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Statement submitted by Coalition against Trafficking in Women, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.



Statement

The Coalition against Trafficking in Women, a non-governmental organization working towards the elimination of sexual exploitation of women and girls and the realization of gender equality, recognizes the challenges in the implementation of the Millennium Development Goals, particularly Millennium Development Goal 3 to promote gender equality and empower women and Millennium Development Goal 6 to combat HIV/AIDS and other diseases. Although various efforts have been made, significant obstacles to achieving the objectives set forth in these particular Millennium Development Goals remain.

Last year, the agreed conclusions on the elimination and prevention of all forms of violence against women and girls adopted by the Commission on the Status of Women's stated that "violence against women impedes the social and economic development of communities and States, as well as the achievement of the internationally agreed development goals, including the Millennium Development Goals" (para. 21). It is impossible to achieve gender equality and the empowerment of women and halt the spread of HIV/AIDS without addressing sexual violence against women and girls.

Despite a clear mandate in the Millennium Development Goals for Governments and all other actors to address the spread of HIV/AIDS among women and girls, factors such as men's sexual violence, which makes women vulnerable to HIV/AIDS and other sexually transmitted diseases, are still inadequately addressed. One of the most pervasive forms of male violence against women is the trafficking of women and girls for commercial sexual exploitation. There is compelling evidence that women's and girls' vulnerability to HIV/AIDS is significantly reduced with the elimination of gender-based violence, including commercial sexual exploitation and trafficking. The practice of selling and buying women and girls for men's sexual use is a long-standing practice that must be addressed to reduce and eliminate the spread of HIV/AIDS.

In 2012, the United Nations Development Programme (UNDP) published "HIV and the law: risks, rights & health", the report of the Global Commission on HIV and the Law, which drew attention to the link between prostitution and the spread of HIV/AIDS. Unfortunately, the report ignored the wealth of data showing that legalization or decriminalization of prostitution does not eliminate violence and exploitation, nor does it stop the spread of HIV/AIDS. The recommendation to legalize and regulate prostitution makes the assumption that brothel keepers and other sex industry profiteers are adequate protectors of the rights and safety of prostituted people. In fact, legalization or regulation of prostitution exacerbates the widespread sexual abuse of women and girls by increasing the demand for prostitutes, leading to the establishment of more brothels and fuelling sex trafficking.

Research shows that women and girls in situations of sexual exploitation are subjected to high levels of violence by both buyers and pimps. The solution of "safer sex" through legalization of prostitution ignores the inherent power dynamics of commercial sexual exploitation. As the commodity purchased in a transaction between the customer and the pimp, the sexually exploited woman or child usually must acquiesce to the customer's demands, which often include unprotected sexual abuse. The price of resistance is often violence.

Prostitution regulation schemes such as those proposed in the UNDP report protect male buyers of commercial sex, not women in prostitution. Mandatory health checks and HIV testing of women in prostitution do not remove their risk of infection by male buyers, who are not required to subject themselves to routine testing for sexually transmitted diseases. This disparity reveals that the true object of such health checks is to protect the health of the male buyers. The assumption is that the women in prostitution are the carriers of disease while the role of the male buyers in HIV transmission is ignored. Forced health inspections are simply one more bodily invasion and indignity for prostituted women to endure.

Legalizing the sex industry and referring to prostituted women and children as “sex workers” leaves men’s “right” to sexually exploit them unchallenged. It ignores the most important factor in fuelling the spread of HIV/AIDS through the commercial sex industry: men’s demand for unfettered sexual access to women and children. The demand side of prostitution must be addressed and curtailed through the criminalization and prosecution of traffickers, pimps and buyers.

The UNDP report’s “solutions” to combating HIV/AIDS do not help to achieve Millennium Development Goal 3, promoting women’s equality and empowerment. Rather than advocating for genuine economic options for women, the UNDP report endorses policies that keep women out of skill-based employment that pays a living wage. By failing to curtail demand and the sex industry, these policies accept the creation of a disposable sub-class of impoverished and socially marginalized women and girls, who are put at increased risk of exposure to HIV/AIDS. Focusing on a woman’s or girl’s supposed right to “choose” “sex work” ignores the social and economic conditions that drive women and girls into commercial sexual exploitation.

Legitimization and normalization of the sex industry have a profound, negative, long-term impact on the human rights and health of all women and girls. Prostitution, like many forms of sexual violence, arises from the historical subordination of women to men. The sex industry is built upon and maintains women’s low social status and relegates women to the role of sexual merchandise. As the sexualization and objectification of women and girls continue to be accepted and pervasive in society, it is increasingly less likely that women and girls will be treated as equal human beings. Commercial sexual exploitation is therefore a cultural practice that perpetuates gender inequality, harming both those who are victimized within the sex industry and those who face sexual harassment, gender discrimination and other forms of sexual violence because it is acceptable to view women as sexual objects to be bought and sold.

There is compelling evidence that women’s and girls’ vulnerability to HIV/AIDS is significantly reduced through the elimination of gender-based violence, including commercial sexual exploitation and trafficking. HIV/AIDS prevention measures should focus on providing women and girls with the support services they need, such as shelter, free and voluntary counselling and health care, education, job training and permanent housing, while simultaneously reducing male demand for commercial sex.

A human rights approach to addressing the vulnerability of prostituted women and girls to HIV/AIDS should not abandon them to an industry that prioritizes profits over human dignity. Instead, it requires a comprehensive plan of exit

programmes, social welfare and public education to eliminate the societal inequalities that have led to the exploitation and abuse.

Recommendations

We call on States to honour their commitments in the Millennium Development Goals by combating HIV/AIDS with policies that promote gender equality and the empowerment of women. We further urge United Nations agencies to consider these principles in making policy recommendations with far-reaching implications for the world's women and girls. In order to make real progress on Millennium Development Goals 3 and 6, action must be taken in the following areas:

- Criminalizing the perpetrators of all crimes of sexual exploitation, including buyers and procurers of prostituted and trafficked women and girls
- Training and accountability of institutional players at all levels, including police, judges, prosecutors and other community leaders, to recognize exploited women and girls as victims of crime, not as immoral or criminal
- Strengthening laws and policies to assist victims of gender-based violence
- Creating economic empowerment programmes for women at risk of being trafficked and sexually exploited and raising awareness about the danger of trafficking
- Adopting remedies for immigrant victims of sexual violence and exploitation, including asylum and lawful residency
- Supporting educational programmes that address the prevention of sexual violence in the broader context of gender equality, including education and empowerment for women and girls, and education on the harm caused to men and boys by sexual violence and sexual stereotypes
- Increasing medical assistance for victims of sexual exploitation and other violence, including appropriate mental health services that address their trauma, depression, anxiety and drug dependency
- Rejecting the legalization or normalization of sexual violence and the failure to prosecute or enforce laws that criminalize such behaviour
- Recognizing the role of the media and the Internet in promoting sexual violence and adopting measures to combat the growing sexualization and abuse of women and girls in the production and consumption of pornography

With the adoption of the Millennium Development Goals, the global community recognized that gender equality and combating the spread of HIV/AIDS were objectives that could not wait and that real efforts to effect change needed to be implemented without delay. Unfortunately, there is still much work to be done for States and intergovernmental organizations to live up to the commitments they have made to these critical goals. Immediate and unequivocal action must now be taken to stem the tide of continued commercial sexual exploitation and increased acceptability of this form of gender-based violence in order to make the vision of the Millennium Development Goals a reality.