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**Letter to the Committee on the Elimination of Discrimination against Women on General Recommendations on Trafficking in Women and Girls in the Context of Global Migration[[1]](#footnote-1)**

Ukraine is one of the founding members of the United Nations and was one of the first to ratify the Convention on the Elimination of All Forms of Discrimination against Women. From the very beginning, our state shares and accepts the UN standards and values, including the rights of women, seeking to reflect them in national law.

Ukraine is also one of the key states in European migration processes that can significantly affect the level of trafficking in human beings. There is an armed conflict in our country; many people live below the poverty line, which is a huge risk factor for increasing trafficking in women and girls. Ukraine urgently needs the support and clear position of the Committee on the Elimination of Discrimination against Women on methods of combating human trafficking.

In accordance with the United Nations Convention on combating trafficking in human beings and the exploitation of prostitution by third parties ratified by Ukraine, "the prostitution and the evil that accompanies it, which is trafficking in human beings for the purpose of prostitution, is incompatible with the dignity and worth of the human person and endangers human well-being, family and society".

In accordance with Article 6 of the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), States Parties shall take all appropriate measures, including legislative measures, to end all forms of trafficking in women and the use of women prostitution. Concluding remarks to the Eighth Periodic Report of Ukraine to the Committee on the Elimination of Discrimination against Women of March 3, 2017 include recommendations for eliminating the **underlying causes of trafficking** in human beings and stepping up efforts to prevent trafficking in human beings.

The Protocol of 15 November 2000 on the prevention and suppression of and trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime ratified by Ukraine, requires States parties to "use or improve legislative or other measures ... aimed at counteracting **the demand** that gives rise to the exploitation of people, especially women and children, in all its forms, as it **leads to trafficking in human beings**."

The Council of Europe's Convention on Action Against Trafficking in Human Beings, ratified by Ukraine, calls **demand one of the root causes of trafficking** in human beings and obliges to adopt legislative, administrative, educational, social, cultural or other measures for the **elimination of demand**, or to strengthen them. In Resolution No. 1983 (2014), the Parliamentary Assembly of the Council of Europe calls upon all member states to consider **criminalising the purchase of sexual services**, based on the Swedish model, as **the most effective tool for preventing and combating trafficking in human beings.**

The European Parliament resolution of 26 February 2014 on sexual exploitation and prostitution and its impact on gender equality (2013/2103 (INI)) states that:

* **Demand reduction** should be part of an integrated strategy to combat trafficking in human beings;
* It is necessary to **abolish the punishment of prostituted persons**.

As women's rights advocacy organization that is working in the field for many years (including work with vulnerable women's groups), we unite leading experts in the field of human rights and gender equality, and provide our vision of methods that can be effective in counteracting trafficking in women and girls. We fully support the position expressed in the above-mentioned international documents, therefore, we request the Committee on the Elimination of Discrimination against Women to include in their Draft general recommendation on trafficking of women and girls in the context of global migration (hereinafter GR) the following:

1. GR should recommend strengthening the efforts of States in the fight against trafficking of women and girls by fighting the demand for sexual exploitation (criminalizing of clients);
2. GR should recommend strengthening the protection of victims of trafficking of women and girls by abolishing any punishment of prostituted persons.
3. GR should include the full Palermo definition of trafficking and article that addresses demand, cite Article 6 of the CEDAW completely, not partially, because trafficking and prostitution are interdependent: we cannot fight them separately.
4. GR should include concerns about the role of digital technologies in the growth of trafficking of women and girls, underlining concerns about the objectification and commodification of girls and women.
5. GR should include the vulnerabilities of labour trafficked women to sexual violence, sexual exploitation and the exploitation of prostitution. GR should not include prostitution under labour or services or as “women’s work”.
6. GR should omit any terms like “forced sexual exploitation” or “forced prostitution”, “worst forms of child labour” (which includes prostitution) because these are not terms of international law and it violates Palermo Protocol, CRC and CEDAW.
7. GR should include recommendation to Governments to disaggregate trafficking statistics by sex, age and form of exploitation under SDG indicator 16.2.2.
8. GR should request States and organizations to go beyond the HIV/AIDS framework when addressing access to health care and to conduct research on the pervasive physical and psychological harms of trafficking on women and girls.
9. **GR should emphasize the special vulnerability of women with children – victims of human trafficking, when not only women, but also children are exploited, or children are used for strengthen control over their mothers.**

With the assurance of our highest consideration,

Yours sincerely,

Luba Maksymovych, Head of the Organization

Olena Kalbus, Human Trafficking Prevention Program Manager

1. <https://www.ohchr.org/EN/HRBodies/CEDAW/Pages/GRTrafficking.aspx?fbclid=IwAR3YJPN9VnSrpfI-9WYfFlrW23E6cBLqV6zUifZohWxGAasxNQ2Nk5z2juU> [↑](#footnote-ref-1)