

Colonial Legacies and the Trafficking of Indigenous Women in Canada

by

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ABSTRACT

This paper examines how the ongoing impact of colonialism continues to shape the vulnerability of Indigenous women and girls to human trafficking in Canada. It offers a decolonial critique of Canada's National Strategy to Combat Human Trafficking, while drawing on Critical Race Theory and Indigenous feminist thought. This analysis finds that current legislation inadequately addresses root causes of trafficking and lacks inclusion of Indigenous voices. This paper argues that meaningful change requires Indigenous-led frameworks, redistribution of power, and a commitment to decolonizing existing systems. By highlighting these gaps, this research contributes to human trafficking literature by emphasizing the necessity of Indigenous leadership in developing effective policy solutions.

Keywords: *Indigenous; Colonialism; Human sex trafficking; Indigenous Feminist Thought; Critical Race Theory*

AUTHOR'S DECLARATION

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Figure 1: Conceptual Framework for Analyzing the Trafficking of Indigenous Women in Canada

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LIST OF ABBREVIATIONS AND SYMBOLS

MMIWG	Missing and Murdered Indigenous women and girls
NWAC	Native women's association
NSCHT	National Strategy to combat human trafficking
2SLGBTQQA	Two-Spirit, Lesbian, Gay, Bisexual Transgender, Queer, Questioning, Intersex, and Asexual

Chapter 1: Introduction

Human Trafficking of Indigenous women embodies the racial and structural inequalities that Indigenous communities have faced since colonialism. These disparities are reflected through barriers rooted in colonial history, including social, economic, and political marginalization (Roudometkina & Wakeford, 2018). These findings are consistent with the MMIWG Inquiry (2019), which frame gendered violence as a direct outcome of systems failures. Together these sources explain the overrepresentation of victimization of Indigenous women and girls and shifts human trafficking from a contemporary issue to deeply rooted in ongoing colonialism.

Summer-Rain Bentham, manager of an Indigenous women's program in British Columbia, provides a frontline perspective that captures the lived experiences of Indigenous women and sets the foundation for this major paper:

“The concept that women are not worth more than their bodies is entrenched into our society, even in our justice system. ... Indigenous women and girls are forced to leave their reserves ... Indigenous people have become marked as inherently at risk of violation ... This is why I speak, not only as a frontline antiviolence worker but as a family member and as a survivor.” (Summer-Rain Bentham, as cited in Willis, 2018, para 10, 12 and 28).

This powerful testimony encapsulates the enduring impact of colonialism on Indigenous women's lives, revealing how gendered and racialized violence persists through structural inequality and systemic neglect.

The focus of this major paper is to explore how past colonial legacies continue to shape the trafficking of Indigenous women in Canada. Precisely, it addresses the main question: How

has colonization shaped the trafficking of women in Canada, and why have state responses failed to address this root cause? To understand the harms experienced by Indigenous women, Critical Race Theory (CRT) and Indigenous feminist thought will be the frameworks applied to this major paper. Thus, this major paper pursues the following objectives:

1. To analyze how historical and ongoing colonial structures contribute to the systemic vulnerability of Indigenous women by understanding how colonial ideologies sustain the sexual exploitation of these women?
2. To evaluate the adequacy of state responses, specifically the National Strategy to Combat Human Trafficking (NSCHT) in addressing trafficking within a colonial context, with a focus on how structural barriers prevent effective state intervention and accountability?
3. To apply Critical Race Theory and Indigenous feminist thought as intersecting frameworks for understanding racialized and gendered exploitation—a gap that exists.
4. To center Indigenous feminist perspectives that envision decolonial and community-led solutions to transform and reform the policy landscape toward justice, equity, and empowerment of Indigenous women.

The Canadian government operationalizes human trafficking as “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” (2021, p.1); similar to *modern-day slavery* (Roots, 2013). While this definition includes multiple forms of exploitation, including forced labour and labour exploitation, this major paper specifically focuses on human trafficking for the purpose of sexual exploitation. Although human trafficking is often broadly discussed, it is important to clarify this focus, as public and policy discourse often homogenize different forms of trafficking.

Statistics Canada currently suggests an annual increase in human trafficking reported to police, with the biggest jump being from 2018-2019 (2024). Risk factors that increase vulnerabilities to human trafficking include poverty, lack of education and employment opportunities, discrimination, and displacement (United Nations, 2024a; United Nations Office on Drugs and Crime, 2024c).

While existing research highlights the prevalence of human trafficking, there remains limited critical analysis of how colonial structures shape the disproportionate exploitation of Indigenous women in Canada. The current state of literature on Indigenous women clearly note that many are deeply affected by human trafficking in Canada and thus are overrepresented in human trafficking statistics. Specifically, Indigenous females account for 50% of human trafficking in Canada, despite only 4% of the population being Indigenous women (Peters-Mosquera et al., 2023).

Since the onset of settler colonialism, and continuing into the present, Indigenous women have been marginalized, sexualized, and subjected to structural inequalities that increase their vulnerability to violence and exploitation (Hill et al., 2022, Roudometkina & Wakeford, 2018). While these dynamics were shaped through early colonial policies, they continue to persist within contemporary systems, influencing present-day responses to human trafficking. Although the Canadian government has implemented a range of anti-trafficking measures, these efforts are primarily structured through the National Strategy to Combat Human Trafficking (NSCHT), which outlines a national framework built on prevention, protection, prosecution, partnership, and empowerment. The strategy includes legislative reforms, specialized human trafficking policy units, funding for community organizations and a national human trafficking hotline. However, these efforts often work within frameworks that do not fully account for the structural

conditions shaping Indigenous women's vulnerability. This paper includes a decolonial critique of Canada's NSCHT as the primary federal policy framework, examining how its design and implementation respond to or do not address the structural conditions shaping the trafficking of Indigenous women and girls.

Much of the existing research and policy response focuses on individual-level risk factors which can inadvertently shift attention away from the broader systemic forces that produce these conditions (Olson-Pitawanakwat & Baskin, 2021). In addition, reliance on criminal justice responses may limit accessibility for Indigenous women and girls who experience mistrust toward law enforcement due to ongoing colonial and institutional harms (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019).

As a result, Indigenous women and girls may be formally included within anti-trafficking strategies yet remain excluded from meaningful protection and prevention efforts (Olson-Pitawanakwat & Baskin, 2021). In this way, government responses can appear comprehensive, while still failing to address the root causes that disproportionately expose Indigenous women and girls to trafficking.

This critique parallels the findings within the MMIWG Inquiry (2019), that also highlights government responsibility in creating the vulnerabilities that lead Indigenous women and girls to human trafficking. In response, Indigenous-led interventions such as the Indigenous Anti-Human Trafficking Liaison Program adopt culturally grounded approaches that differ significantly from mainstream anti-trafficking strategies. The IAHTL program supports Indigenous communities through survivor-focused, localized responses, offering culturally specific education, and community-based prevention initiatives developed with direct input from survivors (Ontario Native Women's Association [ONWA], n.d.). Unlike traditional state-led

approaches that often prioritize criminal justice responses, this program emphasizes relationship-building, community engagement, and survivor empowerment. By centering Indigenous knowledge, leadership, and lived experience, the IAHTL program directly challenges the limitations of state responses that often overlook the structural and colonial conditions contributing to trafficking. As such, Indigenous-led initiatives not only provide more accessible and culturally relevant support for survivors but also address the root causes of vulnerability in ways that mainstream policies often fail to do.

This framing has contributed to broader public narratives that often conflate sex work with human trafficking for sexual exploitation. However, scholars caution that both are distinct, as sex work involves agency while trafficking is defined by coercion and exploitation (Hunt, 2013). Conflating the two can obscure Indigenous women's decision-making and reinforce colonial narratives that position them solely as passive victims, rather than individuals navigating structurally constrained circumstances (Hunt, 2013).

While Indigenous women, like all individuals, may engage in sex work for a range of reasons, structural inequalities rooted in colonialism, including housing instability, poverty, child welfare involvement, and systemic violence, can increase vulnerability to exploitation (Olson-Pitawanakwat & Baskin, 2021). Prioritizing focus on individual choice or risk factors shift attention away from the broader structural forces that produce these vulnerabilities and can contribute to police responses that do not meaningfully address harm.

Shifting analysis away from individual-level explanations toward structural inequalities allows for a more nuanced understanding of how colonial systems shape vulnerability to human trafficking in Canada (Olson-Pitawanakwat & Baskin, 2021). This major paper examines how the trafficking of Indigenous women and girls is produced through the intersection of race,

gender, and colonial power, rather than isolated individual risk factors. This major paper is guided by Critical Race Theory (CRT) and Indigenous feminist frameworks. CRT provides a lens for analyzing how racism is embedded within legal and institutional systems, shaping both vulnerability and state responses. Indigenous feminist perspectives complement this analysis by centering the lived experiences, knowledge systems, and agency of Indigenous women, while emphasizing the ongoing impacts of settler colonialism. While CRT focuses on systemic racism within legal and institutional systems (Crenshaw, 1991), Indigenous feminist scholarship emphasizes the ongoing impacts of settler colonialism and the lived experiences of Indigenous women (Ramirez, 2007). Together, these frameworks allow for a more comprehensive analysis that captures both the racialized and colonial dimensions of human trafficking.

This major paper conducts a comprehensive review of peer-reviewed literature to critically analyze the intersections of human trafficking, colonialism, and systemic inequality. In doing so, it highlights how the ongoing legacy of colonization continues to shape the trafficking of Indigenous women in both visible and invisible ways.

The literature demonstrates that historical systems of racialized and gendered control have evolved into contemporary forms of exploitation, sustained by social, political, and economic marginalization. This paper situates human trafficking within the broader continuum of colonial violence that has long targeted Indigenous women's bodies, autonomy, and community ties. In doing so, it pays close attention to how scholars and practitioners conceptualize vulnerability, not as an inherent characteristic of Indigenous women, but as a condition produced by structural inequities, displacement, and intergenerational trauma.

This paper argues that the trafficking of Indigenous women and girls cannot be understood solely as a produce of individual vulnerability but must be examined in relation to

forms of state violence embedded within colonial governance structures that continue to produce and sustain these conditions. The review interrogates the ways in which state institutions, including the criminal justice system, have failed to provide adequate protection, thereby reproducing colonial hierarchies through seemingly neutral policies and reform. The significance of this major paper lies in examining the colonial realities shaping Indigenous women's experiences of human trafficking. Ultimately, the purpose of this major paper is not only to document the disproportionate victimization of Indigenous women but to situate this crisis within a larger historical and structural context, one that exposes the failures of state responses and amplifies Indigenous-led perspectives for systemic change and policy reform.

This chapter has outlined the key patterns of human trafficking affecting Indigenous women and girls, highlighted systemic inequalities, and position the theoretical frameworks guiding this paper. Chapter 2 will examine global human trafficking patterns while analyzing historical and ongoing colonialism that deeply affects Indigenous women in Canada. Chapter 3 will apply CRT and Indigenous feminist thought to analyze Indigenous-led responses. Chapter 4 evaluates policy effectiveness and proposes pathways for decolonial reform. CRT and Indigenous feminism will collectively reveal the colonial failures within the criminal justice system. Chapter 5 will include a discussion and integration with scholarship.

Chapter 2: Literature Review

This literature review argues that human trafficking, particularly affecting Indigenous women in Canada, cannot be fully understood without examining the colonial structures that produce systemic vulnerability. It begins by outlining global and Canadian trafficking patterns, then situates these within the historical and ongoing impacts of colonialism. It ultimately demonstrates that current policy responses fail to address these structural root causes.

2.1 Trafficking Context

Global Patterns

According to the *United Nations Human Trafficking Report (2024)*, approximately 50 million people in 156 countries are subjected to various forms of exploitation. Human trafficking broadly includes both forced labour and sexual exploitation, typically involving deception and coercion (Bryant-Davis & Tummala-Narra, 2017). Globally, labour exploitation accounts for approximately 38.8% of detected cases, closely followed by sexual exploitation at 38.7% (United Nations Office on Drugs and Crime, 2024b). In 2022, over 60% of identified victims of human trafficking overall were women and children, though this figure reflects all forms of trafficking rather than sexual exploitation specifically (United Nations Office on Drugs and Crime, 2024b). While this paper focuses on human trafficking for sexual exploitation, these broader statistics provide important context for understanding global trafficking patterns. Gender inequality contributes significantly to vulnerability, as women and girls are disproportionately targeted for sexual exploitation through systems of control, coercion, and economic dependence (Ariail et al., 2024).

Human trafficking victimization differentially affects males and females. Boys (17%) and men (23%) are most commonly trafficked for labour, while women (42%) and girls (18%) are disproportionately trafficked for sexual exploitation. Women and girls are also three times more likely than men and boys to experience physical or extreme violence (Stöckl, et al., 2021). While this paper focuses on human trafficking for sexual exploitation, it is important to recognize that men and boys are also subject to gendered forms of exploitation, particularly within labour trafficking contexts, which are often underrepresented in trafficking frameworks.

Convictions for sexual exploitation (72%) far exceed those for forced labour (17%), and approximately 75% of traffickers operate within organized crime networks, with men accounting for 70% of perpetrators (United Nations Office on Drugs and Crime, 2024b). Labour trafficking is harder to detect and is often addressed through labour standards rather than criminal prosecution (Public Safety Canada, 2018). The disparities highlight how institutional responses may prioritize certain forms of exploitation over others, shaping who is recognized, protected, and supported within anti-trafficking frameworks.

Human trafficking is particularly prevalent in lower income countries. 60% of trafficking happens domestically, while 16% of victims are trafficked transnationally and end up in distant regions, with most victims originating from Africa (United Nations, 2024b). Social inequalities, and limited access to employment and education for women and girls have worsened in Africa after the COVID-19 pandemic, heightening vulnerabilities to human trafficking (Ebron, & Andenoro, 2022; Ariail et al., 2024). Globally, colonialism increases exploitation for women and girls around the world, highlighting how history is embedded within contemporary systemic structures.

Over the past fifteen years, the number of child victims has tripled, now accounting for one-third of detected human trafficking cases (United Nations, 2024a). Children are particularly vulnerable due to factors such as poverty, lack of parental care, and increased exposure to adverse childhood experiences, all of which can heighten susceptibility to exploitation (McDonald et al., 2024; United Nations Office on Drugs and Crime, 2024b). Vulnerability is further shaped by broader social and structural conditions, including societal attitudes that blame victims (United Nations Office on Drugs and Crime, 2024b).

Research suggests that children who are socially and economically marginalized are more likely to be targeted by traffickers due to reduced access to protection, support systems, and institutional oversight (United Nations Office on Drugs and Crime, 2024b). Additionally, countries experiencing higher levels of poverty, instability, and inequalities tend to experience disproportionate levels of human trafficking (United Nations Office on Drugs and Crime, 2024a). These patterns highlight how structural disparities contribute to heightened vulnerability. Together, these global patterns of inequality and marginalization provide important context for understanding how similar structural dynamics shape the trafficking of Indigenous women and girls within Canada.

Canadian Data

Contrary to popular belief, human trafficking is a significant issue in Canada, though it remains under-researched (Hodgins et al., 2023). A lack of data, particularly on Indigenous victims, limits the ability of authorities to deliver justice effectively (Canadian Federation of University Women, 2018). In 2023, Statistics Canada reported approximately 570 police-reported incidents of human trafficking; however, this figure reflects all forms of trafficking (Statistics Canada, 2024). Notably, available data does not clearly distinguish between types of trafficking, making it difficult to determine whether incidents involving sexual exploitation, forced labour, or a combination of both. Scholars note that underreporting stems from victims' reluctance to come forward, difficulty in identifying trafficked individuals, and the complexity of legal definitions surrounding trafficking (Public Safety Canada, 2025a; Dandurand, 2024).

Statistics Canada (2024) identifies Nova Scotia and Ontario as consistently recording the highest annual cases over the past decade. Trafficking is increasingly concentrated in urban areas, with 85% of cases reported in metropolitan regions, including areas with easier access to

border crossings in Ontario; in Nova Scotia, particularly Halifax, high rates of trafficking are influenced by the movement of victims from the Atlantic provinces to other regions of Canada (Cotter, 2020, Statistics Canada, 2024).

Consistent with global trends, 93% of human trafficking victims in Canada have been women and girls, and 23% were children under 18, while men and boys account for 82% of accused traffickers (Statistics Canada, 2025). Hodgins et al., (2023) identify systemic inequalities that contribute to trafficking pathways, including the exploitation of migrant populations, the impacts of colonization, and involvement with the child welfare system. While some individuals may initially migrate voluntarily, including for sex work in the sex industry or through informal migrant channels, situations can shift into exploitation when conditions change (United Nations Office on Drugs and Crime, 2024b). For example, individuals may have their documents confiscated, experience restrictions on movement, or be subjected to coercion and control, transforming an initially consensual arrangement into one of trafficking (Hodgins et al., 2023). These dynamics highlight how vulnerability is not inherent but produced through structural conditions and unequal power relations. Limited access to legal protections, precarious immigration status, and inadequate support systems can increase susceptibility to exploitation (United Nations Office on Drugs and Crime, 2024b).

Children make up roughly one-quarter of all Canadian trafficking victims from 2013 to 2023 (Statistics Canada, 2024). Trafficked youth often have histories of childhood maltreatment, including sexual child abuse, or experiences of running away (Swartz, 2014). Youth involved with the child welfare system are at increased risk, as reduced supervision and instability can heighten susceptibility to exploitation (Baird, McDonald, & Connolly, 2020, Swartz, 2014). In this way, the child welfare system reflects broader structural inequalities that contribute to

trafficking vulnerability, rather than simply individual-level risk factors. Indigenous peoples in Canada have historically suffered under colonization, including the residential school system, which severely harmed children for practicing their culture and values. Though residential schooling has ended, its long-term socioeconomic consequences continue to affect Indigenous communities (Zota, Melouka, & Wemmers, 2025). These historical and ongoing impacts are particularly evident among Indigenous youth, who are disproportionately represented in systems such as child welfare and are therefore exposed to increased vulnerability.

Similarly to global patterns, Canada's trafficking disproportionately affects women and girls. The overrepresentation of Indigenous women illustrates that human trafficking in Canada is deeply rooted in colonial and systemic inequalities. As noted in Chapter 1, Indigenous people constitute only 4% of Canada's population, but represent half of all victims of human trafficking, with adolescents and children under 18 accounting for one-quarter of this population (Roudometkina; Wakeford, 2018). These trends underscore the disproportionate impact of human trafficking on women, children, and particularly the Indigenous communities. However, these patterns cannot be understood without examining colonial structures.

2.2 Colonial Foundations of Vulnerability

Canada's history includes the attempted removal and genocide of Indigenous peoples and their culture (Logan, 2015). Indigenous peoples have lived in North America for thousands of years, yet European settlers arrived and forcibly claimed land, establishing settler colonialism (Harris, 2004, Indigenous Services Canada, 2017). Duncan Campbell Scott, the Deputy of Indigenous Affairs, stated:

“I want to get rid of the Indian problem... our object is to continue until there is not a single Indian in Canada that has not been absorbed into the body politics and there is no Indian question, and no Indian department” (MacDonald & Hudson, 2012, p. 431).

From a Critical Race Theory perspective, this statement reflects a logic of cultural assimilation embedded with Canadian policy, illustrating how colonial governance sought to eliminate Indigenous identities and structures through systemic control. Such perspectives have been widely interpreted as foundational to policies that contributed to cultural genocide and the ongoing marginalization of Indigenous peoples.

In 1493, Pope Alexander VI issued a papal bull granting Christians the right to claim and exploit any unclaimed land they discovered, regardless of Indigenous presence (Courchene, 2018).

Known as the Doctrine of Discovery, or Doctrine of Christian Discovery (Beaulieu, 2021), this doctrine justified European claims over “unpossessed” lands and laid the legal foundation for the dispossession of Indigenous peoples in Canada (Courchene, 2018).

The concept of *terra nullius*, or “no man’s land,” further erased Indigenous sovereignty (Beaulieu, 2021). White settler men overrode Indigenous governance, creating a pathway of marginalization and oppression (Tomchuk, 2022). Such doctrines, rooted in racial and religious supremacy, are argued by the Assembly of First Nations (2018) to be inherently illegitimate highlighting the main concepts of CRT.

In 1763, King George III issued the Royal Proclamation, outlining future relations with Indigenous peoples and regulating land ownership (Government of Canada, 2024). While it promised protection of Indigenous land rights, it simultaneously restricted land sales to the British Crown and allowed colonial officials to enter Indigenous lands for law enforcement

purposes (Reid, 2010). This division reinforced British authority while undermining Indigenous sovereignty, embedding structural inequalities into colonial law.

Following the War of 1812, policymakers forced Indigenous peoples onto reserves and attempted to transform them into following the European lifestyle (Leslie, 2002). The Gradual Civilization Act of 1857 sought to “civilize” Indigenous peoples by stripping status at age 21 and requiring literacy in English or French (Courchene, 2018). The Indian Act of 1876 further diminished Indigenous autonomy by revoking a woman’s status if she married a non-Indigenous person, while men kept theirs (Courchene, 2018). These gendered policies directly controlled Indigenous women and reinforced colonial hierarchies designed to benefit white settlers (Sucharov, 2022).

Residential schools, operating from the mid-1800s for over a century, aimed to erase Indigenous cultural identities through forced assimilation, education, and abuse (MacDonald & Hudson, 2012; Woolford & Benvenuto, 2015). The Sixties Scoop removed thousands of children from their homes without parental consent (Courchene, 2018). Survivors experienced poverty, community disconnection, and long-term psychological trauma, including but not limited to high rates of depression and suicide (Burrage et al., 2022; Matheson et al., 2022).

The deaths and traumas inflicted on Indigenous children were not accidental; as Duncan Scott described, they were part of a deliberate strategy to eliminate the “Indian problem” (Sucharov, 2022).

The Truth and Reconciliation Commission (TRC) was established to address the legacy of residential schools and amplify survivors’ voices (National Centre for Truth and Reconciliation, 2025). However, it received limited government support, which restricted its capacity to address the full scope of harm (MacDonald, 2020). Critics argue that TRC’s efforts

often appear performative, prioritizing relationship-building over the restitution of land sovereignty and systemic justice (MacDonald, 2020). While the TRC creates some space for Indigenous voices, it fails to act on these concerns in a meaningful way.

Before colonization, Indigenous women held respected positions within their communities, as their voices were deeply valued. European settlers, however, sought to dismantle this balance, perceiving Indigenous women's authority as a threat to patriarchal and colonial control (Baskin, 2020). In 1873, the Royal Canadian Mounted Police (RCMP) began exerting legal control over Indigenous peoples, extending surveillance and enforcement within their communities (Flores and Román Alfaro, 2023). When Indigenous women experienced violence, settler men were rarely held accountable due to pervasive colonial stereotypes that depicted Indigenous women as sexually available, immoral, and regularly inherently exposed to violence (Flores and Román Alfaro, 2023). These policies systemically restricted Indigenous women's rights to family language, culture, and identity (McIver, 1995).

These same incidences of gendered violence toward Indigenous women continues today.

2.3 Contemporary Violence and Control of Indigenous Women's Bodies

The colonial control over Indigenous women's bodies continues to manifest through systemic violence and reproductive oppression. Historically, Indigenous women were treated as colonial property, rendering them vulnerable to sexual violence and erasure (de Finney, 2022). Eugenic practices in North America appeared alongside colonization, targeting marginalized women for sterilization to suppress the reproduction of cultural identity and Indigenous lineage (de Finney, 2017; Shawana, Ryan, & Ali, 2021).

Beginning in the 1930s, the provinces of Alberta and British Columbia enacted eugenic legislation that legalized the forced sterilization of Indigenous women (Stote, 2022). Although

these practices were officially abolished in the 1970s, evidence reveals that coerced sterilization continues to this day. For example, in October 2017, over one hundred women in Saskatchewan reported being sterilized without informed consent (Leason, 2021). In 2022, the Standing Senate Committee on Human Rights held hearings addressing this ongoing issue (Collier, 2017).

Dr. Evan Adams, Deputy Chief Medical Officer of Public Health at Indigenous Services Canada stated:

“We’re all here because we are disturbed by ongoing reports of the forced and coerced sterilization of Indigenous women in Canada. Sterilization of women without their informed consent is a form of gender-based violence...For Indigenous women in particular, forced and coerced sterilization is an act of sexism, racism and cultural genocide, rooted in colonization and paternalism, which disrupt continuity of care and future generations” (para. 10-11, Standing Senate Committee on Human Rights, 2022).

Similarly, Dr. Unjali Malhotra, Medical Director of Women’s Health, First Nations Health Authority, emphasized:

“It is important to remember our health care system has been built on racism. The Sexual Sterilization Act and the Eugenics Board — how can Indigenous women trust our system when it was not built to protect them?” (para. 82, Standing Senate Committee on Human Rights, 2022).

Indigenous women were often coerced into consenting to sterilization without full awareness of its implications (Shawana, Ryan, & Ali, 2021). Through an Indigenous feminist thought lens, the ability to control Indigenous women stems from the internalized racism within our systems. This ongoing control over Indigenous reproduction reflects how patriarchal and colonial systems

continue to exert control over Indigenous bodies (Shawana, Ryan, & Ali, 2021). Both Indigenous feminist thought and Critical Race Theory frameworks highlight the structural violence within our systems. Our policies continue to reproduce systemic racism and gendered oppression (Shawana, Ryan, & Ali, 2021).

As forced sterilization is an attempt of genocide, the national crisis of Missing and Murdered Indigenous Women (MMIWG) exposes the broader colonial neglect and gendered violence within system structures. This intergenerational trauma continues to shape Indigenous women's experiences today (Mahendran et al., 2024, p.22, cited in Native Women's Association of Canada). The ongoing crisis of Missing and Murdered Indigenous Women and Girls (MMIWG) is an epidemic of human rights violations that reveal how racialized and gendered discrimination continue to endanger Indigenous women in Canada (McGruder, 2022). Over the last 30 years, more than 1,000 murdered and 100 missing Indigenous women have been identified in Canada (Saramo, 2016). This violence persists as part of a corrupt colonial structure that perpetuates systemic inequality and human rights violations (Canadian Museum of Human Rights, 2025). Through a CRT and Indigenous feminist thought lens, violence is structured by racial and gender hierarchies, which is enforced through legislation that shape Indigenous women lived experiences (García-Del Moral, 2024).

This ongoing legacy drives sexual violence, exploitation in the sex trade, and disproportionate victimization of human trafficking in comparison to non-Indigenous women (Roudometkina & Wakeford, 2018). The MMIWG crises exemplifies how colonial violence evolves rather than disappears, continuing to manifest through institutional neglect and social indifference. The absence of meaningful policy responses demonstrates the systemic neglect that enables ongoing control of Indigenous women's bodies.

Existing literature highlights the relationship between colonialism and gendered violence, yet there remains limited critical analysis of how Canadian anti-trafficking policy frameworks fail to address these structural conditions. This paper addresses this gap through a critical analysis of the National Strategy to Combat Human Trafficking.

2.4 Policy and Legal Responses

The historical and ongoing impacts of colonialism have created structural vulnerabilities for Indigenous women and girls, heightening their risk of being trafficked. Understanding the historical context of human trafficking is essential when re-evaluating Canada's current policies and legal frameworks aimed at preventing trafficking and supporting survivors.

In 2019, Canada introduced the *National Strategy to Combat Human Trafficking* (NSCHT), a five-year plan grounded in five pillars: prevention, protection, prosecution, partnership, and empowerment (Public Safety Canada, 2019). The strategy aims to raise awareness, strengthen victim services, and enhance justice responses to human trafficking (Public Safety Canada, 2019). The federal government allocated approximately \$75 million over six years (2018-2024) to support the strategy across multiple departments (Public Safety Canada, 2019). While the investment appears substantial, federal documents provide limited transparency regarding the distribution of these funds, again pointing to the negligence of the government in working to solve the human trafficking problem. Some scholars have critiqued dominant anti-trafficking frameworks for conflating sex work with trafficking and for failing to account for the agency and lived experiences of marginalized populations.

To begin, the empowerment pillar within the NSCHT supports survivor-led initiatives and anti-trafficking organizations, including the creation of a Survivor Advisory Committee to

inform policy recommendations, expand funding for survivor services, and promote ethical labour practices to prevent exploitation (Public Safety Canada, 2019).

The prevention pillar focuses on raising awareness, conducting research, and addressing risk factors among vulnerable populations through at-risk youth pilot projects. It also expands training for law enforcement and government officials, in collaboration with the RCMP and non-governmental organizations (Public Safety Canada, 2019).

The protection pillar seeks to address systemic gaps by developing national standards for organizations working with at-risk groups and by improving victim support programs, including in immigration screening processes (Public Safety Canada, 2019).

The prosecution pillar aims to strengthen the criminal justice system by offering bilingual training, hosting international conferences to evaluate Criminal Code enforcement, and funding projects that trace financial transactions linked to trafficking (Public Safety Canada, 2019).

Finally, the partnership pillar encourages collaboration among international, national, and community actors, including survivors, Indigenous partners, and the private sector, to share best practices and identify emerging trafficking patterns.

In 2025, Public Safety Canada released a follow-up report reviewing the NSCHT's progress from 2023-2025. While the report acknowledged implementation challenges and proposed updates for a renewed strategy, meaningful reform remains limited. When critically analyzing these updates, it becomes evident that the progress represents a surface level attempt to justice without addressing proactive strategies.

The following section examines the gaps and inconsistencies that persist within Canada's anti-trafficking strategy, particularly those that continue to marginalize Indigenous women and

girls (Public Safety Canada, *National Strategy to Combat Human Trafficking 2023-2025 Report*, 2025)

2.5 Gaps & Inconsistencies

Although Canada's response to combat human trafficking has shown progress, significant gaps remain. The five pillars of the National Strategy (Public Safety Canada, 2025b) provide a useful framework for supporting victims, survivors, and public education; however, they are largely reactive rather than proactive. Meaningful change requires preventative approaches that address the root causes of exploitation. Current supports under the prevention pillar fail to account for the structural inequalities that place Indigenous women in vulnerable positions in the first place. While the government acknowledges these risk factors, direct action is required to confront them.

For instance, *The National Strategy to Combat Human Trafficking 2023-2025 Report* gathered input from participants whose perspectives did not necessarily reflect official government policy. Within the section titled "*Support Populations Experiencing Increased Risk*", participants demonstrated a strong understanding of how colonialism has shaped vulnerabilities for Indigenous women. Their recommendations were both insightful and action oriented, emphasizing the need to tackle root causes such as poverty, the child welfare system, colonialism, sexism, and racism. Participants also identified a major gap within current legislation. There is a lack of national coordination and insufficient funding for trauma related and culturally grounded support to victims (Public Safety Canada, 2025b). Additionally, participants highlighted the need for long-term, stable funding for community and Indigenous led services addressing mental health, addictions, housing, and employment (Public Safety Canada,

2025b). They noted that awareness initiatives under the prevention pillar should specifically target at-risk youth in Indigenous and immigrant communities (Public Safety Canada, 2025b).

Addressing these systemic inequalities would strengthen the prevention pillar and promote sustainable, meaningful progress (Public Safety Canada, 2025b). However, the NSCHT report underrepresents the structural racism that continues to increase the vulnerability of Indigenous women in Canada.

As Roudometkina & Wakeford (2018) explain, colonialism and systemic inequality are directly linked to the root causes of trafficking. Canada's most recent efforts to combat human trafficking, while structured around the five pillars of the National Strategy, fail to address the underlying systemic inequalities. None of these pillars implement proactive measures aiming to dismantling the colonial structures that continue to marginalize Indigenous communities every day. Many of these challenges are deeply rooted in ongoing colonial practices and systemic inequalities that highlight the nature of exploitation.

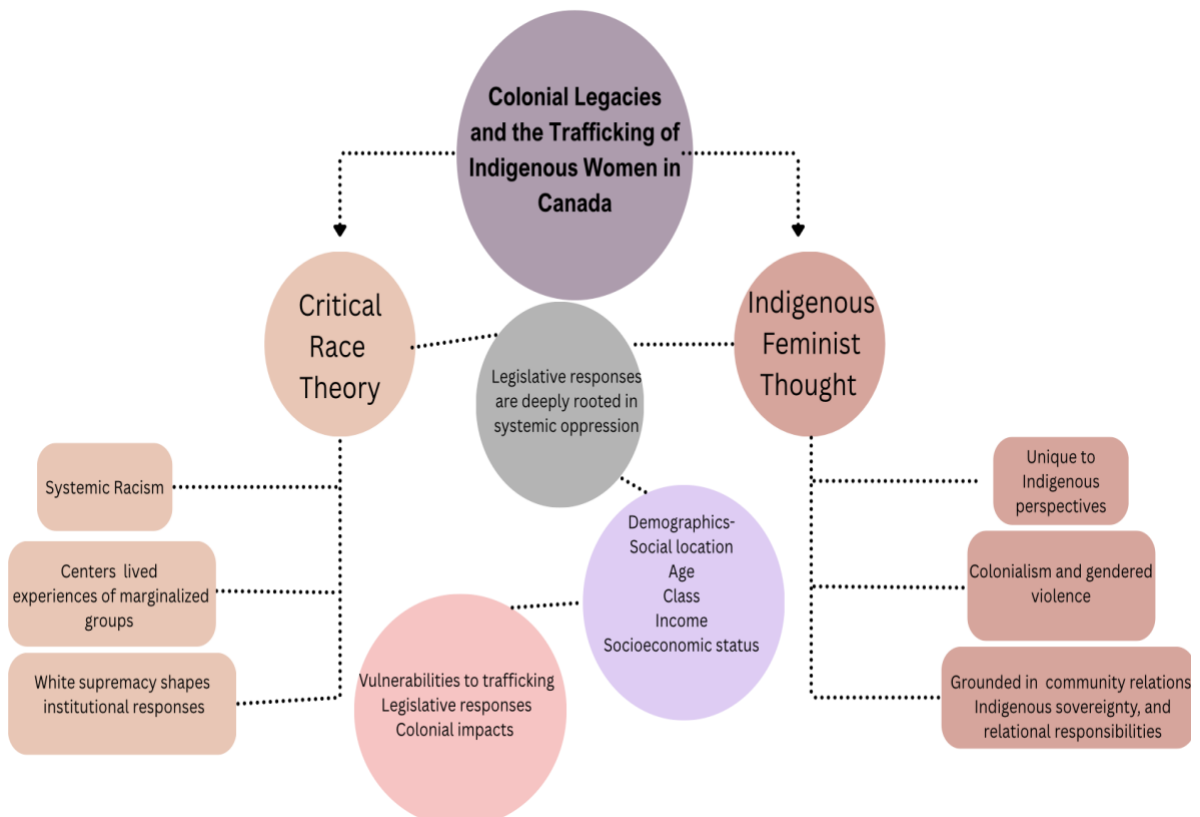
Indigenous women affected by human trafficking continue to face systemic discrimination, poverty, and the ongoing effects of colonial oppression. From an Indigenous feminist thought lens, structural and systemic inequalities rooted in domination continue to shape women's experiences (Kuokkanen, 2025).

Although Canada's initiatives appear proactive on the surface, meaningful change requires the government to re-evaluate how systemic factors are addressed and ensure that funding is distributed toward long term, community-led solutions, that confront the root of human trafficking. Addressing these gaps are essential to combating human trafficking in a preventative manner.

CHAPTER 3

This chapter outlines the theoretical and perspective frameworks guiding this analysis. It draws on Critical Race Theory and Indigenous feminist thought which intersect to examine how structural inequalities, colonial governance, and social location shape vulnerability to human trafficking. To illustrate how these concepts intersect, the following conceptual framework has been developed.

Figure 1: Conceptual Framework for Analyzing the Trafficking of Indigenous Women in Canada
Developed by: Olivia Mazzotta



As illustrated in Figure 1, this framework positions the trafficking of Indigenous women within broader systems of colonialism and structural inequality. Critical Race Theory is used to examine how systemic racism and institutional power shape legal and policy responses, while Indigenous feminist thought centers the lived experiences of Indigenous women and emphasizes

the role of colonialism and gendered violence. These perspectives intersect through the concept of social location, including factors such as age, class, and socioeconomic status, which influence vulnerability to trafficking. The framework also highlights how legislative responses are embedded within systems of oppression, often reproducing rather than disrupting structural inequalities. This model serves as a guide for the analysis that follows, demonstrating how vulnerability to trafficking is produced through interconnected structural conditions rather than individual-level factors.

3.1 Theory Introduction

The ongoing impacts of colonialism continue to create systemic inequality for Indigenous women, increasing their vulnerability to sexual exploitation, particularly through human trafficking. To understand the government's legislative responses to this issue, it is essential to examine how colonialism continues to fuel racism embedded within Canada's social and legal structures. Critical Race Theory (CRT) offers a useful framework because it explains how systemic racism operates within the law. Using CRT allows us to trace how the legacy of colonialism shapes contemporary legal and policy decisions, particularly those involving human trafficking and the disproportionate impact on Indigenous women.

To understand the racialized experience of Indigenous women, it is equally important to apply an Indigenous feminist thought lens. When analyzing colonialism, it is crucial to center Indigenous voices and experiences (Ferguson, 2017). It emphasizes relationships with all forms of life, sustains community wellbeing, and collective responsibility instead of gender inequality (Archuleta 2006; Behrendt, 2022; Dorries & Harjo, 2020; Hunt 2014; Ramirez 2007).

These theories were chosen because they each address central aspects of the gendered and racial impacts of colonialism that shape the experiences of Indigenous women in Canada.

While CRT exposes systemic racism embedded in Canadian legal responses, Indigenous feminist thought highlights the community-based harms produced by these same structures. Together, they provide a nuance understanding of the issue than either theory alone. This chapter approaches the issue through a decolonizing, anti-racist lens that prioritizes Indigenous knowledge.

3.2 Critical Race Theory

Race is socially constructed and has historically been used to oppress, categorize, and control people of colour (Suarez-Balcazar et al., 2024). Critical Race Theory (CRT) emerged in the 1970s when scholars committed to transforming the relationship between race and power; and law began to question the limits of civil rights reforms. Legal scholars such as Richard Delgado, Alan Freeman, and Derrick Bell argued that the progress made during the civil rights era had stalled and that more critical approaches were needed to address the subtle and persistent forms of racism that continued to shape society (Delgado & Stefancic, 2007). Derrick Bell is often described as the father of CRT, yet scholar Kimberlé Crenshaw created the term critical race theory in the 1980s (Crenshaw et al., cited in Suarez-Balcazar et al., 2024)

CRT starts from the premise that society operates within a racial hierarchy that privileges whiteness, making racism difficult to confront, especially when it goes unacknowledged (Delgado & Stefancic, 2012). Since racism is understood as ordinary rather than unusual, the law cannot stand on a position of neutrality; legal systems themselves are then shaped by the racism and colonial histories of the societies in which they operate. In the Canadian context, this means that legislation and legal institutions function within ongoing structures of white supremacy and colonialism (Reece, 2024).

CRT centers the lived experiences of marginalized groups and analyzes how systemic and institutionalised racism shapes those experiences (Manuel et al., 2023). Bell argues that institutions such as education, government, media, and religion- whether intentionally or not- create frameworks that justify and normalize racism (Reece, 2024). Delgado further explains that racism is neither eradicated nor newly created; instead, it persists over time without fundamentally changing its underlying structure (Brown, 2007). CRT therefore recognizes that racism is embedded in laws and policies, which in turn shape the social systems that continue to reproduce inequality (Reece, 2024).

A major focus of CRT is the critique of liberal concepts such as colour-blindness. The ideology of colour-blindness, though often well-intentioned, promotes insensitivity to race by assuming that ignoring race equates to fairness or justice. CRT scholars argue that this rhetoric reinforces a worldview in which whiteness remains the default standard (Delgado & Stefancic, 2012). Colour-blindness supports systemic racism by disguising racial hierarchy as neutrality. It illustrates how people and institutions can deny racism by repressing their awareness of it, ultimately allowing racist structures to continue unchallenged (Fears, 2019). Another core concept within CRT is interest convergence. Bell argues that the rights and voices of marginalized groups are typically supported only when doing so converges with the interest of white or dominant groups (Bell 1980, cited in Glynn & Breen, 2024). This means that racial justice often reflects strategic accommodations rather than authentic obligations to equality. Together, these concepts, position CRT as a framework for examining how racism is structurally embedded in law and policy and how it continually reproduces through institutions that present themselves as neutral.

Critical race theory reveals how social hierarchy and white supremacy shape both vulnerability and institutional responses. However, to fully capture the gendered dimensions of oppression experienced by Indigenous women, CRT can be complemented by Indigenous feminist thought which centers Indigenous women's voices and relational frameworks (Hunt 2014; Behrendt, 2022). Together, these perspectives provide a full-bodied theoretical foundation for analyzing colonial and patriarchal systems of power.

3.3 Indigenous Feminist Thought

It is important to highlight the distinct difference that Indigenous feminist thought brings to the table without codifying it into traditional Western ideologies. Doing so honours and respects Indigenous sovereignty and supports understanding from an Indigenous lens. Feminism, as describes by Ramirez (2007), is a way of promoting Indigenous traditions and recognizing tribal sovereignty. Many Indigenous women do not use the term "feminism" or identify as feminist because the concept is not grounded in their tribal languages or knowledge systems (Ramirez, 2007; Bourgeois, 2007). Some Native scholars, such as Lee Maracle, view Indigenous feminism as empowering (Ramirez, 2007). However, others such as Annette Jaimes and Theresa Halsey argue that Indigenous women cannot be "feminist" because feminism emerges from Western ideological roots, and they contend that mixing cultural frameworks risks one dominating the other (Ramirez 2007, Dorries & Harjo, 2020).

Critical Indigenous feminist thought developed in response to Euro-American patriarchy and its effects on Indigenous nations (Lajimodiere, 2013). Scholars including Laura Harjo and Heather Williams describe Indigenous feminism as a "multisphered concept with the family as the centre surrounded by clan identification, then tribe and tribal relationships, which can mean relationships with state and federal governments" (Williams & Harjo, 1998 cited in Lajimodiere,

2013). Archuleta (2006) further argues that Indigenous women do not rely solely on Western worldviews; instead, they reject interpretive paradigms that overlook lived Indigenous experiences, asserting that knowledge emerges from experience and relational contexts.

Western feminism often centres equality between men and women and is embedded in heteronormative assumptions (Dorries & Harjo, 2020). Before colonization, many Indigenous communities were structured around relational, community-based systems that did not treat gender as a primary organizing category. As such, Indigenous feminist thinkers seek to disrupt the heteronormativity imposed through colonialism and critique the colonial imposition of the gender binary itself (Dorries & Harjo, 2020). Colonialism in Canada continues to sustain racial and sexist hierarchies through violence against Indigenous peoples (García-Del Moral, 2024).

Overall, Indigenous feminist thought functions not as a universalized theory, but as a framework grounded in reclaiming sovereignty, centering relational responsibilities, community knowledge, and challenging colonial patriarchal structures. Indigenous feminist thought prioritizes Indigenous lived experiences and challenges the imposed norms and forms of violence produced through colonialism.

To conclude, CRT addresses systemic racism, whereas Indigenous feminist thought addresses the gendered and relational impacts of colonialism. Both theories complement each other. Indigenous feminist thought complements CRT by addressing the gendered and relational dimensions of colonial violence.

3.4 Application of Indigenous Feminist Theory and CRT to Trafficking

Applying Critical Race Theory to the issue of human trafficking of Indigenous women and girls highlights how social hierarchy, white supremacy, and systemic racism shapes both vulnerability and institutional responses. CRT centers marginalized voices (Pinto & Blue, 2017),

and Reece (2024) notes that contemporary racism toward Indigenous peoples is reflected in the lack of attention to Missing and Murdered Indigenous women and Girls (MMIWG), high incarceration rates, and the limited implementation of TRC recommendations. In Canada, the law cannot be neutral because systemic racism and colonial structures continue to shape social and legal outcomes (Reece, 2024). CRT applies directly to human trafficking as traffickers exploit vulnerabilities created by the social and legal systems, including dangerous housing, limited job opportunities, poor living conditions, and high food costs (Roudometkina & Wakeford, 2018).

Indigenous feminist thought complements CRT by addressing the gendered and relational dimensions of colonial violence. Colonizers historically used physical and sexual violence against Indigenous women to control both women and their communities (Behrendt, 2022). Settler men, threatened by the power Indigenous women held within their communities, relied on dominance to maintain patriarchal control (Behrendt, 2022; Anderson, 2022). Gendered violence has been rationalized through colonial frameworks, which also limit Indigenous communities' abilities to govern themselves and address systemic harms (Kuokkanen, 2015; Dorries & Harjo, 2020).

Indigenous women's political and social roles, including their reproductive capacity, were perceived as threats to colonial authority, further justifying gendered violence (Hunt, 2014). The internalization of patriarchal norms continues to position Indigenous women as second-class citizens within their communities (Kuokkanen, 2015). Indigenous feminist thought directly applies to human trafficking because Indigenous women are culturally understood as violable, sexualized, and deemed unworthy; these perceptions have been embedded within our legal systems (Suzack et al., 2010 cited in Roudometkina & Wakeford, 2018). Social, economic, and

political challenges Indigenous women face stem from ongoing colonial practices (Suzack et al., 2010).

The state is often not recognized as a source of violence, despite its role in producing conditions that disproportionately harm Indigenous women while benefiting settler populations. Colonial governance shapes how Indigenous women and girls are identified and responded to within systems of protection, often limiting recognition of their experiences as victims (Roxburgh & Shaw 2022). Systems intended to protect Indigenous women and girls from trafficking frequently operate through the same colonial structures that have historically enabled displacement, family separation, and exploitation (Roxburgh & Shaw 2022). As a result, these interventions can reproduce, rather than disrupt, conditions of harm (Roxburgh & Shaw 2022). From a Critical Race Theory perspective, this reflects how legal and institutional systems are not neutral, but instead reproduce racial hierarches that structure vulnerability and shape which forms of violence are recognized and addressed.

While anti-trafficking frameworks are often presented as protective, a growing body of critical scholarship argues that these approaches can reproduce harm by failing to account for the lived realities and agency of marginalized populations, particularly Indigenous women

While anti-trafficking frameworks are often presented as protective, critical scholarship highlights how these approaches can marginalize the very populations they aim to support. Indigenous victims are often alienated by dominating anti-trafficking discourse, as their experiences go unacknowledged or misrepresented, reinforcing systemic biases in service provision, are blamed for their victimization, or are criminalized rather than supported (Roxburgh & Shaw 2022). From an Indigenous feminist perspective, this demonstrates how the

lived experiences of Indigenous women and girls are not centered, resulting in inadequate and sometimes harmful responses.

Organizations such as the National Women's Association in Canada (NWAC) operationalize Indigenous feminist principles by centering Indigenous women's voices and advocating for community-centred solutions (Archuleta, 2006; Roudometkina & Wakeford, 2018). Similarly, the Ontario Native Women's Association (ONWA) works to empower Indigenous women and families, address violence, and improve access to justice, education, and health services (Ontario Native Women's Association, n.d.), offering approaches that challenge state-centered and often exclusionary anti-trafficking frameworks.

Together, CRT and Indigenous feminist thought provide a framework for understanding how systemic racism and gendered colonial violence intersect, increasing the vulnerability of Indigenous women and girls to human trafficking. Both theories explain why Indigenous women are targeted specifically through their unique systemic and gendered experiences. This combined perspective allows for a more complete understanding of how colonial and patriarchal systems of power operate in present-day Canada and produce conditions that enable human trafficking.

3.5 Critiques and Strength

Critical Race Theory effectively analyzes racism embedded within the legal system and centers marginalized voices (Manuel et al., 2023). However, several critiques should be acknowledged. CRT originated in the U.S during the recognition that the Civil Rights Movement of the 1960s had stalled (Delgado & Stefancic, 1993). As a result, it lacks full recognition of the specific realities of settler colonialism in Canada. For example, issues such as land dispossession, gendered violence toward Indigenous women, and Indigenous sovereignty are not fully addressed within CRT.

Gendered violence plays a pivotal role in vulnerabilities for Indigenous women, yet it is typically discussed only through an intersectionality lens or separate frameworks. Scholars also argue that CRT does not fully account for the colonial institutions that shape the systemic vulnerabilities Indigenous women experience through human trafficking (Ward, Morton Ninomiya, & Firestone, 2022). Furthermore, CRT often overlooks Indigenous scholars, rendering Indigenous histories and perspectives invisible (Ward, Morton Ninomiya, & Firestone, 2022). To examine the effects of racism in Indigenous communities more appropriately, Tribal Critical Race Theory offers a more tailored approach (Writer, 2008). While CRT highlights systemic racism, it does not fully account for the gendered or racialized impacts of colonialism experienced by Indigenous peoples, whereas Indigenous feminist thought does.

Indigenous feminist thought provides a crucial lens into the lived experiences of Indigenous women, which are often overlooked in mainstream frameworks. However, there are limitations to this approach. Indigenous feminist thought is difficult to define because there are no universally codifiable principles. It differs significantly from Western feminist ideologies, and the term “feminism” is not accepted by all Indigenous scholars (Ramirez, 2007; Bourgeois, 2007). Rather than focusing on rights, Indigenous feminist thought emphasizes relationality and responsibility (Anderson, 2010). A single framework cannot reflect the diversity of systems across various Indigenous communities. Western institutions frequently extract Indigenous knowledge from its community context, misrepresenting it and disconnecting it from lived experiences (Hunt, 2014).

Traditional matriarchal systems were disrupted by colonial policies, specifically the Indian Act, which imposed a binary gender hierarchy and erased recognition of non-binary roles (Hunt, 2015). This can unintentionally homogenize pre-colonial societies with contemporary

communities which may not reflect accurately. Additionally, while Indigenous feminist perspectives aim for community liberation (Dorries & Harjo, 2020), their principles may not translate easily within current legal systems, which were not built to support these frameworks.

CRT and Indigenous feminist thought together provide a beneficial framework for examining how colonial legacies continue to shape legislative responses to human trafficking. When these perspectives are interwoven, they reveal the gendered and racialized legal and systemic conditions that structure the experience of Indigenous women and girls, making visible the colonial forces that contemporary policy often overlook.

CHAPTER 4

4.1 National Strategy to Combat Human Trafficking (NSCHT)

While this paper does not examine every initiative addressing human trafficking, it focuses specifically on Canada's National Strategy to Combat Human Trafficking (NSCHT) as the primary federal framework guiding the national response. Following consultations held in Winnipeg, Toronto, Montreal, Vancouver, and at a national summit, stakeholders emphasized the need for increased trauma-informed support, increased public awareness and training, greater private sector accountability, and recognition of the disproportionate vulnerability of Indigenous women, girls, and migrant workers (Public Safety Canada, 2019). These consultations also identified the growing role of technology in facilitating trafficking, including its use to surveil victims and evade law enforcement (Public Safety Canada, 2019).

In response, Canada introduced the NSCHT in 2019 as a five-year plan grounded in five pillars (Public Safety Canada, 2019). The federal government committed substantial funding over a six-year period (2018-2024) to support its implementation (Public Safety Canada, 2019).

Although multiple provincial and territorial policies also address human trafficking, this analysis focuses on the federal strategy because of its national scope and coordinating authority.

This chapter presents a critical analysis of the NSCHT, and its accompanying evaluation report based on a close reading of these documents. Gaps and inconsistencies are identified by comparing the stated objectives with the evidence provided in the evaluation, particularly related to measurable outcomes, survivor inclusion, and structural change.

The following section examines the gaps and inconsistencies that persist within Canada's anti-trafficking strategy. As part of its accountability process, the Government of Canada released a horizontal evaluation of the National Strategy which includes input from several departments including but not limited to Public Safety Canada, Canadian Border Services Agency, and Women and Gender Equality (WAGE) Canada, covering the period from 2019-2020 to 2022-2023. The stated purpose of this evaluation was to assess the strategy's effectiveness and ongoing relevance (Public Safety Canada, 2024). However, the structure of this evaluation reveals significant restrictions that restrain its ability to measure structural change.

When analyzed through Indigenous feminist thought and Critical Race Theory, the NSCHT reveals deep structural limitations. While the strategy recognizes the disproportionate victimization of Indigenous women and girls, it acknowledges disproportionate harm while leaving intact the colonial and racialized systems that produce vulnerability.

4.2 Evaluation and Accountability

The evaluation begins with an extensive limitations section, which immediately constrains the scope and strength of its findings. The report acknowledges that it was unable to assess activities in depth and relied largely on descriptive assessments rather than measurable outcomes. By prioritizing activity reporting over measurable impact, the evaluation shifts

attention away from whether trafficking vulnerability has been reduced and toward whether administrative processes were completed.

Notably, fewer than 70 interviews were conducted, and participants consisted primarily of staff, funders, and subject matter experts (Public Safety Canada, 2024). Survivors of trafficking, those directly affected by the strategy, were not included among those interviewed. Their exclusion does more than weaken the credibility of the evaluation; it reflects a governance structure in which institutional actors are positioned as primary knowledge holders while lived experiences of survivors are treated as subordinate. Policies designed to protect survivors cannot be meaningfully assessed without their direct participation. By privileging bureaucratic perspectives over survivor testimony, the evaluation reproduces hierarchical knowledge systems. Through an Indigenous feminist perspective, prioritizing one knowledge system over another is foundational to colonial governance. Under the section titled “*Human trafficking disproportionately impacts those facing vulnerabilities,*” the report acknowledges that Indigenous populations, among other marginalized groups, are frequent targets of trafficking (Public Safety Canada, 2024). This acknowledgement suggests that targeted strategies would be central to the National Strategy’s response. However, evidence of such targeted implementation remains limited.

Pillar by Pillar Analysis

As previously discussed, the NSCHT is composed of multiple pillars, each aimed at addressing human trafficking. The following section critically examines each pillar through a decolonial lens.

4.3 Empowerment Pillar

Although the empowerment pillar consists of funding mechanisms and structural initiatives, it lacks measurable indicators demonstrating whether survivors meaningfully experienced empowerment. Without clearly defined outcome measures, empowerment becomes administratively defined rather than survivor defined, allowing institutions to determine success without lived impact.

The evaluation repeatedly describes activities as “ongoing” and fails to provide concrete outcome data. For instance, the proposed Survivor Advisory Committee, intended to allow survivors to provide guidance to the government, had not been established as of April 2024 (Public Safety Canada, 2024). The report further acknowledges that certain components of the strategy were not implemented at full capacity. The failure to establish this committee suggests that survivor participation remains ambitious rather than institutionalized. When participatory mechanisms are suggested but not implemented, inclusion functions symbolically rather than structurally.

The empowerment pillar cites initiatives such as hackathons as examples of empowerment activities; however, there is no evidence demonstrating their implementation or impact (Public Safety Canada, 2024). From an Indigenous feminist perspective, empowerment cannot be reduced to program descriptions or symbolic engagement. When empowerment is framed through short-term initiatives such as hackathons, it risks prioritizing short-term solutions over the structural redistribution of power. Indigenous feminist scholarship emphasizes that empowerment requires community authority, resource control, and sustained change- not episodic consultation.

Indigenous survivors are often less likely to seek support when assistance is mediated through colonial state institutions that have historically failed to provide protection (Roxburgh &

Shaw, 2022). In this context, the absence of measurable outcomes undermines the credibility of the empowerment pillar. Given that many Indigenous women and girls experience systemic devaluation within colonial structures (Roxburgh & Shaw, 2022), empowerment must extend beyond rhetoric to survivor centered structural change.

The strategy reflects a substantial financial commitment. However, funding allocation alone does not demonstrate structural change. Without evidence that funding alters critical determinants such as housing access, income stability, or safety outcomes for Indigenous women, investment risks functioning as performative politics rather than systemic reform.

When examined through an Indigenous feminist framework and Critical Race Theory, the NSCHT report underrepresents the structural racism that continues to heighten the vulnerability of Indigenous women in Canada. Statistics Canada reports that individuals who are economically, socially, and politically marginalized are increasingly targeted for human trafficking (Statistics Canada, 2025). *The Canadian Centre to End Human Trafficking* further emphasizes that colonialism shapes the justice system's failure to consistently recognize Indigenous women and girls as victims of crime (Roxburgh & Shaw, 2022). In this context, the strategy's limited engagement with systemic racism reinforces the very conditions it seeks to address. Across the empowerment pillar, this structure allows empowerment to be rhetorically central while remaining administratively controlled.

4.4 Prevention Pillar

The prevention pillar aims to increase awareness and build capacity to prevent human trafficking both domestically and internationally. Its activities include public awareness campaigns, training initiatives for government officials, and enhanced research collaboration with Statistics Canada and Public Safety Canada (Public Safety Canada, 2024). However,

reported outcomes remain modest. To measure the impact of the national awareness campaign, Public Safety Canada looked at public opinion research from 2021-2022 which resulted in only a 2% increase in awareness from a pre-awareness campaign during which 55% of Canadians reported only a vague or “somewhat” understanding of human trafficking. Such incremental change suggests limited progress in strengthening public comprehension. An awareness-based model assumes that trafficking persists primarily due to informational deficits rather than structural inequality. However, when vulnerability is rooted in poverty, housing insecurity, colonial displacement, and gendered violence, increasing public awareness alone cannot meaningfully reduce risk. Although the evaluation recommends expanding campaigns to include the public, at-risk groups, Indigenous populations and migrants, the absence of measurable improvement raises concerns about the overall effectiveness of this pillar (Public Safety Canada, 2024). Within the capacity building component of the prevention pillar, the evaluation acknowledges that effectiveness data for training programs targeting federal government officials is lacking (Public Safety Canada, 2024). As a result, there is no clear evidence demonstrating whether these initiatives meaningfully improve identification, intervention, or prevention efforts. Without outcome evaluation, training risks becoming a procedural requirement rather than a transformative practice. Capacity building cannot be assumed effective simply because it is delivered.

The prevention pillar also emphasizes international anti-human trafficking efforts, including partnerships with foreign governments and organizations to address vulnerabilities abroad (Public Safety Canada, 2024). However, this outward facing emphasis reinforces Canada’s position as a global leader in anti-trafficking efforts, while domestic structural inequalities

remain insufficiently addressed. When international engagement receives comparable or greater attention than internal reform, prevention risks becoming reputational rather than transformative.

Notably, the strategy highlights efforts to enhance investigations and access to justice for Indigenous communities in Mexico that are disproportionately affected by trafficking (Public Safety Canada, 2024). While such initiatives are important, the comparatively limited emphasis on Indigenous communities within Canada reveals an imbalance in priorities.

Although the evaluation notes effort into enhancing research and data collection, it simultaneously acknowledges significant gaps in reporting (Public Safety Canada, 2024). Current prevention measures largely focus on awareness and training, yet fail to address the structural inequalities, including, but not limited to, poverty, colonial governance, systemic racism, and housing insecurity, that place Indigenous women and girls in vulnerable positions to begin with. Structural prevention would require sustained investment in essential outcomes such as housing stability, income security, Indigenous self-governance and reform of child welfare systems that disproportionately affect Indigenous communities. While the government identifies these risk factors, acknowledgement alone is insufficient. Structural prevention requires direct, measurable intervention aimed at dismantling the conditions that enable exploitation.

4.5 Protection Pillar

The next pillar within the strategy is protection. The protection pillar aims to address gaps in existing supports within a cultural framework. The evaluation states that key informants had a positive perception of the impact; however, they also indicated a need for long term funding (Public Safety Canada, 2024). A perception of impact is not equivalent to concrete outcomes. Reliance on perceived impact rather than measured survivor outcomes allows institutions to define success internally, without proving whether survivors experience increased safety,

stability, or autonomy. Therefore, the allocation of funds should be re-evaluated to prioritize the protection pillar. Without strengthened investment, critical trauma informed supports risk being minimalized.

If protection is intended to support survivors of human trafficking, their voices should be included among key informants. When survivors are excluded from evaluating protection services, the state assesses its own effectiveness without external accountability. This shields protection mechanisms from critique, particularly in areas where institutional actors themselves may be associated in harm.

It is problematic to base evaluative judgements on individuals who are not directly receiving the program's benefits. Although the protection pillar is designed to support victims directly, the report acknowledges that its impact is perceived rather than measured, with no clear outcomes demonstrating effectiveness (Public Safety Canada, 2024). This section further notes that *some* funded projects target at-risk populations. The use of the vague term "some" suggests significant inconsistency across initiatives (Public Safety Canada, 2024). If Indigenous communities are identified as high risk, yet targeted supports remain optional rather than prioritized, protection risks becoming symbolic.

Within this pillar, the report also states that training tools intended for front-line workers have not been fully developed. These tools were meant to be culturally responsive, trauma-informed, and gender-responsive (Public Safety Canada, 2024). Although certain training initiatives exist, their implementation is not mandated. When culturally responsive and trauma informed training remains optional rather than enforced, implementation becomes dependent on institutional discretion. This undermines the consistency required for systemic reform.

As a result, survivors may continue to encounter the systems that reproduce harm rather than prevent it. Indigenous women and girls are expected to rely on the criminal justice system for protection. The National Task Force on Sex Trafficking of Women and Girls in Canada reported, based on anonymous hotline data collected in 2019-2020, that approximately 70% of survivors experienced sexual coercion by authority figures, including police (80%), judges (60%), and social workers (40%) (Roxburgh & Shaw, 2022). These findings complicate the assumption that criminal justice institutions function primarily as protectors for Indigenous women and girls. Protection policies that rely heavily on law enforcement may inadvertently reproduce conditions of mistrust and re-traumatization. While the stated intent of the protection pillar is clear, its implementation reflects a significant lack of urgency and enforcement.

4.6 Prosecution Pillar

The prosecution pillar aimed to increase the justice system's capacity to identify and prosecute human trafficking cases. Statistics Canada reported in 2024 (Statistics Canada, 2025) that 10% of human trafficking cases from 2013-2014 to 2023-2024 overall resulted in a guilty verdict. A low conviction rate may reflect evidentiary challenges; however, without transparent analysis of trafficking cases, it remains unclear whether systemic barriers within policing, prosecution, or judicial processes contribute to this outcome. Additionally, the absence of disaggregated prosecution outcomes for Indigenous women and girls' obscures whether the strategy address disproportionate victimization or reproduces inequalities within the justice process. Without such data, claims of targeting protection remain unverified. The absence of this data limits transparency and restricts meaningful measurement of whether the strategy addresses disproportionate victimization. Furthermore, the evaluation acknowledges that the impact of tools developed to support the prosecution pillar remains unclear. Developing prosecutorial tools

without measuring their effect reinforces a recurring pattern across pillars: initiative creation without structural impact.

4.7 Partnership Pillar

Lastly, the partnership pillar commits the Government of Canada to building national and international partnerships to address human trafficking (Public Safety Canada, 2024). Within the evaluation, participation of Indigenous organizations is mentioned briefly, noting engagement with Indigenous Relations and some “ad hoc” collaboration through funded projects (Public Safety Canada, 2024). However, the report does not outline concrete progress or clearly implemented plans developed in partnership with Indigenous organizations, despite acknowledging that Indigenous women and girls face increased risk of human trafficking. This detail raises questions about the depth and consistency of Indigenous partnership within a broader strategy. When Indigenous participation is described as “ad hoc,” partnership becomes optional rather than institutionalized. This limits Indigenous organizations’ ability to shape policy and reinforces Westernized state authority.

Colonial governance structures historically position Indigenous communities as participants rather than decision makers. Without formalized power sharing arrangements, partnership risks functioning as discussion rather than co-governance.

4.8 Symbolic vs Substantive Compliance

The evaluation of the *National Strategy to Combat Human Trafficking* (NSCHT), reflects symbolic compliance rather than substantive accountability. Symbolic compliance emerges when governments demonstrate procedural effort without enforcing accountability mechanisms. The reliance on incomplete performance indicators, descriptive reporting categories such as “ongoing,” and perceived impact allows the state to signal responsiveness while minimalizing

exposure to political and institutional risk. Rather than centering survivor protection and structural reform, this self-evaluation prioritizes procedural reporting, thereby minimizing the severity and lived realities of human trafficking. The technical focus of the evaluation emphasizes whether data was collected efficiently, rather than whether Canadian residents are meaningfully protected from exploitation. With only 52% of performance indicators included in the 2022-2023 Departmental Results Report, nearly half of the intended measures remain unreported or unmet (Public Safety Canada, 2024). When nearly half are unreported, it becomes impossible to determine whether vulnerability has meaningfully decreased, thereby weakening claims of progress. When measurable impact becomes obscured, structural harm persists. In this context, the absence of clear outcomes reinforces patterns of colonial governance, where accountability is lacking and responsibility is faint. As a result, the marginalization of Indigenous women's voices is reproduced within the very framework designed to address their vulnerability.

4.9 Comparison: 2025-2030 Renewed Strategy

While the *National Strategy to Combat Human Trafficking (NSCHT)* represents governmental effort to strengthen support, the strategy has been renewed for the 2025-2030 period. The following section compares and analyzes the enhancements introduced within this renewed five-year plan (Government of Ontario, 2025). While these enhancements broaden the reach of educational efforts, they remain consistent with an awareness-based prevention model. Structural drivers such as housing precarity, poverty, and child welfare involvement remain largely outside the scope of reform.

Under the awareness component, the government has expanded anti-human trafficking education for families and young children. Training initiatives have been broadened across key sectors, including developmental services, and knowledge sharing sessions have been

implemented with rent geared to income housing services. Providing education and training within these sectors may improve early identification and support, potentially assisting survivors in accessing safe housing away from traffickers (Government of Ontario, 2025).

The protecting victims pillar includes enhancements to out of home care for children who are being trafficked, as well as the development of an anti-human trafficking community of practice with school boards. While these initiatives focus primarily on children and youth, it is important to recognize that women also represent a significant portion of those trafficked. Within this pillar, training tools for frontline workers should be strengthened and mandated to ensure consistent and effective support for victims (Government of Ontario, 2025).

The support pillar, introduced as a distinct component in the renewed strategy, includes the development of peer networks designed to assist survivors and foster a sense of community. Programs operating under this pillar include the Indigenous Anti-Human Trafficking Liaisons Program, the Vulnerable Victims and Family Fund, and Victim Crisis Assistance Ontario. These initiatives aim to provide more direct and immediate support to survivors (Government of Ontario, 2025).

The inclusion of Indigenous-led programming represents an important step toward culturally grounded support; however, these initiatives remain embedded within a broader state-designed framework. Without structural redistribution of authority or long-term guaranteed funding, Indigenous leadership remains conditional.

The prosecution pillar includes one primary enhancement: an updated handbook for criminal justice practitioners addressing human trafficking. This handbook serves as a guide for practitioners and front-line personnel in responding to trafficking cases and is intended to promote greater consistency within the criminal justice system. The document notes that it may

be adapted to meet the specific needs of individual cases (Government of Ontario, 2025; (Department of Justice Canada, 2024). Updating practitioner guidance may improve consistency, however, guidance alone does not resolve systemic barriers that contribute to low conviction rates or survivor mistrust of the justice system. The report concludes by recognizing that Indigenous women and girls are disproportionately affected by human trafficking. It notes that the 2025-2030 strategy includes Indigenous specific sources of support and care for at-risk youth, as well as a culturally holistic approach to healing. Identified supports include multisector training initiatives, targeted funding, Indigenous-led programming, and intelligence led joint forces that incorporate First Nations police services (Government of Ontario, 2025).

While these initiatives may offer meaningful assistance to survivors, the strategy remains largely focused on intervention rather than prevention. It does not sufficiently acknowledge the systemic and structural conditions rooted in colonialism, poverty, child welfare involvement, and ongoing gendered violence that contribute to the trafficking of Indigenous women and girls today. By layering additional programs onto an existing framework without restructuring underlying socioeconomic and colonial conditions, the renewed strategy reflects policy expansion rather than transformation. Intervention mechanisms increase, yet the foundational drivers of vulnerability remain largely intact.

4.1.1 Absence of the Survivor Voice

The exclusion of trafficking survivors from anti-trafficking policy undermines the legitimacy, effectiveness, and accountability of these initiatives while reproducing colonial knowledge systems. The Native Women's Association of Canada emphasizes that policy addressing human trafficking must be implemented and reviewed in collaboration with Indigenous organizations and communities (Roudometkina, & Wakeford, 2018). Although anti-

trafficking policies contribute to prevention efforts and victim support, they remain incomplete when they fail to address root causes of violence against Indigenous women and girls, including the ongoing impacts of colonization (Roudometkina, & Wakeford, 2018). When policy is developed about Indigenous women and girls rather than with them, it reinforces exclusionary patterns embedded within colonial governance structures.

This exclusion reflects broader systems of colonial knowledge production that position Indigenous women and girls as subjects of intervention rather than knowledge holders. The *Systemic Inequalities and Interjurisdictional Issues in Human Trafficking and MMIWG2S+* report (Native Women's Association of Canada, 2025) highlights how relationships with police remain difficult due to the historical links between colonialism, the development of policing institutions, and the criminalization of victims. Survivors describe a lack of cooperation across jurisdictions, particularly when trafficking involves movement across provincial borders. In such cases, survivors may be denied adequate support because the offence did not occur within a specific jurisdiction (Native Women's Association of Canada, 2025). When the justice system fails to provide consistent protection, trust erodes, reducing the likelihood that survivors will report exploitation or participate in policy processes. Policies that rely heavily on criminal justice responses without meaningful survivor and community input risk reinforcing institutional distrust and harm.

In contrast, Indigenous methodologies offer an alternate framework grounded in the four Rs: respect, relevance reciprocity, and responsibility (Snooks, et al., 2021). Applying these principles is inherently decolonizing and can produce fairer, community centered outcomes (Snooks, et al., 2021). In practice, participatory policy would require sustained funding pathways

for survivor involvement, dedicated spaces that prioritize care and trust, and institutional commitments to co-production in decision-making processes (Fatherazi et al., 2025).

Including survivors in policy development addresses demographic imbalances in trafficking narratives and creates a more accurate foundation for program design (Lockyer, 2022). When survivors are excluded, policy lacks credibility, particularly within Indigenous communities, and struggles to achieve meaningful effectiveness. Lockyer (2022) further identifies a “rescue complex” that dismisses survivor criticism, even when interventions cause harm. Without survivor input, policies tend to prioritize enforcement over prevention and long-term structural change. As a result, harmful or ineffective approaches persist unchallenged. When those most affected cannot question or reshape interventions, accountability weakens.

Anti-trafficking organizations must therefore examine the power structures that silence survivor voices to shift toward meaningful inclusion (Lockyer, 2022). Centering survivor knowledge disrupts colonial hierarchies of expertise and strengthens both policy legitimacy and accountability. Without redistributing authority to survivors, anti-trafficking initiatives remain structurally colonial, even when framed as protective.

Conclusion

Across empowerment, prevention, protection, prosecution, and partnership, a consistent pattern emerges, recognition of disproportionate harm without structural disruption of its causes. While the strategy demonstrates financial investment, program expansion, and rhetorical commitment, measurable outcome gaps and limited redistribution of authority constrain transformative potential. The NSCHT reflects gradual reform within existing governance structures rather than fundamental restructuring of the colonial systems that heighten Indigenous women’s vulnerability to trafficking.

CHAPTER 5

5.1 Purpose of the Chapter

Chapter 5 critically analyzes the gaps between federal policy, specifically the *National Strategy to Combat Human Trafficking* (NSCHT) and Indigenous knowledge frameworks, including the *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* (MMIWG report) and the *Trafficking of Indigenous Women and Girls in Canada: Submission to the Standing Committee on Justice and Human Rights* (NWAC). Drawing on Critical Race Theory (CRT) and Indigenous Feminist perspectives, this chapter examines not only where these gaps exist, but how they are produced and maintained within state structures.

This chapter argues that the marginalization of Indigenous voices within Canada's anti-trafficking framework is not incidental, but structurally embedded. While the federal government acknowledges Indigenous women's vulnerability to trafficking, it continues to prioritize state defined, criminal justice approaches that fail to address the colonial conditions that produce trafficking.

Current federal anti-trafficking policy functions as largely performative, offering surface level, short-term solutions to deeply rooted structural issues embedded within colonial systems. This chapter contributes to existing scholarship by demonstrating how the gap between Indigenous-led frameworks and federal policy is not simply a failure of implementation but a reflection of deeper tensions between colonial governance and Indigenous knowledge systems. By bringing in CRT and Indigenous Feminist perspectives into conversation, this analysis reveals how anti-trafficking policy simultaneously acknowledges harm while structurally

limiting the possibility of meaningful change. As a result, existing frameworks not only fall short but continue to perpetuate harm.

Overview of Policy vs Indigenous Frameworks

Policy/Legislation	Strengths	Limitations	Policy Implications of Canadian Anti-Trafficking Frameworks
National Strategy to Combat Human Trafficking (NSCHT)	<ul style="list-style-type: none"> • Federal framework. • Addresses human trafficking as a criminal offence. 	<ul style="list-style-type: none"> • Fails to address structural drivers. • Missing Indigenous women’s voices. • Missing Indigenous Feminist lens. 	<ul style="list-style-type: none"> • Limits the effectiveness of anti-trafficking responses. • Lack of reclaimed agency for Indigenous leaders.
Trafficking of Indigenous Women and Girls in Canada: Submission to the Standing Committee on Justice and Human Rights (NWAC)	<ul style="list-style-type: none"> • Centers Indigenous voices. • Provides actionable recommendations. 	<ul style="list-style-type: none"> • Not fully integrated into federal anti-trafficking strategies such as the NSCHT. • Ongoing colonial power dynamics within government structures. 	<ul style="list-style-type: none"> • Without integration, risks perpetuating marginalization. • Acknowledges the failure to address structural conditions.
Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls	<ul style="list-style-type: none"> • The Calls for Justice recognizes the role of colonialism in shaping contemporary gendered violence. 	<ul style="list-style-type: none"> • Many recommendations remain insufficiently implemented. 	<ul style="list-style-type: none"> • Gap between formal recognition of colonial violence and meaningful policy change is limited.

5.2 Comparative Analysis

Overall, this comparison reveals a fundamental disconnect between federal policy discourse and the structural changes needed to effectively address human trafficking. Federal frameworks tend to adopt an individualistic, criminal justice-oriented approach, prioritizing prosecution over prevention. In contrast, Indigenous-led frameworks center Indigenous

knowledge, lived experiences, and community-based solutions, emphasizing the need to dismantle the systemic conditions that produce vulnerability to trafficking. This divergence is not accidental; it reflects how state institutions are structured to prioritize forms of intervention that support existing governance systems. By focusing on criminal justice responses, the government can address trafficking as individual wrongdoing, rather than confronting the broader colonial conditions in which it is produced.

The NWAC submission explicitly centers Indigenous voices and provides actionable recommendations to address the structural drivers of exploitation. However, many of these recommendations have not been meaningfully integrated into federal strategies such as the NSCHT. This limited incorporation reflects ongoing colonial power dynamics within state institutions, where Indigenous knowledge is acknowledged but not operationalized. Without the meaningful integration of Indigenous-led recommendations, anti-trafficking policy risks reproducing the very forms of marginalization it claims to address. As a result, current frameworks fail to adequately confront the structural conditions that sustain trafficking and gendered violence against Indigenous women and girls.

5.3 Criminal Justice vs Structural Understanding

The policy analysis in Chapter 4 demonstrates that Canada's anti-trafficking framework, particularly the *National Strategy to Combat Human Trafficking* (NSCHT), prioritizes criminal justice responses while offering limited engagement with the structural conditions that shape Indigenous women's vulnerability to exploitation. The framework is heavily oriented toward prosecution and protection, with comparatively little emphasis on prevention, empowerment, or meaningful partnership with Indigenous communities. As a result, it functions reactively, intervening only after harm has occurred rather than addressing the conditions that produce it.

From a CRT perspective, this emphasis reflects how state institutions maintain control by reproducing existing power structures while avoiding accountability for systemic inequality. By framing trafficking primarily as an issue of individual criminality, the state obscures its role in producing the socio-political conditions that enable exploitation. In doing so, the NSCHT privileges state defined knowledge systems, positioning them as authoritative while marginalizing Indigenous knowledge as supplementary rather than foundational. This dynamic can be understood as a form of performative allyship. While the NSCHT signals a commitment to culturally appropriate support for Indigenous survivors, it lacks substantive engagement with Indigenous scholarship, leadership, and community driven solutions. Consequently, the state retains control over both problem definition and intervention, reinforcing ongoing colonial governance rather than disrupting it.

When read together, Critical Race Theory and Indigenous Feminist perspectives reveal that the issue is not only a matter of institutional power, but also colonial and gendered control. While CRT exposes how systemic racism is embedded in power structures, Indigenous Feminist perspectives further demonstrate how these structures marginalize Indigenous women by excluding their knowledge and lived experiences from decision-making processes. Human trafficking of Indigenous women and girls is not simply a matter of criminal activity; it is deeply embedded within intersecting systems of racial, gendered, and colonial violence. However, federal policy continues to frame trafficking through a lens of policing and criminalization, thereby limiting the possibility for transformative change.

Together, these frameworks prove how current policy approaches individualize systemic issues, effectively recasting structural violence as isolated incidents. This not only depoliticizes

the issue but also allows the state to evade responsibility for ongoing colonialism, ultimately perpetuating the marginalization of Indigenous women and girls.

5.4 Structural gaps in the NSCHT

The structural limitations of the NSCHT becomes clearer when contrasted with Indigenous-led frameworks, particularly the MMIWG report and the NWAC submission. These documents identify the structural drivers of trafficking and articulate pathways toward meaningful change grounded in Indigenous knowledge systems.

Despite the depths and clarity of these recommendations, Indigenous perspectives remain insufficiently integrated into federal policy-making processes. Instead, Indigenous knowledge is often treated as advisory rather than authoritative, reinforcing colonial power dynamics in which the state retains decision-making control. This reflects a broader structural constraint, where state institutions are not designed to redistribute authority, but to manage and incorporate alternative perspectives that do not disrupt current power relations. As a result, the transformative potential of Indigenous-led approaches is limited from within the policy process itself.

Indigenous feminist perspectives emphasize that meaningful change requires centering Indigenous women's leadership, lived experiences, sovereignty. If such leadership were genuinely integrated into policy development, anti-trafficking initiatives would shift away from reactive, justice-based approaches toward structural interventions. These would include addressing interconnected systems such as child welfare, housing instability, education, and poverty, key sites through which vulnerability to trafficking is produced. At a community-level, this shift would involve prioritizing Indigenous sovereignty through Indigenous-led programs, governance structures, and support systems. However, Indigenous knowledge cannot be fully applied when mediated through state institutions, as this process risks diluting its intent and

reproducing colonial control. This tension highlights a fundamental contradiction: while the state looks to incorporate Indigenous perspectives, it does so within structures that ultimately constrain their transformative potential. This limited incorporation reflects the states structural reluctance to redistribute power or fully account for the harms produced through ongoing colonial governance. By ignoring ongoing colonialism, current policies allow the conditions that enable trafficking to persist. Indigenous women continue to experience heightened vulnerability to sexual exploitation, compounded by the systemic erosion of sovereignty and self-determination. Critical Race theory helps to explain how the omission of colonialism from policy discourse enables these inequalities to remain unchallenged. Without confronting colonialism as a foundational structure, anti-trafficking efforts will remain limited in scope and effectiveness, and the cycle of harm will continue.

5.5 Indigenous Reports vs Federal Policy

The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) asserts that efforts to end the ongoing genocide of Indigenous women and girls must be as comprehensive and transformative as the systems that have sustained colonial violence. The report identifies several interrelated pathways contributing to this violence, including historical and intergenerational, trauma, social and economic marginalization, institutional inaction, and the persistent denial of agency of Indigenous women, girls, and 2SLGBTQIA people. Crucially, the MMIWG Final report positions the Calls for Justice not as optional recommendations, but as legal imperatives. These Calls are grounded in international and domestic human rights law, including Indigenous rights frameworks, the *Canadian Charter of Rights and Freedoms*, the *Constitution*, and the honour of the *Crown*. As such, failure to implement the Calls to Justice is not only a policy gap but a broader failure of government

accountability. In contrast, the NSCHT 2025-2030 includes a section dedicated to Indigenous specific services and supports, acknowledging the disproportionate impact of trafficking on Indigenous communities. These initiatives include public education, multi-sectoral training, funding for Indigenous anti-trafficking liaison programs, and Indigenous victim services. While these measures signal recognition, they remain limited in scope and do not fundamentally alter the structural conditions shown in Indigenous led frameworks. This divergence reflects two fundamentally different approaches to understanding trafficking. Indigenous frameworks position human trafficking as a manifestation of ongoing colonial, racial, and gendered violence, requiring structural transformation. In contrast, federal policy isolates trafficking within a criminal justice framework, prioritizing intervention after harm has occurred. This comparison reveals that the gap between frameworks is not one of implementation but of different logics of governance. While Indigenous frameworks call for structural transformation grounded in sovereignty and accountability, federal policy remains oriented in management and control, limiting the possibility of transformative action. Moreover, while the NSCHT acknowledges the disproportionate victimization of Indigenous women and girls, it does not translate this recognition into structural interventions. Key drivers of trafficking, including the child welfare system, poverty, housing instability, and the ongoing impacts of colonization, remain largely unaddressed. As a result, federal policy continues to operate within a state centered framework that reinforces, rather than disrupts, existing conditions of vulnerability.

While the Calls for Justice establish a legally grounded framework for addressing colonial violence, the following section examines how these principles are translated, or fail to be translated within the NSCHT.

The NSCHT relies primarily on reactive policy approaches that respond to harm after it has occurred, with limited emphasis on preventative measures that address the broader structural conditions contributing to human trafficking. In contrast Indigenous-led frameworks, particularly those advanced by the NWAC and the MMIWG Calls for Justice, emphasize prevention, structural change, and community-based interventions. The NWAC proposes a range of recommendations aimed at addressing the root causes of trafficking, including increased funding for community programs, safe housing, improved data collection, Indigenous languages translation for education of laws, and greater collaboration with Indigenous organizations. Similarly, the Calls for Justice provide a comprehensive framework that situates trafficking within ongoing colonial violence and calls for systemic transformation across multiple sectors. Despite the breadth of detail presented in the Calls for Justice, many of these measures remain insufficiently implemented by the federal government, limiting their practical impact on policy and protection mechanisms. This failure highlights a broader pattern in which Indigenous-led solutions are recognized but not fully realized. This reflects a structural limitation in how authority is maintained within institutions. The contrast between these frameworks demonstrates that federal policy continues to operate within a state centered model that prioritizes control and intervention instead of Indigenous frameworks that emphasize sovereignty and long-term structural change.

This comparison reinforces that the disconnect between federal policy and Indigenous frameworks is not a matter of differing approaches, but of deeper tensions between colonial governance and Indigenous self-determination. As a result, efforts to address human trafficking remain constrained by the very systems they seek to challenge.

5.6 Lack of Indigenous Leadership and Knowledge

The *National Strategy to Combat Human Trafficking* (NSCHT) establishes a coordinated federal framework that recognizes trafficking as a serious criminal offence under Canadian law. However, despite this formal recognition, the framework does not meaningfully engage with the structural drivers of trafficking, including colonial violence, poverty, and housing security. A central limitation of the NSCHT is the insufficient inclusion of Indigenous women as decision makers, leaders, and knowledge holder within policy development. Indigenous perspectives are not positioned as foundational to the framework, nor are Indigenous women meaningfully empowered to lead anti-trafficking initiatives throughout culturally grounded and restorative approaches. As a result, the policy remains rooted in state defined solutions rather than community driven strategies. This exclusion is not an oversight; it reflects how decision-making authority is maintained within state institutions. By limiting Indigenous women's leadership to consultative roles, the state retains control over both policy direction and implementation, constraining the potential for transformative, community-led approaches.

Indigenous feminist perspectives highlight how the exclusion of Indigenous women's voices, and the absence of culturally relevant prevention strategies, significantly limits the effectiveness of anti-trafficking responses. This exclusion not only constrains the development of appropriate interventions but also undermines the reclamation of agency among Indigenous leaders, contributing to a broader erosion of trust between Indigenous communities and the state.

Without Indigenous women leadership, anti-trafficking initiatives risk lacking legitimacy, cultural relevance, and safety for those they are intended to serve. This further demonstrates that the marginalization of Indigenous knowledge within policy is structurally embedded, reinforcing cycles of exclusion rather than disrupting them. Meaningful solutions to human trafficking

cannot be developed without the direct leadership and knowledge of Indigenous women, whose lived experiences and expertise are essential to addressing the issue at its roots.

5.7 Data Gaps

The NWAC emphasizes that the sexual exploitation of Indigenous women is not separate from colonial violence but is fundamentally embedded within it. Despite this, significant gaps in data collection and analysis continue to limit the effectiveness of policy responses. In particular, the absence of disaggregated and cross-jurisdictional data constrains policy makers' ability to accurately assess the scope and nature of trafficking affecting Indigenous women. Existing data practices often group together experiences of First Nation, Inuit, and Métis women, obscuring the distinct social, cultural, and political contexts of each group. This homogenization fails to account for community specific needs and realities. These data limitations are not solely technical issues but reflect broader structural dynamics in which certain forms of knowledge are prioritized over others. The lack of precise data contributes to the ongoing invisibility of Indigenous experiences within policy frameworks, limiting the states accountability for addressing these harms. As a result, policy responses become overly generalized, leading to the misallocation of resources and the development of interventions that do not adequately address the diverse experiences of Indigenous communities. Without precise and disaggregated data, it is not possible to design effective, targeted policies. The persistence of these data gaps therefore represents not only a limitation in data collection, but a structural barrier that reinforces inequities within anti-trafficking efforts.

5.8 Connecting back to Literature

This chapter reinforces existing scholarship that identifies systemic inequalities, intergenerational trauma from residential schools, the effects of the child welfare system, and the

impacts of colonization as leading causes of human trafficking affecting Indigenous women and girls (Hodgins et al., 2023, Zota, Melouka, & Wemmers, 2025, Baird, McDonald, & Connolly, 2020, Swartz, 2014). However, it further shows that these structural drivers remain insufficiently addressed within current federal policy frameworks, resulting in a persistent disconnect between the realities of trafficking and the policies intended to address it.

This analysis also builds on scholarship that situates the sexual exploitation of Indigenous women within broader systems of state control, including residential schools and forced sterilization (MacDonald & Hudson, 2012, Courchene, 2018, Woolford & Benvenuto, 2015, Sucharov, 2022, de Finney, 2017; Shawana, Ryan, & Ali, 2021, Collier, 2017, Stote, 2022, Leason, 2021). While these studies highlight the historical and structural roots of exploitation, this chapter demonstrates how contemporary anti-trafficking policies continues to obscure these colonial foundations by framing trafficking as an issue of individual criminality. In doing so, the state limits its own accountability for the conditions it has produced.

From a Critical Race Theory perspective, these findings align with broader arguments that systemic racism is embedded within institutional structures. However, this chapter extends this analysis by showing that the omission of colonialism within anti-trafficking policy is not incidental but reflects an ongoing reliance of governance models that prioritize control over structural transformation. Similarly, Indigenous feminist thought critiques the marginalization of Indigenous women's voices within state-led decision-making processes. This chapter builds on this work by showing that the exclusion of Indigenous women's leadership not only limits effectiveness, but also actively reproduces the power relations that sustain vulnerability of trafficking. These findings also contribute to broader criminological debates regarding the limitations of criminal justice approaches in addressing structurally rooted harms. While scholars

question the effectiveness of policing and punitive responses, this chapter demonstrates that reliance on these approaches constrains the possibility for structural change. Human trafficking, in this context, cannot be understood as an individual issue, but must be situated within broader systems of colonial and structural violence.

5.9 Performative vs Substantive Action

Performative action can be understood as short term, surface level responses that attempt to address harm without engaging in transformative change. These approaches often function within a self-reinforcing cycle, where problems are acknowledged but addressed in ways that avoid accountability and fail to confront root causes. In the context of the NSCHT, while the policy acknowledges that Indigenous women are disproportionately affected by human trafficking, it lacks meaningful implementation of culturally grounded and structurally focused supports. The framework signals inclusion but does not fully engage with the deeper changes required to address systemic issues. This pattern reflects a broader feature of state-led responses, where recognition of harm is incorporated in ways that maintain institutional legitimacy without disrupting existing power structures. As a result, performative action allows the state to appear responsive while avoiding the structural transformations necessary to address root causes of trafficking. In contrast, the MMIWG and NWAC reports emphasize that Indigenous, community-led programs, along with interventions targeting the child welfare system, education, and colonial structures, are necessary for long-term substantial change.

From both Critical Race Theory and Indigenous feminist perspectives, this distinction reveals that the issue is not simply one of policy effectiveness, but of power. Performative responses maintain state control, whereas substantive approaches require the redistribution of authority, accountability, and decision-making power to Indigenous communities. Centering

Indigenous women's leadership is therefore essential not only for improving outcomes, but for transforming the structures through which anti-trafficking policy is produced.

Conclusion

In conclusion, this chapter has demonstrated that a significant gap exists between federal anti-trafficking policy and Indigenous knowledge frameworks. While the NSHT presents itself as a comprehensive response, it remains largely rooted in reactive, criminal justice approaches that fail to address the structural conditions that produce vulnerability to trafficking. By contrasting federal policy and Indigenous-led frameworks such as the MMIWG Final Report and the NWAC submission, this analysis has shown that Indigenous approaches emphasize prevention, structural change and community-based solutions grounded in sovereignty and lived experience. In contrast, federal policy continues to operate within a state centered framework that prioritizes control, intervention, and institutional continuity.

This chapter contributes to existing scholarship by demonstrating that the gap between policy and Indigenous-led frameworks is not simply a matter of implementation but is structurally produced through ongoing colonial governance. The marginalization of Indigenous knowledge within anti-trafficking policy reflects deeper tensions between state authority and Indigenous self-determination, limiting the potential for meaningful and transformation change.

Without a shift toward approaches that center Indigenous women's leadership, knowledges, and sovereignty, anti-trafficking efforts will remain constrained by the very systems they seek to address. Meaningful progress requires moving beyond performative recognition toward structural accountability, including addressing the interconnected systems of colonialism, poverty, housing instability, and child welfare that sustain vulnerability to trafficking. Ultimately, human trafficking cannot be understood or effectively addressed in isolation from

these broader systems of power. Recognizing and responding to this reality is essential for developing policies that are not only effective, but just.

Chapter 6: Final Thoughts

The aim of this major paper has been to examine how the ongoing impacts of colonialism continue to affect Indigenous women and girls, specifically in relation to human trafficking. This paper has offered a decolonial critique of Canada's current National Strategy to Combat Human Trafficking, drawing on Critical Race Theory and Indigenous feminist perspectives. Several key observations emerge from this critique. There remains a significant absence of Indigenous women's voices and agency within policy development, while the ability to exercise self-determination and Indigenous sovereignty continues to be constrained by existing legal, political, and social systems. In many ways, government institutions continue to reproduce colonial structures in subtle yet deeply harmful forms. Addressing these realities is not optional. Decolonizing these systems is a necessary step toward meaningful and just reconciliation.

The policy recommendations proposed in this paper emphasize the importance of promoting, supporting, and uplifting Indigenous, particularly women's voices, in federal decision-making, while respecting their autonomy. A central takeaway from this discussion is that the state-based knowledge cannot remain the only form of knowledge deemed legitimate in public spaces. When Indigenous knowledge systems are not recognized and respected, policies cannot be truly culturally grounded or effective. Furthermore, recognizing government action as performative reveals an ongoing reluctance to meaningfully redistribute power and control to Indigenous communities. Substantive change cannot occur until Indigenous sovereignty and self-determination are not just acknowledged but genuinely honoured in practice.

This analysis also highlights the consequences of failing to address the structural conditions that create vulnerability for Indigenous women and girls. Such omissions reflect a broader lack of accountability. Equally concerning is the tendency to overlook the diversity among Indigenous communities across Canada. Human trafficking initiatives do not affect all women equally, Indigenous women experience these harms differently than non-Indigenous women, and these experiences also vary widely across communities. To treat these realities as uniform is to overlook the depth and urgency of the issue. It is my hope that this paper encourages readers to reflect not only on what is being said and done, but also what continues to be ignored.

This paper contributes to existing human trafficking literature by applying Indigenous-led frameworks and perspectives to critically analyze Westernized, patriarchal policy responses. In doing so, it identifies key gaps in current legislative approaches and reinforces the importance of centering Indigenous knowledge in future policy development.

There are several limitations to this research. While Indigenous scholarship is incorporated, this work lacks direct collaboration with Indigenous communities and scholars. With more time, this research would benefit from deeper engagement with Indigenous women scholars and community-based perspectives, which would strengthen both its depth and accountability.

As a European settler and Canadian-born woman, I chose to examine how human trafficking disproportionately affects Indigenous women because I wanted to better understand why these harms persist, and why protections remain inadequate. This process has been both academically and personally significant. While I cannot fully understand the lived experiences of

women and girls, this research has deepened my awareness of their strength, resilience, and ongoing resistance in the face of systemic harm.

As a woman, I believe it is essential to stand in solidarity against gendered violence in all its forms. Moving forward, I remain committed to continuing this work, by listening, learning, and supporting Indigenous voices, while recognizing that meaningful change must be led by the communities most affected. Reconciliation cannot exist without decolonization, and meaningful action cannot exist without Indigenous leadership.

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