



Economic and Social Council

Distr.: General
10 November 2014

Original: English

Commission on the Status of Women

Fifty-ninth session

9-20 March 2015

Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”

Statement submitted by Congregation of Our Lady of Charity of the Good Shepherd, Dominican Leadership Conference, International Federation of Women in Legal Careers, International Federation of Women Lawyers, International Presentation Association of the Sisters of the Presentation of the Blessed Virgin Mary, Passionists International, Religious of the Sacred Heart of Mary, Sisters of Mercy of the Americas, Society of Catholic Medical Missionaries and UNANIMA International, non-governmental organizations 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 Congregation of Our Lady of Charity of the Good Shepherd unites with all who celebrate the vision of the Fourth World Conference on Women in 1995 and its outcome document, the Beijing Declaration and Platform for Action. It is truly a visionary declaration rooted in a human rights framework, with a call for practical actions towards the implementation of gender equality and women's empowerment in critical areas. Despite the progress made in the past 20 years, as we move towards a bold and transformative post-2015 agenda with sustainable development goals, we must consider a range of gender issues that continue to be problematic, which are sometimes used as "trade-offs" within negotiation processes or fully ignored.

Now, at the fifty-ninth session of the Commission on the Status of Women, we identify the stubborn persistence of poverty and violence, the vicious circles of disempowerment that facilitate ongoing sexual exploitation of women and girls through prostitution and human trafficking. These degradations continue to exist in violation of human rights, because Member States have lacked the political will to enact or to uphold strong human rights frameworks. This is reinforced by unyielding and dominant patriarchal mindsets that resist gender equality dialogue, discussion and change.

Today, the various Good Shepherd grass-roots services work with women and girls in 72 countries who are constrained by situations that are the same, or often worse, than those that existed in 1995. Under the current model of economic globalization, women and girls who are living in extreme poverty are denied access to basic services and are highly susceptible to forces of irregular migration, prostitution, and trafficking for sexual and/or labour exploitation.

Prostitution is a violation of human rights and constitutes violence against the person prostituted. Equally disturbing are exploitative labour trafficking, trafficking for organ removal and the trafficking of child soldiers. The Beijing Declaration and Platform for Action condemned trafficking in women and girls for sex as "a matter of pressing international concern" and noted that "the use of women in international prostitution and trafficking networks has become a major focus of international organized crime". The Beijing Declaration and Platform for Action also referred to the implementation of the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. It is interesting to note that the Convention was approved by the United Nations on 2 December 1949, one year after the Universal Declaration of Human Rights. It was affirmed that the system of prostitution was a contemporary form of slavery that oppressed women and was injurious to men and all of society. In the 50 years of debate prior to the adoption of the Convention, it had already been identified that state regulation and legalization of prostitution encouraged trafficking in women.

Since 1995, much has been done at the international level to enact laws in this area and reinforce a human rights perspective. The United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention entered into force 2003. We applaud the 182 Member States that have ratified and begun to adopt these international laws at the national level. We acknowledge and appreciate the many regional mechanisms and agreements that are in place. But only when each country has integrated the international laws into its

national laws and collaborates across borders to ensure the human rights of every person will change be seen. The appointment of the first Special Rapporteur on trafficking in persons, especially women and children, in 2004 was welcomed, and the endorsement of a third rapporteur in 2014 is supported. In Human Rights Council resolution 26/8, the Council recalls and affirms the normative frameworks that have been developed in this area. More recent developments have been the United Nations Global Plan of Action to Combat Trafficking in Persons (2010) and the celebration of the first World Day against Trafficking in Persons, on 30 July 2014. These are all milestones that we acknowledged during the 20-year review of the Beijing Declaration and Platform for Action.

We acknowledge and appreciate the work and achievements of Sweden, Norway, and, more recently, France, Canada and Northern Ireland in addressing the human rights violations caused by prostitution. Using a legislative basis, they have criminalized not only traffickers, but also the purchasers of sex and sexual services, insightfully defining the multiple layers of human rights violations in prostitution. We encourage all Member States to do the same. The debates engaged in during the legislative process bring complex gender consciousness to the public forum.

The Beijing Declaration and Platform for Action embodies and reinforces the human rights of women and girls and reaffirms that all human rights, including the right to development, are universal, indivisible, interdependent and interrelated. It was also identified that the gap between the existence of rights and their effective enjoyment stems from a failure by Governments to promote and protect those rights. This challenge continues today and was reflected in the combined statement of a number of United Nations special rapporteurs entitled “Poverty, inequality, discrimination: let’s stop human trafficking at the roots”, prepared for European Anti-Trafficking Day on 18 October 2014. In their call for a concerted global response, they wrote that trafficking was a grave violation of human rights that remained pervasive because its eradication required coordinated efforts to address its root causes across multiple sectors. It is of paramount importance that countries of origin, transit and destination work together to eradicate poverty, inequality, discrimination and other factors causing vulnerability. It is a cause of concern for us to read, “All over the world, child trafficking ... is on the rise ... Detected cases of child trafficking represent 27 per cent of human trafficking. And ... the increase has been greater for girls: two out of every three child victims are young girls.” When we read these facts we must consider the multiple predators or exploiters of these girls. The trafficker is a central “middle person” in this criminal activity. But the purchaser of sex is equally culpable. And we are compelled to ask: where are the government protections?

Trafficking is mentioned 26 times in the Platform for Action. Paragraph 224 calls for the ending of all sexual and gender-based violence, including trafficking in women and girls. Paragraph 107 (q) urges the adoption of specific preventive measures to protect, women, youth and children from any abuse, including sexual abuse, exploitation, trafficking and violence. Yet in paragraph 122, we see reference to “the sex trade”. The use of the term “sex trade”, especially in such a fine document, requires critique, analysis and challenge. Its very use is a violation of human rights, as persons cannot be traded. It is unfortunate that trafficking in persons is often mentioned in the same line as trafficking in drugs, arms or endangered species.

In all the discussions that have taken place, little has been said of the interpersonal exploitative human rights violations that occur in prostitution. The use of economic terminology such as “demand and supply” to describe prostitution and human trafficking is in itself exploitative, a failure to uphold human rights and disrespectful of the dignity of the person.

It is a serious omission that the proposal of the Open Working Group of the General Assembly on Sustainable Development Goals (see [A/68/970](#)) does not reflect a strengthened commitment to human rights for all, which should be at the centre of a socially just and ecologically sustainable development agenda, as well as a means of achieving it.

The absence of “human rights” in the title of goal 5, “Achieve gender equality and empower all women and girls”, is an aberration, and we ask that the goal read “Achieve gender equality and human rights for women and girls”. Likewise, not clearly indicating that food, water, sanitation, access to health, education and basic income — all elements of national floors of social protection — are human rights is unacceptable. Only with a strengthened human rights foundation for gender equality and all human rights can society move towards transformation, thereby “leaving no one behind”.
