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Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”: implementation of strategic objectives and action in critical areas of concern and further actions and initiatives: the equal sharing of responsibilities between women and men, including caregiving in the context of HIV/AIDS

Statement submitted by Coalition against Trafficking in Women 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.

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Statement*

Statement supported and endorsed by:

Armenian International Women's Association (roster consultative status)
Communications Coordination Committee for the United Nations (roster consultative status)
Company of the Daughters of Charity of St. Vincent de Paul (special consultative status)
Congregation of Our Lady of Charity of the Good Shepherd (special consultative status)
Congregations of St. Joseph (general consultative status)
Dominican Leadership Conference (special consultative status)
Gray Panthers (roster consultative status)
International Association of Schools of Social Work (special consultative status)
International Council of Jewish Women (special consultative status)
International Federation on Ageing (special consultative status)
International Federation of Social Workers (special consultative status)
International Federation of Women Lawyers (general consultative status)
International Federation of Women of Legal Careers (special consultative status)
International Presentation Association (special consultative status)
International Society for Traumatic Stress Studies (special consultative status)
Loretto Community (roster consultative status)
Mouvement pour l'abolition de la prostitution et de la pornographie et de toutes formes de violences sexuelles et discriminations sexistes (special consultative status)
Partnership for Global Justice (special consultative status)
Salesian Missions (special consultative status)
Sisters of Charity Federation (special consultative status)
Sisters of Notre Dame de Namur (special consultative status)
Society of Catholic Medical Missionaries (special consultative status)
Soroptimist International (special consultative status)
Tandem Project-WUNRN (special consultative status)
Temple of Understanding (special consultative status)
United States Committee for UNIFEM (special consultative status)
Women's Federation for World Peace International (general consultative status)
World Federation of Ukrainian Women's Organizations (special consultative status)

We, NGOs working toward the realization of gender equality, affirm the need for equal participation of women and men in decision-making processes at all levels and in equal sharing of responsibilities between women and men. We believe it is critical to recognize that sexual violence, including commercial sexual exploitation, is a significant barrier to achieving gender equality in decision-making. Moreover, under current laws and policies in many countries, women and girls bear the weight of responsibility for prevention of the spread of HIV despite having little decision-making power over with whom, whether and when to engage in sexual relations.

* Issued without formal editing.

Sexual violence is one of the leading factors of the spread of HIV/AIDS among women and girls. UNAIDS, UNFPA, and UNIFEM have identified gender inequality as the core cause of the rapid spread of HIV/AIDS among women and girls, citing their inability to exercise control over their bodies and their lives. This reality reduces the possibility for both the equal sharing of responsibilities of women and men and for equal participation in decision-making. Many studies of violence against women reveal that the psychological effects of sexual abuse may leave women in a constant state of fear and helplessness and instill in them a feeling that their lives are worthless and meaningless. Such a condition is not conducive to being an equal partner in a decision-making process at any level. Although extremely harmful at any age, such violence is particularly insidious when experienced at a young age. According to the World Health Organization, women who have experienced physical or sexual abuse in childhood or adulthood suffer more physical and psychological health problems and are more likely to be exposed to further behaviors that endanger their health than women who have not been abused. The impact over time of multiple episodes of abuse appears to be cumulative, increasing the health consequences to the victim. Nowhere is this phenomenon more apparent than in the sex industry as has been widely documented in the testimony of women and girls who have survived prostitution.

This barrier to women's equality is further heightened by legalization of prostitution, which exacerbates the widespread sexual abuse of women and girls by increasing the demand for prostituted women and girls, and thus, fueling sex trafficking. It is an example of some of the economic policies of the past decade, which have led to prioritizing profit at the expense of human rights and gender equality. These policies give men moral and social permission to practice the prostitution of women and girls. Rather than recognizing women's skills and contributions to society, legalization effectively normalizes prostitution and pornography. Legalization policies fail to recognize that prostituted women's and girls' lack of negotiating power, coupled with the violence that is inherent in prostitution, increases women's vulnerability to contracting HIV/AIDS.

The solution of "safer-sex" through condom usage for prostituted women and girls belies the intrinsic power dynamics in commercial sexual exploitation.¹ Notably, it is the prostituted women who are required to be tested for sexually transmitted diseases, while nobody ever considers requiring buyers to undergo these tests, despite the fact that buyers, both in legal and illegal prostitution, often demand sex without a condom and rape women who resist. Women and girls who test positive for sexually transmitted diseases are all too easily replaced to meet demand, and a vicious cycle of exploitation continues. As the commodity in a transaction between the customer and the pimp, the sexually-exploited woman or child usually must acquiesce to the customer's demands, including risky sexual practices. The price of resistance is often violence. Indeed, research shows that the majority of women and girls in situations of sexual exploitation are subjected to high levels of violence by both buyers and pimps and have little control over their fundamental bodily integrity. A survey of 854 people in prostitution in nine countries (Canada, Colombia, Germany, Mexico, South Africa,

¹ See Melissa Farley, *Bad for the Body, Bad for the Heart: Prostitution Harms Women Even if Legalized or Decriminalized*, 10 Violence Against Women 1087-1125 (2004).

Thailand, Turkey, United States, and Zambia) revealed that 71% experienced physical assaults in prostitution, and 62% reported rapes in prostitution.²

Unfortunately, the sex industry has tried to mask the reality of commercial sexual exploitation by referring to prostituted women and children as “sex workers,” a dangerous and misguided term. Such terminology leaves men’s so-called right to sexually exploit women unchallenged. It ignores the most important factor in fueling the spread of HIV/AIDS through the commercial sex industry—men’s demand for prostituted women and children. In order to achieve gender equality and equal participation in decision-making, the demand side of prostitution must be addressed and curtailed through the criminalization and prosecution of traffickers, pimps and buyers. This is critical as global demand has fueled the trafficking of women and children into commercial sexual exploitation.

Some argue that legalizing prostitution is an expression of a woman’s or girl’s supposed right to “choose” to engage in prostitution — and so would be an expression of her ability to participate equally in decision-making. However, such arguments ignore the social conditions that drive women and girls into commercial sexual exploitation, uphold gender stereotypes, and accept violations of fundamental human rights as “inevitable.” Preventive measures must focus on providing women and girls with meaningful alternatives to commercial sexual exploitation. Instead, prostituted women and girls face significant barriers when they attempt to exit the sex industry. Governments must establish specialized and comprehensive services to help them change their lives.

The insidious impact of normalized and legalized prostitution on women and girls extends beyond the harm to the prostituted women and girls on the sex industry’s front lines. Prostitution trains men and boys, through the powerful reinforcement of sexual stimulation, to view and treat women and girls, in every arena of their lives, as objects to be purchased and consumed. The resulting beliefs and perceptions are not confined to sex industry victims but are directed against all girls and women — wives and girlfriends, female coworkers and employees, female acquaintances, and women and girls encountered on the street. Women walking through prostitution-saturated neighborhoods are regularly solicited by buyers, even when their presence has nothing to do with commercial sex. When establishments that promote prostitution are legal, men are encouraged to frequent them.

The sex industry has expanded its reach to make sex clubs into facilities for conducting business meetings, entertaining corporate clients or lobbying government officials. Women are not likely to participate in meetings at which the “entertainment” includes exploitation of women, and those who do attend are not likely to be accorded appropriate respect by male colleagues who are simultaneously viewing women as objects or commodities. The sex industry has thus created a new culture of men-only bonding through the collective abuse of women.³ This trend presents an obstacle to women’s equal participation in decision-making in both the private and public sectors. Governmentally-sanctioned prostitution thus undercuts the opportunities for participation available to all women.

² See Melissa Farley, *Prostitution in nine countries: Update on violence and posttraumatic stress disorder* (2003); see also Janice G. Raymond, Jean D’Cunha, Siti Ruhaini Dzuhatyatin, H. Patricia Hynes, Zoraida Ramirez Rodriguez, & Aida Santos, *A Comparative Study of Women Trafficked in the Migration Process: Patterns, Profiles and Health Consequences of Sexual Exploitation in Five Countries (Indonesia, the Philippines, Thailand, Venezuela and the United States)* (2002).

³ See Mary Sullivan & Sheila Jeffreys, *Legalising Prostitution is Not the Answer: The Example of Victoria, Australia* (2001).

While prostituted women and girls are the most directly and grievously harmed by governments that legalize and legitimize prostitution, all women suffer a lowering of their status and gender inequality is further deepened by pro-prostitution regimes. When men view some women and girls as objects to be purchased and sold, it is unlikely that they will view other women as equals in decision-making and eschew non-stereotypical gender roles in sharing of responsibilities in the home, in business, or in government.

Recommendations

Given the severe and often long-term effects of sexual exploitation on gender equality in decision-making and sharing of responsibilities between men and women, governments and civil society must implement policies recognizing that commercial sexual exploitation impedes women's attainment of gender equality and full participation in society. Buying and selling the bodies of vulnerable marginalized women and girls for the profit of a global, male-dominated, and largely criminal industry is founded on, and intensifies, gender inequality as it systematically violates women's human rights.

We urge policy and action in the following areas:

- Implementation of preventative measures, such as public education campaigns, which challenge the attitudes and practices of superiority and domination of potential perpetrators that result in sexual exploitation;
- Educational curricula that promote gender equality in relationships through raising awareness of the harms of gender stereotypes, sexual exploitation and objectification of women and girls;
- Increased support and services for survivors of trafficking and prostitution;
- Promotion of effective laws against trafficking, prostitution, and related forms of sexual exploitation, including provisions criminalizing the demand for trafficking and prostitution, based on principles of gender equality;
- Development of training programs for government bodies, such as law enforcement based on principles of gender equality, which hold perpetrators, including traffickers, pimps, and buyers, accountable rather than criminalizing victims;
- Strong and effective prosecution of perpetrators of violence against women, including buyers and sellers of women and girls in prostitution and related practices of sexual exploitation;
- Rejection of government policies promoting prostitution, whether through legalization or decriminalization of the sex industry;

- Ratification and implementation of the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others (the “1949 Convention”); the Convention on the Elimination of All Forms of Discrimination Against Women (“CEDAW”); the Convention on the Rights of the Child; and the Convention Against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
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