



Toronto ON, Canada; 28th of February, 2025

Introduction

As civil society organizations working in Canada with migrant populations, migrant workers¹ and migrant women, we make the following submission to the UN Special Rapporteur on trafficking in persons, especially women and children, for input on “Migrant domestic workers and trafficking in persons: prevention, rights protection and access to justice.”

In addition to working with migrant workers and/or women, we work on the prevention of human trafficking and labour exploitation, and some organizations also support victims and survivors of human trafficking and their families. We work independently with differing perspectives while collaborating across various action areas, coordinating efforts within provincial and federal networks when needed.

We make this joint contribution from the perspective of migrant workers, with a focus on migrant women, recognizing the extra hurdles they face due to their precarious immigration status. We also propose some alternatives to transform and/or strengthen the hiring system and procedures, regulate the rules, reduce gaps in access to benefits, and guarantee rights on equal terms. This is not an exhaustive list of issues impacting migrant domestic workers; however, we have highlighted some of our primary concerns.

A relevant aspect that adds value to this report is that the information mainly comes from the experience and direct work of organizations that work with migrant workers, migrant women, and international students (as noted at the end).

Background

Canada relies heavily on migrant workers who contribute across various industries and skill levels and greatly benefit from this labour. To regulate migration and labour policies, Canada enacted the *Immigration and Refugee Protection Act* (S.C. 2001, c. 27) (IRPA).

¹ Within the category of migrant workers, we include female and male migrants working in Canada; however, where necessary, we will emphasize female migrant workers because there are disproportionate aspects of vulnerability, impact, disadvantages, etc.



However, long before this legislation, through policies implemented in 1960² and 1973³, the Canadian government established mechanisms to address labour shortages. This led to a significant increase in temporary foreign workers (TFWs) travelling to and living in Canada for decades to meet labour demands.

As a result, several industries have historically depended on migrant labour to expand their capacity and meet the demand for goods and services in Canada and neighbouring countries. Many families in Canada have employed skilled migrant workers, mainly female migrant workers who live in their houses as live-in caregivers, providing 24/7 support for their children, relatives requiring special care and the elderly. It is not uncommon to find migrant workers who have been coming to Canada for one, two or even three decades to support families in these roles. Most domestic workers are women from the Global South, particularly the Philippines, experiencing gendered and racialized discrimination. The labour exploitation in Canada is profoundly shaped by gendered and racialized discourse, reinforcing power hierarchies that devalue their work while legitimizing their exploitation.

Migrant workers' conditions of recruitment, hiring practices, working conditions and accommodation are highly unequal to the conditions of Canadian workers. Due to the nature of domestic work, often performed within private homes, workers have limited protections and face minimal oversight, making it difficult to hold employers accountable. As a result, labour and human rights violations can result, and in some cases, this may lead to labour trafficking in the form of domestic servitude. This is especially true for workers who may be recruited outside Canada's official immigration programs for caregivers⁴ that can provide temporary or permanent status.

Unscrupulous Recruitment Practices

² Green, Alan G., and David A. Green. (1988) "The Goals of Canada's Immigration Policy: A Historical Perspective." *Canadian Journal of Economics*, vol. 32, no. 2, 1999, pp. 400–420

³ Hawkins, Freda. *Canada and Immigration: Public Policy and Public Concern*. McGill-Queen's University Press, 1988.

⁴Immigration, R. and C.C. (2025) *Government of Canada, Caregivers - Canada.ca*. Available at: <https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/caregivers.html>



Migrant workers in Canada are recruited through various channels, most commonly third-party agencies. In some cases, recruitment is handled by individuals, family members, or companies acting as unregistered recruiters, often operating without oversight or regulation.

Many recruitment models operate outside the control of both the Canadian government and the governments of countries with which Canada has signed labour agreements. As a result, recruitment is often left to individuals who establish parallel procedures. This leads to additional bureaucratic steps, extended processing times, and high costs for the worker, including fees for procedures that should be free and inflated charges for others that are typically inexpensive.

Misinformation or a complete lack of information about recruitment procedures, costs, timelines, benefits, job locations, and industries is widespread. Many workers arrive in Canada without knowing where they will be placed or what jobs they will perform. Some were promised specific positions before travelling, only to discover upon arrival at the airport that they had been deceived as no one was there to meet them, and the housing and support they had been assured did not exist. In other cases, the job does exist, but the work conditions, including wages, accommodation, and immigration documents, are not as promised.

It is important to note that women often have less access to information in their countries of origin and access job offers in foreign countries through third-party companies or individuals without access to official sources of information, which makes them more vulnerable to deception and fraud.

Others, after paying significant sums to secure work in Canada, become trapped in exploitative networks, forced into labour, sometimes in remote locations where they are unable to leave and remain under strict control. Sometimes, workers are not paid for their first two or three months, as they are told they must cover hiring costs. Others see their wages deducted for necessities such as housing, water, electricity, and toiletries, leaving them with severe financial and personal vulnerability. In these situations, the recruitment agencies involved offer no support and, in most cases, do not take any accountability for their part in the exploitative process.

Restrictive Work Permits



Migrant workers who experience abuse or exploitation often have limited immigration options to recover or regularize their status. Recruiters commonly bring workers into Canada as Temporary Foreign Workers (TFWs) with employer-specific permits, under now-closed caregiver pilot programs with occupation-restricted licenses, or through irregular means. As a result, some workers enter as international students, refugee claimants, or visitors, sometimes working without authorization. At the same time, recruitment agencies handle their immigration applications or deceive them into believing they are handling their immigration applications. This precarious status is often weaponized against them, forcing them to accept exploitative conditions. In cases where no immigration application was filed, workers risk losing their status entirely.

Recent immigration policy changes have further restricted visitors from applying for work permits within Canada, leaving many workers with few options: remain as visitors, return home, or fall out of status. Fear of criminalization, among other concerns, often prevents them from seeking support, particularly in cases of domestic servitude where they may have faced threats of deportation, violence or denunciation to authorities for working without authorization.

Existing immigration remedies are largely inadequate. Temporary Resident Permits for Victims of Trafficking in Persons (VTIP-TRP) offer short-term relief but only apply to undocumented workers who have been exploited for sex, forced labour, or other forms of human trafficking.⁵ They exclude workers with temporary status, those deceived into jobs that never existed, and those facing severe labour and human rights violations without meeting the full definition of human trafficking that Immigration, Refugees and Citizenship Canada (IRCC) applies.

Many migrant workers lack information about their legal rights, wages, benefits, and working conditions. They often sign contracts they do not understand or work without one altogether. In many cases, the conditions of work described during the hiring process are not the conditions in reality. Due to the employment within a home, migrant women find themselves working extended hours for no additional payment, doing tasks beyond their caregiver or domestic roles, and even being assigned or, in some ways, lent to other employers who need their service. Again, there is little accountability for the

⁵ Immigration, R. and C.C. (2025a) *Government of Canada, Canada.ca*. Available at: <https://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/protection-assistance-victims-human-trafficking.html>



recruitment agencies involved, especially those unregulated and working as independent recruiters.

Exploitation & Domestic Servitude

Considering exploitation on a spectrum, with decent work on one end and human trafficking on the other, migrant domestic workers face exploitation in various ways. Many workers do not have access to decent work and face labour and human rights violations by their employers. Domestic workers often experience aggressive and derogatory treatment from their employers and personnel managers. This mistreatment is frequently expressed through the tone of language used to direct them in the workplace, including insults based on gender, race, or cultural background. Workers are also deceived into performing dangerous tasks under false pretenses, believing them to be simple or risk-free, which risks their health and physical safety. In severe cases, migrant workers may not receive any payment for their labour or are paid significantly below the minimum wage.

Since the domestic work sector is predominantly made up of women, gender-based violence is a significant concern. Many female domestic workers report experiencing sexual abuse and harassment by their employers, with the threat of retaliation if they reject unwanted advances. This retaliation can take the form of termination, blacklisting, threats of deportation, or the withholding of wages. The isolated nature of domestic work, where women often live in their employer's home with little oversight or access to support systems, further increases their vulnerability to exploitation and abuse. Furthermore, migrating frequently results in new mothers having little to no social support, leading to feelings of loneliness and isolation, which contribute to vulnerabilities to violence and exploitation.

According to Statistics Canada's survey on residential facilities for victims of abuse, migrant workers are less likely to rely on the police for support due to victimization and violence, and shelters often have an overrepresentation of non-permanent residents who come to escape abuse and exploitation. This is especially true for migrant women.



Additionally, migrant workers are not allowed to voice complaints. In most settings, when they report mistreatment, unsafe working conditions, or health concerns, they often face pay deductions, workplace bullying, and, in extreme cases, immediate termination, deportation, and blacklisting from future employment. In the domestic work setting, reporting abuse is particularly challenging because the employer often serves multiple roles: as a supervisor, human resources personnel, landlord, and sometimes even as the migrant worker's primary connection to the community. The limited reporting channels, typically provincial government complaint systems, can be complex for migrant workers, mainly because they are unfamiliar with the system, process, or language.

The fear of retaliation is even more significant when a worker is the sole employee in a household, as it becomes immediately apparent who made the complaint. This can lead to severe consequences, including deportation, blacklisting, loss of income, or even homelessness, as many domestic migrant workers rely entirely on their employers for housing, financial stability, and necessities.

It is important to emphasize that while limited complaint systems create a barrier for migrant workers seeking support or an escape from exploitative workplaces, their restrictive work permits or lack of access to work permits further perpetuate their dependency on their employer, severely limiting their freedom of mobility and ability to seek safer employment.

Roles of Governments and Institutions

Consular and Embassy Services

There is insufficient oversight by embassies and consulates to protect domestic migrant workers. In many cases, diplomatic missions prioritize the needs of large groups of workers concentrated in the exact location while neglecting those who work in isolation. However, some consulates have implemented support mechanisms, such as the Mexican Consulate in Toronto, which operates a 24/7 complaints hotline and provides legal and psychological assistance to workers facing exploitation⁶.

Despite these efforts, many domestic workers do not perceive their country's diplomatic institutions as a reliable source of support. To address this issue, increasing awareness

⁶ *Consulmex.sre.gob.mx*. Available at: <https://consulmex.sre.gob.mx/toronto/index.php/en/diroffices>



in migrant-sending countries about Canada's employment programs, procedures, costs, rights, and potential risks is essential. Additionally, embassies and consulates should receive specialized training to fulfill their responsibility in protecting migrant workers, and female workers from a gender perspective to ensure that working conditions align with international agreements for migrant workers, temporary migrant workers, and female workers.

A standardized employment contract should be introduced, requiring that all domestic workers receive the contact information for relevant Canadian authorities at both federal and provincial levels and the consulates of their home countries. This would ensure that workers know where to report mistreatment, abuse, and exploitation.

Canadian Regulation

Although Canada has implemented a federal workplace inspection program, these inspections tend to focus on industries with a high concentration of temporary migrant workers, leaving domestic workers largely unmonitored. Due to this lack of oversight, domestic migrant workers must be provided with comprehensive and accessible information on their rights and the procedures for filing complaints.

Canada's labour standards and enforcement mechanisms are significantly lacking, particularly regarding domestic migrant workers. These workers, often women, lack the same legal protections as other employees, making it easier for employers to exploit them without consequence.

The Gendered Aspect and Addressing Root Issues

Notably, the gendered aspect of violence against migrant worker women must be recognized, as well as the imbalance of power between migrant women workers and their male employers. Gender inequality, rooted in patriarchal systems, perpetuates discriminatory practices that often render migrant women vulnerable to exploitation, abuse, and violence. Patriarchy fosters a hierarchy where men are granted power over women, particularly within the labour market, reinforcing the idea that women are subordinate and less deserving of protection and respect. This power dynamic is exacerbated by racism, as migrant women often face the dual burden of gender-based violence and racial discrimination. They are seen not only through the lens of their gender but also through the racialized stereotypes placed upon them, which further marginalize and dehumanize them in the eyes of both employers and society. The



intersection of sexism and racism often results in a devaluation of migrant women's labour, leaving them particularly exposed to exploitation and violence in the workplace, as well as within their communities. As a result, these women may feel trapped in dangerous, abusive situations due to a lack of legal protections, cultural biases, and fear of retaliation. Therefore, addressing the intersection of these forms of oppression in Canada is critical for effectively tackling violence against migrant worker women. That means that legislative frameworks and programs must not only provide essential protection and support for migrant women but focus on dismantling patriarchal and racist structures in Canada that enable this violence to happen in the first place, working toward genuine gender equality, respect, and the empowerment of migrant women workers.

Pathways to Rights and Stability

To better protect migrant domestic workers, Canada should establish clear pathways to long-term residence and citizenship. Given the country's responsibility to safeguard human rights, victims of human trafficking and labour exploitation should be offered a chance to obtain permanent legal status as part of a broader strategy for reparation and restitution.

Several policy reforms are necessary to improve the rights and stability of domestic workers. These include eradicating employer-specific or occupation-specific work permits, issuing only open work permits, allowing workers to change employers without risking visa cancellation, and extending work visas without requiring employer sponsorship. Additionally, Canada should establish a comprehensive, permanent pathway to permanent residency for domestic workers. In previous years, Canada introduced pilot programs for caregivers, including eligibility requirements forcing workers to remain with exploitative employers to meet the required work hours. Moreover, workers often refrain from filing complaints against their employers to avoid bureaucratic delays in their permanent residency processing, given the employment-dependent nature of the application process. While the pilot programs have closed, in June 2024, the government announced a new *pilot* program for



caregivers to access permanent residency⁷; although the pilot program is set to open on March 31, 2025, officially, it has yet to announce the rollout and application process.

Further efforts should support forming domestic workers' unions and self-help groups, ensuring workers have access to collective representation and advocacy.

The Canadian Government's Efforts

While Canada has implemented a federal program to conduct workplace inspections and considers inspections to be an essential component to identify whether employers comply with employers' safety and hiring requirements, it is also true that inspections prioritize industries and companies that concentrate a large number of temporary migrant workers, leaving domestic workers more isolated from the controls of inspectors. Therefore, domestic workers must receive complete and sufficient information about their right to file a complaint when their employer does not comply with the regulations, putting their safety, human rights, rights as a worker, and rights as a migrant worker at risk.

Protecting workers, particularly vulnerable groups such as domestic workers has increasingly fallen on civil society organizations because government efforts to address the issue have often been insufficient or only temporary. While governments have implemented policies and regulations to protect workers, these measures are usually seen as "band-aid solutions," addressing the surface-level issues without comprehensively tackling the root causes or providing long-term, sustainable protection.

For example, many policies that protect migrant workers, such as temporary work permits or support systems, fail to address the underlying power dynamics between employers and employees. These workers often face systemic barriers, such as limited access to legal resources, fear of retaliation (e.g., deportation), and isolated living and working conditions, which prevent them from fully exercising their rights.

Civil society organizations fill the gap when government efforts are inconsistent or fail to offer adequate safeguards. These groups, including NGOs, labour unions, and

⁷ Immigration, R. and C.C. (2025a) *Canada announces new pilot programs to support caregivers and Canadian families, intends to make the caregivers program permanent*, Canada.ca. Available at: <https://www.canada.ca/en/immigration-refugees-citizenship/news/2024/06/canada-announces-new-pilot-programs-to-support-caregivers-and-canadian-families.html>



advocacy groups, work on the ground to directly support workers, including legal aid, shelter, counselling, and avenues for reporting abuse. They also advocate for systemic change by raising awareness, organizing campaigns, and pressuring governments to adopt more comprehensive and effective policies.

Civil society organizations have also become crucial in pushing for better protections, more robust legal frameworks, and outstanding employer and government accountability. They often take a more holistic approach, addressing workers' immediate needs while striving for long-term solutions to prevent exploitation and improve working conditions.

Various civil society organizations, including the signatories of this letter, have been actively advocating for domestic workers' rights; the FCJ Refugee Centre has been holding information sessions for migrant workers about their rights and the signs of exploitation. They advocate to government officials for policy changes that would enhance workers' freedoms and provide comprehensive support to exploited migrant workers, helping them seek justice and secure temporary or permanent status. The Collaborative Network to End Exploitation, for over 5 years, has developed the Migrant Worker Exercise, raising awareness among the Canadian population about the conditions of temporary migrant workers in Canada and the disadvantages they have compared to other workers, even the exercise uses information from TMW on farms, it does not exclude other migrant workers in Canada as an awareness-raising exercise.

For two years, the Mary Ward Centre, in collaboration with CHHA 1610 AM Radio Latina in Toronto and the Greater Toronto Area, has run a Spanish-language radio program to educate Latino migrant workers about their rights, the risks of human trafficking, and the resources available for reporting abuse. This program has also been broadcast in Latin America through the AMARC World Network of Community Radios, reaching a broad audience of around 1,000 community radios and providing crucial information to potential migrant workers before they arrive in Canada.⁸

Aura Freedom International is a grassroots, intersectional feminist organization working to eradicate men's violence against women and human trafficking through Primary and Secondary Prevention initiatives that aim to create systemic change, including public education, advocacy, research, policy change, training, movement building and survivor support.

⁸ <https://www.marywardcentre.ca/resources/radio-program-2024>



Challenges in identifying victims of trafficking in persons in the domestic sector and access to protection.

Improving data collection on human trafficking and labour exploitation is essential to protecting domestic migrant workers and women. Canada should create a national database to track cases of abuse, identify high-risk employers and recruitment agencies, and prevent future exploitation. Federal and regional governments should strengthen cooperation to enhance oversight and enforcement.

It is also crucial to involve international organizations such as the International Labour Organization (ILO), the International Organization for Migration (IOM), and United Nations agencies in the ongoing review of migrant worker protections. These organizations can help establish effective monitoring mechanisms and ensure Canada adheres to international labour standards.

Law and Policing

In addressing the issue of labour trafficking, police find it to be an issue that falls under labour violations instead of human trafficking and exploitation. Furthermore, it is difficult for those with lived experience of labour trafficking to access resources for support, both due to limited availability and failure to apply the non-punishment principle. People who are trafficked are often forced to commit unlawful activities by their traffickers and when they first come to the attention of authorities as perpetrators. Additionally, authorities may offer limited support in exchange for testimony against their trafficker. As highlighted in the FCJ Refugee Centre and the Canadian Centre to End Human Trafficking's 2023 report, ***It Happens Here: Labour Exploitation Among Migrant Workers During the Pandemic*** migrant workers have a limited understanding of their rights in Canada. The Canadian Criminal Code definition is referred to as the Action-Relationship-Purpose (ARP) Model, which breaks down into three main components: action, such as recruiting; relationship, such as coercive control; and (for the) purpose of exploitation. This model may not align with the National Action Plan's Empowerment pillar as it fails to centre the person and often focuses on the perpetrator and the crime(s).

Issues that were exacerbated in the pandemic continue to this day: inadequate or subpar living arrangements, limited access to healthcare due to their geographic



location and status, and policies that prevent legalization of their status. Due to the systemic nature of human trafficking and the pandemic, Canada would benefit from moving towards a public health and survivor-centred approach that best aligns with their proposed Empowerment pillar.

Other relevant information - Special Attention: Universities as New Hotspots for Trafficking and Stalking.^{9 10}

Recent reports and social media posts from university students indicate a troubling rise in sex trafficking-related incidents, stalking, and predatory behaviour on university campuses. These institutions are increasingly becoming sites where traffickers exploit students' vulnerability, including young women from migrant and international student backgrounds. These students are disproportionately vulnerable to trafficking and predatory behaviour, as traffickers exploit their isolation by way of fake friendships, romantic relationships, or financial offers. Visa restrictions, economic instability, and the rising cost of living push many students towards unregulated or "under-the-table" job offers, increasing risks of coercion and exploitation. Fear of visa issues and deportation orders further discourages reporting of these cases.

New and Emerging Methods of Trafficking and Surveillance

Traffickers and predators are evolving in their methods, employing technology to track and lure victims. This includes:

Tracking Devices: Discreet tracking technology, such as AirTags or other GPS-enabled devices, has been reported. Victims have found these devices hidden in their personal belongings, such as backpacks, purses and cars.

Gift-Giving as a Form of Control: Predators have been known to offer jewelry or accessories embedded with trackers, using seemingly innocuous gifts as a method to monitor victims' movements and whereabouts.

⁹ City of Brampton Council Delegation on International Student Exploitation: (pub-brampton.escribemeetings.com/Players/ISISStandAlonePlayer.aspx?Id=2728fece-1b1e-439a-9846-bc8eb203fca0) starting at 1:18:20.

¹⁰ Canadian Centre to End HUMAN Trafficking (2023), "Protect International Students Now: Written submission for the 2024 federal pre-budget consultation".



Additionally, students have reported being followed on campus, on public transport, and approached outside their residences despite displaying apparent disinterest. Traffickers exploit international students' limited local knowledge and lack of established support networks.

Institutional Unawareness and Gaps in Response

Despite the increasing prevalence of these reports, most university administrations remain unaware and ill-equipped to respond effectively. Many cases go unreported due to insufficient student awareness or inadequate institutional support. In addition, most universities often do not have comprehensive policies addressing modern trafficking tactics.

Recommendations for Prevention and Intervention

Increased Awareness Campaigns: Universities should implement mandatory awareness programs educating students on modern trafficking methods and reporting procedures. Institutions should also work with tech experts to identify and mitigate tracking threats, including education on detecting and disabling tracking devices.

Campus Security Enhancements: Campuses must implement proactive security measures, including improved surveillance and emergency response protocols.

Conclusion

While Canada's reliance on migrant labour continues to grow, significant gaps remain in the protection of migrant workers, particularly those employed in domestic work. Existing policies and programs have proven inadequate in preventing exploitation, human trafficking, and labour abuse. Civil society organizations have become indispensable in filling these gaps, providing essential support and advocating for comprehensive reforms. To protect migrant workers effectively, Canada must implement stronger regulatory frameworks, improve access to justice, and ensure clear pathways to permanent residency, free from the constraints of exploitative immigration practices. Moreover, there is a pressing need for greater collaboration between governments, embassies, and international organizations to safeguard the rights and dignity of migrant workers while addressing the systemic issues that perpetuate their vulnerability.



Only through sustained efforts can Canada uphold its responsibility to protect all workers, regardless of their immigration status.

We appreciate the opportunity to contribute to this important report and trust that our submission will support the Special Rapporteur's efforts to highlight the realities faced by migrant domestic workers, particularly women, in the context of trafficking and exploitation. We remain available for any further information or discussion and look forward to the presentation of the final report to the Human Rights Council.

Sincerely,

ARISE Ministry
Aura Freedom International
Canadian Centre to End Human Trafficking
Collaborative Network to End Exploitation
FCJ Refugee Centre
Sisters of St. Joseph of Toronto
Taliya Končar
The Mary Ward Centre