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**Statement on CEDAW General Recommendation on Trafficking in Women and Girls in the Context of Global Migration**

**Dear Committee Members,** 16 February 2019

We feel thankful for the opportunity to submit for your consideration our views on the Concept Note for the General Discussion on Trafficking in Women and Girls in the Context of Global Migration.

**About us:**

Klaipeda Social and Psychological Service Centre (KSPSC) located in the west part of Lithuania is a non-governmental, non-proﬁt organization, founded in 2003, which main goal is to provide a complex help (social, psychological and legal support) for victims of violence (violence in a close relationship, trafficking in human beings, and sexual exploitation for prostitution purposes). The purpose of the Centre is to seek to empower victims to become able to take control of their circumstances and achieve their own goals, thereby being able to work towards helping themselves and others to maximize the quality of their lives now and in the future. Organizations objectives and regular activities are implemented throughout *three* main programs.

*The ﬁrst* program objectives are to provide a complex psychosocial help and support for persons, who suﬀered from close relationship violence: social, psychological, and legal counselling, psychotherapeutically support (a long-term women’s group); mediation for short-term or long-term accommodation; mediation and/or advocacy according to the customer’s needs in other institutions.

*The second* program objectives are to provide a complex psychosocial help and support for

sexually exploited for prostitution purposes and traﬃcked women: mediation for temporary short‐term or long‐term accommodation, mediation to get of provision of food, clothes

and other daily needs; mediation for getting legal, medical and other necessary services;

provision of social, legal and psychological counselling; help for recreation of relationship with relatives of family members; help to organize a comeback to a native place if desired; help in searching job and mediation for re-qualification.

*The third* program, Women Help line, objectives are a provision of emotional support for

the women through toll‐free number 24/7, inspiration, training and support of volunteers.

The main objective of the Women Help line is to provide an emotional support for women who suﬀered violence in a close relationship, who are suﬀering critical situations or have suicidal thoughts, also who are victims of traﬃcking in persons and sexual exploitation for prostitution purposes. The support works all around Lithuania. The Women Help line is one of the members of the Lithuania's emotional support service's association (LEPTA) as well.

**The Klaipeda Social and Psychological Service Centre** **presents** five key recommendations - *the language* which we use to define sexual exploitation; *the decriminalisation* of the sale of so called “sexual services”; *the criminalisation* of all forms of exploitation of women (pimping, trafficking, violence, buying); the development of *exit programmes* for those who a still in prostitution; the implementation of policies and *prevention programmes* for education in all countries (EU / not EU).

The debates on prostitution and on trafficking in women for purposes of sexual exploitation as social problem issues have intensified during the past few years or even decades in Lithuania. These discussions raise different opinions and brought forth different representations. On the one hand, there is an attitude that prostitution is not human trafficking. Therefore, it is argued, women choose prostitution voluntarily, without pressure. Such women activities must be controlled in order to protect them and their health and to control criminal activities. This kind of opinion attempts to soften the approach towards these women by calling them sex workers, since this is less stigmatising than calling “prostitutes”. Another contrasting approach claims that it is wrong to regard the involvement in prostitution as voluntary, because these women are victims of many psychological and social circumstances. The existence of such a traditional dichotomy encourages delving more deeply into the causes or specific moments in the process of becoming a prostitute. Moreover it may be that a woman’s engagement in prostitution is a random occurrence and does not depend on any predetermining conditions.

The scientific theoretical analysis on the socio-cultural and historical aspects of the status of women in Lithuania revealed a sufficient degree of discrimination, both open and covert, in respect to women, irrespective of the positive changes in the role of women in society. The interpretation of the phenomenon of women in prostitution and the outlook on the status of women vary depending on the context of a country’s culture and its socio-political system. The analysis of the manifestation of prostitution in Lithuania indicated that it is a multi-layered social, legal, economic and political problem. Presumptions regarding the growth of this manifestation and the new forms it expresses become entrenched in a country without a clear strategy regarding the issue of women’s sexual exploitation for the purposes of prostitution. This problem remains one of the most complicated, social assignments in the country due to its complexity, variety of different views on this problem and the unsuitable legal approaches. The predominance of different viewpoints on those injured or potential victims prevents the development of a unified legal base and an effective social help system. Recognition of the experiences of women in prostitution is a meaningful and necessary assumption for the development of a legal base, the formation of an infrastructure for social help and entrenchment of a deeper understanding of this issue in society.

On 16th December 2014, the Parliament (Seimas) of the Republic of Lithuania considered again and adopted resolution “For the criminal liability for sexual services” (16 December 2014, No. XII -1464) by the vote of the majority of the session participants. The Resolution was initiated by the MP Vince Vaidevutė Margevičienė. The Resolution, taking into account national and international legislation, according to the International STOP TRAFFICK! Conference „Deconstructing the Demand for Sexual Services: Prevention of Exploitation through Prostitution and Sex Trafficking“, organized by Klaipeda Social and Psychological Services Centre and held in Parliament in 19-20th June 2014, considering Lithuanian and foreign expert reports, having become familiar with the propositions of non-governmental organisations which fight against human trafficking, sexual exploitation for prostitution purposes and violence against human beings, having evaluated the practice of Nordic countries and the experience of the criminalisation of the purchase of sexual services within other European countries (Sweden, Norway, Iceland, Ireland, Canada and France) proposes to the Government of the Republic of Lithuania:

* to submit to the Parliament of the Republic of Lithuania for ratification the 1949 United Nations Convention for the Suppression of the Trafficking in Human Beings and for the Exploitation of others for a Purpose of Prostitution;
* to submit the amendments of Criminal code of the Republic of Lithuania with regards to liability for purchase of prostitution, pornography or other forms of services of sexual exploitation;
* to submit the amendments with regards to the article 182 (1) of the Administrative laws infringement code with regards abolition of administrative liability for providing sexual services;
* to call an interdisciplinary work group in order to prepare the programme for the re-socialization, rehabilitation and reintegration of sexual services providers.

The Resolution has attracted both national and international institutions, such as the Swedish Embassy in Lithuania and Ambassador Cecilia Ruthström-Ruin and American Embassy in Lithuania, and representatives of non-governmental organizations support and acceptance.

We strongly believe, that adoption of the Resolution in Lithuania helps to draw new guidelines for government politics in terms of combating prostitution and trafficking in human beings. However, what has to be done afterwards? Is it possible, that the document would be considered as insufficient by politicians? This kind of questions might be treated as inconvenient or even harsh. We usually hear, that there is still a need to adopt some other laws and resolutions to make real changes in this field. On the contrary, we would expect to see that existing law system, especially than it works effectively and fairly, is enough to combat so called “sex industry”. We always have a chance to learn from those countries that have proven the effectiveness of combating approach in real life, where prostitution is not considered as insuperable problem.

In Sweden, In France and Ireland, the states adopted the position that prostitution is a form of violence against women and therefore the demand to have any girls or women made available to supply sexual acts for money is not regarded as legitimate or acceptable and, therefore, the purchase of sex is criminal offence. This approach has also proven to be an effective anti-trafficking and demand reduction measure. Compared Sweden to the Netherlands and Germany are telling. It is estimated that the Netherlands has a rate of nine times and Germany a rate of between 30 and 40 time that of prostitution in Sweden. This is critical evidence in relation to reducing trafficking for sexual exploitation (Disrupt Demand, 2017).

Consequently, we would like to invite CEDAW committee to support and promote our view:

- Human beings exploited in prostitution have not to be considered as criminals, and an exit programmes, including social, psychological, and legal counselling, have to be created to help victims to find an alternative way of living outside the prostitution. The duty of the state is to protect the most vulnerable citizens. State law system is not meant to increase vulnerability of subjects of sexual, physical and other kinds of violence.

- Whose, who exploit human beings for such a profitable business as prostitution, are meant to be punished. Any kind of sex purchasing is intolerable and has to be punished too. We believe, that our country is able to follow the example of the states, where purchasing of sexual acts is forbidden by the law. The implementation of so called “Nordic model” in other countries showed, that floats of trafficking in human beings had decreased significantly. Human traffickers are always in a search of profitable markets to trade so called “sex services”. As soon as “sex purchasing” is outlawed in a country, the incomes of traffickers low down, and there is no reason to “make a business” there anymore.

Thank you very much for your kind attention, and please do not hesitate to contact us for the further information.

Sincerely,

Dr. Dalia Puidokienė

Director of

Klaipeda Social and Psychological Service Centre