



## Economic and Social Council

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### **Commission on the Status of Women**

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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”**

### **Statement submitted by National Board of Catholic Women of England and Wales, 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.

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\* The present statement is issued without formal editing.



## Statement

The review theme this year “Women’s economic empowerment in the changing world of work” is of particular importance to the National Board of Catholic Women. We have called on the expertise of the CAP-International (the International Coalition for the Abolition of Prostitution), with its 33 frontline member organisations in 27 countries, and their allies who provide direct support to more than 15 000 women and girls affected by prostitution and trafficking in human beings for sexual-exploitation on all continents. Specifically, women@thewell, a frontline service provider in the UK and a member of both organisations, has provided invaluable expertise in the preparation of this statement. We are of the view that the needs of women entrapped in the sex-trade are overlooked and it is vital that the review theme is viewed through their perspective

The system of prostitution is a form of violence. The consequences of sexual and prostitutional violence are now well identified and particularly serious: post-traumatic stress, depression, suicide, self-harm, severe sexual and reproductive health complications, overuse of drugs and medication, low self-esteem, loss of confidence, anxiety and phobias, etc. Mortality, suicide and exposure rates to rape and other inhuman and degrading acts by prostituted persons are incomparably higher than in the general population.

The system of prostitution is a form of exploitation of inequalities. Sexual violence and exploitation which disproportionately target and affect the most discriminated communities of women and girls. Indigenous women and girls, women and girls belonging to racial, ethnic and religious minorities or to the lowest castes, displaced, migrant and refugee women are the most impacted by the system of prostitution and by trafficking in human being for sexual-exploitation. In addition to this discrimination based on origins, in every situation of prostitution, common patterns of features can be observed: minority, poverty, homelessness, experience of past abuse and substance addictions take part in the vicious cycle of sexual-exploitation and prostitution. The Last Girls are thus at the intersection of all systems of oppression and domination whether patriarchy, racism, classism and capitalism. In the gendered and patriarchal system of prostitution, some major political trends are at work namely colonization, war, imperialism, exploitation of natural resources and land dispossession.

International human rights law recognises prostitution as a violation of human dignity, while the respect for human dignity is a fundamental human right and a constituent principle of the United Nations System. In the preamble of the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others (hereafter UN 1949 Convention), the General Assembly of the United Nations agrees that prostitution and traffic in persons are “incompatible with the dignity and worth of the human person”. The protection of the dignity and worth of the human person is a cornerstone of the human rights system and law. The very first sentence of the Universal Declaration of Human Rights (UDHR) states that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”. The protection of the dignity and worth of the human person is not only stated as a fundamental principle by the UDHR but is also cited as one of the “ideals and common goals of all People whose Governments have gathered to create the United Nations” in the Preamble of the Charter of the United Nations (1945). Signed in San Francisco on the 26th of June 1945, this Charter is the constituent treaty of the United Nations System.

International human rights law specifically prohibits the exploitation of the prostitution of others, including pimping, procuring and the running of a brothel. Article 6 of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) states that: “States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women”. Under article 9 of the UN Palermo protocol States Parties have also an obligation to “adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking”.

International human rights law has been stable in the past 70 years and even strengthened recently, including thanks to the General recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration from the Committee on the Elimination of Discrimination against Women (CEDAW), encouraging States to ratify the 1949 Convention. In addition, the United Nations has recognised the purchase of sex acts as a “sexual-abuse” since 2003 and since 2018, the “Staff Regulations and Rules of the United Nations” foresee that “The exchange of money (...) for sex (...) is prohibited” and is considered “a serious misconduct”.

Further, within CEDAW GR 38 para 30 states that “Sexual-exploitation persists due to States parties’ failure to effectively discourage the demand that fosters exploitation and leads to trafficking”. Paragraph 5 of Article 9 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime obliges states to adopt or strengthen legislative or other measures to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.

Sex-trafficking is a distinct and heinous crime. Women who are trafficked for sexual-exploitation are subjected not to a form of forced labour, but to rape. Each time a sex-buyer pays for sex with a trafficked woman, two crimes are being committed: first, on the part of the trafficker who has exploited the victim; second, by the sex-buyer who is committing an act of sexual-abuse. There are vastly more sex-buyers sexually abusing victims of sex-trafficking than there are traffickers profiting from and controlling them, yet action by the Governments to address the former has so far been negligible.

The circumstances that brought a person into prostitution are of no interest to sex buyers or to pimps and profiteers. The global sex industry does not operate in terms of distinctions such as ‘force’, ‘coercion’, and ‘voluntary’ involvement in prostitution, nor does it clearly distinguish between the markets for those who are underage and those who are over 18, as well as other vulnerabilities. The global sex industry is an extremely powerful and lucrative business. It is driven by demand for sexual services. Where there is demand then pimps will procure women in any way possible to meet that demand and profit from it, usually by targeting the most vulnerable people in society.

Unfortunately, there is a huge emphasis on ‘choice’ when discussing prostitution policy which disguises the fact that it is demand that drives the industry, as opposed to women’s limited choices. Choices have been made in response to limitations, lack of opportunity, survival, or even overt forms of control. Sole focus on the individual choices in this context is promoted as ‘empowering’ but the reality is in stark contrast.

Commercialisation is largely ignored in policy debates. People are using human beings to profit and/or capitalising on their economic need in order to coerce them into sex and a variety of sex acts. The reality of the prostitution transaction is that consent is being bought and ‘bought’ consent is actually not free and enthusiastic

consent borne out of mutual attraction. By contrast, the industry relies on an alternative commercialised view of sex that undermines this.

In this context, we urge:

- All Member States to ensure that they work towards the elimination of prostitution and the protection of its victims. When defining and implementing policies with regards to prostitution and its exploitation, Member States of the United Nations are de facto prohibited from implementing policies that would encourage prostitution and thereby foster a violation of human dignity.
- All Member States, the United Nation General Secretary and United Nations (UN) agencies to oppose any trivialisation of prostitution and to oppose the use of the term “sex work”, which aims at normalising, and sometimes promoting, what is considered a human rights violation. Any policies that justify, promote or trivialise prostitution as “sex work” are incompatible with established and binding UN human rights legislation.

Endorsed by

National Alliance of Women’s Organizations

Widows Rights International

  

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