**Submission for the General discussion on Trafficking in Women & Girls in the context of global migration**

**Submitted by The by Guild of Service (India), serving and empowering widows and children since 1972.**

**Endorsed by Global Fund for Widows(USA)WUNRN-Women’s UN Report Network (USA & Europe) Widows Rights International (UK) War Widows Association ( India)**

1.Human trafficking is an emerging human rights issue globally. While being the third largest international crime industry (behind illegal drugs and arms trafficking), it reportedly generates a profit of $32 billion every year.

The ILO estimates that the total illegal profits obtained from the use of forced labour worldwide amount to US$150.2 billion per year, two thirds of which were generated by forced sexual exploitation.[[1]](#footnote-1)The International Labour Organization also estimates that women and girls represent the largest share of forced labour victims with 11.4 million trafficked victims (55%) compared to 9.5 million (45%) men. Women and girls together comprised 71% of all detected and reported trafficking victims between 2012-2014.[[2]](#footnote-2) The main purposes for which women and girls are trafficked are indicative of the gendered-nature of the crime. During the same period (2012-2014) women and girls made up 96 per cent of detected and reported victims trafficked for sexual exploitation.

2.Poverty is the single largest contributor to the phenomenon of trafficking in the world. Women form the largest section of abject poor in the world. Poverty and gender make the women extremely vulnerable to being trafficked.

3.Widowhood has been described as the single most likely factor to cause increasing poverty among women across the world. Widows constitute a uniquely vulnerable segment of the population and are often subject to maltreatment. In many countries, developed and developing, widows of all ages experience multiple forms of discrimination. Widows’ poverty is directly related to the absence of economic opportunities, and economic resources, including inheritance and land ownership; access to credit, access to social security, education and support services, non-participation in the decision-making processes and lack of rights. Widows may experience what Professor Amartya Sen defines as “non-income poverty”: The poverty of isolation, exclusion and lack of dignity and respect. Enhanced poverty increases the widows’ vulnerability to violence.

4.The combined effects of these various forms of discrimination leaves many widows more vulnerable to trafficking, sexual assault, and domestic violence. It is estimated that there are 258 million widows across the world, more than 115 million live in poverty. It is estimated that over 500 million dependents and adult children of widows are caught in a vicious underworld in which disease, forced servitude, homelessness and violence are rampant and youngsters are denied schooling, enslaved or preyed upon by human traffickers. The poverty of widows and their daughters, makes them vulnerable to prostitution and human traffickers who transport them to other countries for sex work and domestic slavery.

5.The internationally-accepted legal definition of trafficking in persons is sourced in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime[[3]](#footnote-3) (Trafficking Protocol):

3. (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power **or of a position of vulnerability** or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Within this definition, is rooted the very precarious situation of widows and their children. It is precisely their enhanced economic and social **vulnerability** that makes them an easy prey for traffickers who often lure them with promises of a life of dignity., a far change from their lives of hardship and humiliation.

**VULNERABILITY OF WIDOW WOMEN, THEIR DAUGHTERS, & CHILD WIDOWS TO TRAFFICKING IN THE CONTEXT OF MIGRATION**

6.Within this position of vulnerability, a new dimension is added by the rapid growth of global migration.[[4]](#footnote-4) In 2017, it is estimated that there were 258 million international migrants across the world; an increase of almost 50 per cent since the year 2000 (173 million).[[5]](#footnote-5) According to the United Nations Office on Drugs and Crime, approximately 60 per cent of detected victims of trafficking in persons are foreigners in the country of detection, of which most are international migrants.[[6]](#footnote-6) Widows by their impoverished status, often lack of natal and marital family support, inaccessibility to social security are often victims to traffickers.

7.Internal migrations due to conflict, natural disasters economic hardships further exacerbate the vulnerability of widows and their families. Often caught in refugee camps, displacement camps, shanty towns, the widow without economic and social support finds it impossible to find a decent job or stability which further makes her an easy prey to traffickers.Migrant women and girls face an increased risk of experiencing sexual and gender-based violence, including being trafficked, along the migration trajectory and particularly if using irregular migration channels.[[7]](#footnote-7)

8.**The specific and poignant vulnerability of widows, of all ages, as migrants, refugees, displaced persons, is often overlooked in reports and discussion of human trafficking**. Data on trafficking in women and girls, is not disaggregated to give statistics on women and girl widows. Indeed, numbers of widows are growing exponentially due to conflicts and wars, diseases, natural disasters, climate change, and more. Further, in the dimension of migration, widows may be left behind compounding their vulnerability and victimization for trafficking.

The major driving force of migration is poverty, and widows around the world experience extreme poverty and deprivation. And, because of poverty, widow mothers may give their daughters to forced child marriages, often to older men, and thus repeat the cycle of widowhood and poverty.

**9.Trafficking is rooted in and perpetuates gender-based discrimination:**

Women and girls continue to be the prime targets of traffickers, especially for the purpose of sexual exploitation, due to pervasive and persistent gender inequality resulting in their lower economic, social, and legal status than that which is enjoyed by men.[[8]](#footnote-8) **Within this, widows suffer from an even lower economic social and legal status in many countries**.

 Social structures limit women’s autonomy and access to key resources, including economic, land, information and knowledge. **Patriarchal traditions within societies accord even more constraints on a widow’s autonom**y.

These effects are compounded by gender-based violence against women, gender-based discrimination and marginalization. **Widowhood faces even more nuanced layers of gender based violence a patriarchal societies view her as “unprotected”** As a result of suffering these inequalities, widows are even more likely to be impoverished, uneducated and disempowered by societal and family structures. Often lacking access to information on trafficking and how traffickers operate, widows and their families are susceptible to being lured by promises of a means of escape from impoverished circumstances.

10.The CEDAW Committee has identified that groups of women who are subjected to multiple and intersecting forms of discrimination and violence are at a higher risk of being trafficked. This includes: migrants[[9]](#footnote-9); asylum-seekers, particularly those whose claims have been rejected[[10]](#footnote-10); refugees[[11]](#footnote-11); internally displaced women[[12]](#footnote-12); non-nationals[[13]](#footnote-13); stateless women; women forcibly returned to their country of origin[[14]](#footnote-14); women in conflict or post-conflict situations[[15]](#footnote-15); women living in post disaster situations; women living in poverty; rural women[[16]](#footnote-16); women with disabilities[[17]](#footnote-17); women from religious, ethnic, and sexual minorities[[18]](#footnote-18); and, adolescents[[19]](#footnote-19), particularly girls without care or in alternative care settings.[[20]](#footnote-20) The discrimination experienced by these groups of women and girls is compounded by their concurrent social, economic and political marginalization. Such devaluation of their personhood renders these women and girls as easier targets of trafficking and exploitation.

**There is the urgent need to identify and acknowledge that widows and their dependents are a group highly vulnerable to trafficking, given their lower and weaker social economic and legal status.**

11..States parties must take action to protect, respect and fulfil all rights in the Convention. Its implementation establishes the conditions to prevent and combat trafficking in women and girls,

**Article 4 of the Convention and GR no. 25 (2004) call for Temporary special measures to achieve substantive equality:** States parties need to adopt urgent measures to provide redress in areas in which women are experiencing severe inequalities resulting in their heightened exposure to trafficking. **Widows face severe inequalities in terms of social, economic and legal status**

**12.Article 5 and GR No. 19 (1992) and No. 35 (2017) call for Modifying harmful social and cultural patterns to eliminate prejudice and gender-based violence against women:** social and cultural norms and gender stereotypes around the expectation of submissiveness and gender roles of women create a context conducive to violence against women, including trafficking, States parties are required to take measures to modify these.[[21]](#footnote-21) **There is the need to recognise that while all women face gender discrimination and gender stereotyping, widows face further discrimination on account of their marital status and the attendant ostracizing.**

Marriage patterns, conflict, disease natural disasters, large scale migrations are contributing factors to the large number of widows globally. There is the urgency to ensure affirmative discrimination, implement policies to enhance economic social and legal status of widows to reduce their and their families’ vulnerability to the lure of traffickers

1. International Labour Office, *Profits and Poverty: The Economics of Forced Labour* (2014), pp. 13, 15. [↑](#footnote-ref-1)
2. UNODC, *Global Report on Trafficking in Persons 2016*, p. 23. [↑](#footnote-ref-2)
3. A/RES/55/25 (2000). [↑](#footnote-ref-3)
4. “Global migration” refers to internal and transnational migration as well as mixed migration movements, including refugees, asylum seekers, regular and irregular migrants and internally displaced persons. [↑](#footnote-ref-4)
5. United Nations, Department of Economic and Social Affairs, Population Division (2017). International Migration Report 2017: Highlights (ST/ESA/SER.A/404). [↑](#footnote-ref-5)
6. UNODC, *Global Report on Trafficking in Persons 2016*, pp. 7, 13, 57. [↑](#footnote-ref-6)
7. A/71/303 (2016), para. 22; A/HRC/31/35 (2016), para. 53; CEDAW/C/KOR/CO/8. [↑](#footnote-ref-7)
8. A/73/263 (2018), para. 19. [↑](#footnote-ref-8)
9. CEDAW/C/ITA/CO/7; CEDAW/C/URY/CO/8-9. [↑](#footnote-ref-9)
10. CEDAW/C/NOR/CO/9. [↑](#footnote-ref-10)
11. CEDAW/C/RWA/CO/7-9. [↑](#footnote-ref-11)
12. CEDAW/C/NGA/CO/7-8. [↑](#footnote-ref-12)
13. CEDAW/C/BRB/CO/5-8. [↑](#footnote-ref-13)
14. CEDAW/C/GTM/CO/8-9. [↑](#footnote-ref-14)
15. CEDAW/C/BGD/CO/8; CEDAW/C/MMR/CO/4-5. [↑](#footnote-ref-15)
16. CEDAW/C/BTN/CO/8-9. [↑](#footnote-ref-16)
17. CEDAW/C/MNE/CO/2; CEDAW/C/ROU/CO/7-8. [↑](#footnote-ref-17)
18. CEDAW/C/GTM/CO/8-9; CEDAW/C/CRI/CO/7; CEDAW/C/HND/CO/7-8; CEDAW/C/CZE/CO/6. [↑](#footnote-ref-18)
19. CEDAW/C/RWA/CO/7-9. [↑](#footnote-ref-19)
20. General Recommendations: No. 28 (2010), para. 21; No. 34 (2016), para. 5; No. 37 (2018), para. 75; A/73/263 (2018), para. 21; CEDAW/C/CAN/CO/8-9. [↑](#footnote-ref-20)
21. A/73/263 (2018), para. 18. [↑](#footnote-ref-21)