a central repository of federal expertise. The IWGTIP monitors all federal anti-trafficking efforts and works closely with the provinces and territories and other key stakeholders to advance Canada's anti-trafficking efforts. It also works to strengthen federal responses through the development of government policy on human trafficking, information exchange, and the facilitation of international and national cooperation.
22. With the coming into force on June 6, 2012 of the National Action Plan to Combat Human Trafficking, the ongoing efforts of the Government of Canada to combat human trafficking were consolidated under the plan and the IWGTIP was replaced by a Human Trafficking Taskforce (HTT). As part of its commitment to protect the vulnerable, tackle crime and safeguard Canadians and their families in their homes and communities, the National Action Plan to Combat Human Trafficking is a comprehensive blueprint to guide the Government of Canada's fight against the serious crime of human trafficking. Comprised of both domestic and international initiatives, the National Action Plan seeks to offer better support to organizations and better protection to foreign nationals, including young female immigrants who arrive in Canada alone, from forced, illegitimate or unsafe work.
23. The HTT is led by Public Safety Canada and comprised of key departments. The HTT is responsible for overseeing the implementation of the National Action Plan commitments and for coordinating the federal anti-human trafficking response and reporting annually on progress to the public. These new structures (the plan and the HTT) will allow the Government of Canada to improve its coordinated response to human trafficking.

24. In 2010, a federal Interdepartmental Working Group on Travelling Child Sex Offenders was established to provide a forum for information-sharing and greater coordination among federal partners on this issue. This working group meets regularly, and facilitates key discussions including research priorities, communications strategies, and liaising with non-governmental partners.
25. In 2005, the Government of Canada created the Human Trafficking National Coordination Centre (HTNCC). The HTNCC works in partnership with domestic and international agencies, and provides a focal point for law enforcement in its efforts to combat and disrupt criminal organizations involved in human trafficking activities.
26. As noted in response to Issue 2 above, the National Child Exploitation Coordination Centre serves as Canada's headquarters for combating child sexual exploitation. The Centre works in close collaboration with municipal, provincial and international law enforcement agencies and plays a key role in tracking down and assisting in the prosecution of offenders. CBSA and the RCMP liaise through the Centre to promote national cooperation between the two agencies and to enhance the flow of communication and the effective use of resources between the two agencies.
27. The Provincial and Territorial Directors of Child Welfare, which includes all provincial and territorial directors in Canada, enables discussions between provinces and territories on various issues. It is therefore the designated forum to address issues such as child trafficking and prostitution across Canada. The Federal-Provincial/Territorial (F-P/T) Subcommittee on Child Abuse through Sexual Exploitation, which reports to the Provincial and Territorial Directors of Welfare, works to increase awareness and understanding of intergovernmental officials on child sexual exploitation through prostitution, child sexual abuse imagery and trafficking.
28. The F-P/T Advisory Committee on Children and Youth at Risk brings together intergovernmental officials from across Canada to develop a common understanding of issues facing at-risk children and youth.
29. Provincial and territorial governments apply the *Provincial/Territorial Protocol on Children and Families Moving between Provinces and Territories* to harmonize the movement of children and families receiving social services that are moving to another province or territory. This Protocol reflects the desire of the provinces and territories to collaborate and share responsibility of their respective clients. It is based on the principle that the protection and the best interest of the child must be part of the key considerations that governs all services and decisions.

Issue 4: Please clarify if the State party envisages establishing a mechanism for gathering and evaluating data and information at federal, provincial/territorial and municipal levels concerning the implementation of the Optional Protocol.

30. Canada possesses a number of existing sources, which together allow it to gather and evaluate data relevant to issues covered by the Optional Protocol. These sources, and data collection methodologies, are explained at paragraphs 7 to 11 of Canada's Initial OPSC Report.
31. The Government of Canada enhances intelligence coordination and collaboration by:
 - Continuing to develop and disseminate information with respect to human trafficking trends to stakeholders and consular staff and visa officers on a regular basis.
 - Collecting, analyzing, producing and disseminating intelligence materials related to human trafficking and sharing these with relevant internal and external stakeholders involved in preventing human trafficking.
 - Creating a new national database for missing persons and unidentified remains, managed by the RCMP's National Centre for Missing Persons and Unidentified Remains, to better capture and analyze relevant data regarding missing children, including runaways who are at increased risk of victimization while on the street.
32. At the provincial level, for example, when children in Quebec are identified as victims of sexual abuse, they are added to a database used to enforce the *Youth Protection Act*. The Uniform Crime Reporting Survey gathers information on reported prostitution of children under 18 and child pornography.

Issue 5: Please provide further details on preventive measures which have been taken to protect children in particularly vulnerable situations such as Aboriginal children, children belonging to other minorities, children in street situations, unaccompanied children and children with disabilities from offences under the Optional Protocol.

33. The protection of all children against all forms of sexual exploitation remains a continuing priority for governments in Canada. There are many prevention, intervention and support measures in place across Canada to protect children from all forms of violence, including child sexual exploitation.
34. In 2011, the Government of Canada funded regional, national, and international roundtables on the prevention of human trafficking and related forms of exploitation. Participants included experts from all levels of government and civil society, particularly Aboriginal organizations, and international stakeholders. These roundtables explored current preventive practices, identified sub-populations and places at risk, and advanced thinking on the key elements of a prevention framework.
35. The Government of Canada is developing national and local diagnostic tools to assist with the identification of populations and places most at-risk of trafficking in Canada. In addition, this tool will gather information on related forms of exploitation, identify

resources and populate an inventory of prevention practices. These efforts will inform prevention strategies at the national and local levels and allow better targeting of prevention efforts.

36. The Government of Canada also actively engages youth in the development of prevention strategies to address youth crime and victimization issues, such as those mentioned in the OPSC. It has also developed specialized cultural training for members working in Aboriginal communities.
37. The Family Violence initiative has provided \$380,000 to 41 initiatives across Canada since 2009 that support activities designed to:
 - promote law enforcement programs of the RCMP;
 - provide assistance to victims of crime for either a single event or a series of events;
 - address early risk factors among vulnerable populations, children and youth at risk;
 - prevent recidivism among high risk groups;
 - foster prevention in Aboriginal communities;
 - address family and relationship violence as well as crime prevention through conferences, seminars or workshops; and
 - assist victims of crime.
38. In addition, the Human Trafficking National Coordination Centre has developed a youth tool kit as part of its “I’m not for sale” campaign. The youth tool kits includes a user guide, a human trafficking booklet, human trafficking posters, a presentation, along with group discussion and activities, a parent help sheet created to assist parents in recognizing and identifying changes in behaviours in their child, Frequently Asked Questions on human trafficking, and a human trafficking DVD.
39. Preventive measures to ensure the protection of vulnerable children, including unaccompanied children who engage Canada’s asylum system, are an integrated component of the processing manual that provides guidance to Canadian officers working with minors in this context. The operational manual, Processing Claims for Refugee Protection in Canada, raises an officer’s consciousness of a child’s vulnerability to risks such as trafficking, smuggling and abduction. Associated preventive measures adopted by Canada include, for example, the provision of procedural guidance for officers with respect to how to examine and identify risk, as well as specific measures by which to protect the welfare of a minor child. It is of note that in all cases in which officers suspect a possible risk to the welfare of a minor child, whether the child is unaccompanied or not, provincial and territorial child protection authorities should be contacted.
40. On June 6, 2012, the Government of Canada announced the National Action Plan to Combat Human Trafficking, noted in response to Issue 3 above, which builds on the current anti-trafficking efforts and includes aggressive new measures to prevent trafficking in persons, including children. The Government will invest \$25 million over four years to build on and strengthen Canada’s significant effort to date and to work in

partnership to prevent this grave crime from occurring, protect its victims, and prosecute its perpetrators.⁶

41. In addition to the provisions for migrant children and issuing TRPs for trafficked foreign nationals noted in response to Issue 2 above, CIC has committed to the following initiatives under the Plan, which will help prevent exploitation of vulnerable foreign nationals of all ages, including children and youth:
- Work with provinces and territories to ensure that foreign nationals entering Canada under the International Student Program are genuine and attending quality educational institutions throughout their period of stay;
 - Make information available to all foreign nationals, including international students, where they can seek assistance on issues related to employment and health and safety standards (in cooperation with Human Resources and Skills Development Canada);
 - Improve monitoring and enforcement in the International Student Program; and
 - Develop options for responding to Ministerial direction regarding the issuance of instructions that aim to protect foreign nationals, including youth under 18 years old and/or international students, who are at risk of being subjected to humiliating or degrading treatment, including sexual exploitation.
42. Furthermore, as of July 14, 2012, CIC no longer processes work permit applications for foreign nationals seeking employment in businesses in sectors where there are reasonable grounds to suspect a risk of sexual exploitation of some workers. Such businesses may include escort services, adult entertainment clubs and massage parlours. Foreign national holders of open work permits (which may include *working-age* youth under 18 years old and/or international students) are also prohibited to engage in work at such businesses. These measures will prevent the Temporary Foreign Worker Program from being used to exploit vulnerable foreign nationals, including working age youth under 18.⁷
43. The Government of Canada recognizes the importance of healthy child development and supporting efforts to prevent child abuse in First Nations and Inuit communities. Health Canada funds programs that support early childhood development, parenting skills, addictions, and mental wellness. The Government of Canada continues to work with Aboriginal partners, experts, provincial and territorial governments and stakeholders to support First Nations and Inuit communities to address this important issue.

Issue 6: Please clarify whether there is a legal provision explicitly prohibiting the sale of children and whether it covers all acts and activities described in article 3(1)(a) of the Optional Protocol including:

- (i) Offering, delivering or accepting, by whatever means, a child for the purpose of:*
- (a) Sexual exploitation of the child;*
 - (b) Transfer of organs of the child for profit;*

⁶ For more information, see www.publicsafety.gc.ca/prg/le/cmbt-trffkng-eng.aspx.

⁷ For more information, see www.cic.gc.ca/english/resources/manuals/bulletins/2012/ob449.asp.

(c) Engagement of the child in forced labour
(ii) Improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption

44. The *Criminal Code* of Canada comprehensively prohibits the sale of children through a number of different *Criminal Code* offences, depending on the facts of a given case. These offences include:
- Section 151 (sexual interference); maximum penalty: 10 years imprisonment
 - Section 152 (invitation to sexual touching); maximum penalty: 10 years imprisonment
 - Section 153 (sexual exploitation); maximum penalty: 10 years imprisonment
 - Section 212 (procuring); maximum penalty: 10 years imprisonment
 - Section 267 (assault with a weapon or causing bodily harm); maximum penalty: 10 years imprisonment
 - Section 268 (aggravated assault); maximum penalty: 14 years imprisonment
 - Section 269 (unlawfully causing bodily harm); maximum penalty: 10 years imprisonment
 - Section 271 (sexual assault); maximum penalty: 10 years imprisonment
 - Section 272 (sexual assault with a weapon); maximum penalty: 14 years imprisonment
 - Section 273 (aggravated sexual assault); maximum penalty: life imprisonment
 - Section 279 (kidnapping); maximum penalty: life imprisonment
 - Sections 279.01 – 279.03 (trafficking in persons); maximum penalty: life imprisonment
 - Section 280 (abduction of person under 16); maximum penalty: 5 years imprisonment
 - Section 281 (abduction of person under 14); maximum penalty: 10 years imprisonment
 - Section 346 (extortion); maximum penalty: life imprisonment
45. Bill C-10, the *Safe Streets and Communities Act*, which received Royal Assent on March 13, 2012, and is currently awaiting proclamation into force, will create two new *Criminal Code* child sexual exploitation offences, sections 171.1 (making sexually explicit material available to a child) and 172.2 (agreement or arrangement – sexual offence against a child), and added these offences, as well as section 172.1 (luring a child) to subsection 7(4.1) (child sex tourism). The new law will also raise and impose new mandatory minimum penalties for child sexual exploitation offences.
46. Children who are being sexually exploited, including through prostitution are recognized as being in need of protection under provincial and territorial child welfare legislation.
47. In Alberta, the *Protection of Sexually Exploited Children Act* recognizes that children involved in prostitution are victims of sexual abuse.
48. The Ontario *Child and Family Services Act* makes it an offence for a person having charge of a child to inflict abuse on the child or permit the child to suffer abuse.

49. In Newfoundland and Labrador, the *Adoption Act* makes it an offence to give or receive payment or reward to procure a child for adoption in or outside the province.
50. In Manitoba, *The Child and Family Services Act* makes it an offence to give or receive payment or reward for the sale of a child. *The Adoption Act* makes it an offence to pay or accept payment for an adoption. *The Child Sexual Exploitation and Human Trafficking Act* creates a tort of human trafficking and provides for protection orders for victims.
51. In April 2012, Quebec announced the addition of 21 police officers and four civilian employees assigned specifically to fight against pedophilia on the Internet. Their mandate is to detect predators, identify and dismantle child pornography distribution networks, work on identifying victims and support police action regarding sexual exploitation of children at the provincial level. Quebec has also developed a global strategy to coordinate the actions of all stakeholders. The strategy will be rolled out in four phases and will cover: detection and suppression, information and awareness, prevention and intervention and the tabling of a bill to protect children from child pornography on the Internet.
52. As part of its 2007–2010 Quebec Street Gang Intervention Plan, the Government of Quebec established the “Programme de financement en prévention du recrutement des jeunes aux fins d'exploitation sexuelle dans un contexte de gangs de rue.”
53. The Quebec *Youth Protection Act* (YPA) lists all the situations where the security or development of a child is or could be compromised. These situations include sexual abuse, a concept that covers a wide range of sexual acts, with or without physical contact, for instance: sexual touching, incest, rape, child pornography, exhibitionism, voyeurism, sexual solicitation via the Internet, etc. It also includes situations that pose a serious risk of sexual abuse. Under Section 39 of the YPA, as soon as a person has reasonable cause to believe that a child is involved in any of the situations set out in the YPA, the person must or can, as appropriate, contact the Director of Youth Protection.

Issue 7: Please clarify whether legal persons, including corporations, can be held liable for acts or omissions related to the sale of children, child prostitution and child pornography.

54. The *Criminal Code* contains provisions for attributing criminal liability to corporate persons and other organizational entities. This liability can attach to any crime, including offences in relation to children.

Issue 8: Please provide information on the measures being taken to establish extra-territorial jurisdiction for offences under the Optional Protocol.

55. The *Criminal Code* was amended in 1997 to allow Canada to assume extraterritorial jurisdiction to prosecute citizens or permanent residents who sexually abuse children while abroad (subsection 7 (4.1)) (“child sex tourism”). Dual criminality is not required. A Canadian prosecution requires the consent of the Attorney General of the province in which the Canadian is resident in all cases. Another pre-requisite (a request from the

foreign State where the offence was alleged to have been committed) was repealed in July 2002 to simplify the process.

56. The international consensus on child sex tourism is that persons who sexually abuse children must be held accountable: the primary obligation to prosecute travelling child sex offenders rests with the destination country and, where this does not occur, Canada can prosecute the Canadian or permanent resident of Canada.
57. Canadian law enforcement agencies involved in the investigation of all forms of child sexual exploitation work closely with their foreign counterparts to combat this phenomenon. The RCMP Canadian Police Centre for Missing and Exploited Children (CPCMEC) is the national law enforcement coordination center for child sexual exploitation cases. The CPCMEC receives information relating to travelling child sex offenders and coordinates investigations with Canadian and foreign law enforcement agencies, on a case by case basis.