

Suggestions to the Draft CEDAW General Recommendation on Trafficking in Women and Girls in the context of Global Migration on behalf of: ‘Speak Out Against Slavery’

Overview

We welcome that the CEDAW committee has recognised that intersecting factors and inequalities can place groups of women more at risk of sex trafficking and prostitution. We strongly regard prostitution as violence against women and a form of modern -day slavery and think that internationally, as well as in the UK, the law is often inadequate to address this. We support the Nordic Model (Equality Model) and we think that particularly the legislation to address modern day slavery does not give the issue of prostitution an equal weighting, but that a correct application of CEDAW and PALERMO as a consideration within our legal framework could go some way to address that.

We have the following comments to make on the draft recommendations, concerning the relevant paragraphs, with the appropriate justifications.

Relevant paragraph

IV. Root causes and discouraging the demand that fosters exploitation through trafficking

e. Root causes of trafficking in women and girls and discouraging the demand that fosters their exploitation through trafficking

Recommendation

Change to ‘end demand’.

Justification

We were encouraged by the advice to the UK from the CEDAW committee, confirming our concerns that the ‘sex work project’ approach was not helpful and instead recommended a ‘demand reduction’ approach.¹

We remain deeply concerned for the welfare of these women, and await the action of a Nordic Model (Equality Model) approach, particularly

¹ CEDAW Recommendations to the UK (35) and (36)

during the Corona virus pandemic and strongly suggest that local authorities divert their funds from these projects, which seem wholly inadequate, into high quality exiting and trauma services instead.

Relevant paragraphs

32. Ensure women's meaningful participation in trafficking prevention efforts: (a) and (b)

41. In line with the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations:² (a) and (b)

46. States parties are obligated to protect victims of trafficking in persons, especially women and children, from revictimization.

73. Ensure that trafficked women and girls are accorded all of their human rights, including those to which they are entitled as victims of crime and of human rights violations. These include the rights to receive protection from further harm including special consideration and care to avoid re-traumatisation in the course of any legal and administrative procedures, to be treated with compassion and respect for their dignity and human rights, to be provided with access to justice and prompt and effective remedies including compensation, regardless of the individual's immigration status, presence in the country of jurisdiction, criminal case against or identification of the trafficker, or involvement in any investigation or other legal process.

Recommendations and comments

We welcome the acknowledgement of the potential role that women may take part in peace making and security measures. **(Para 41)**

Organisations should put the welfare of the most vulnerable at the centre of what they do and their policies. **(Para 32, 41, 46, 73)**

There must be an urgent review concerning the welfare of vulnerable people and victims of trafficking and modern -day slavery, during the Corona virus pandemic. We strongly suggest that they are offered exit services and immediate accommodation (Para 73)

² General recommendation No. 30 (2013) (CEDAW/C/GC/30), para. 28(a).

To completely and unequivocally reject the involvement of any types of extremism in public policy, in particular concerning issues of violence against women/ prostitution and trafficking. **(Para 73)**

A review about the influence of sex industry lobbyists within organisations. **(Para 73)**

Justification

In our submission to Women and Equalities committee, we stated that **lobbying against FOSTA - SESTA**³ should be seen as a 'red flag' to identify who might be a sex industry lobbyist. For a full summary, please see:⁴

These lobbyists often make statements that are supportive of the notorious website **Backpage**. This is particularly evident from the opinions expressed by lobbyists online. Given that Backpage was seized by the FBI and the SESTA - FOSTA legislation was based on targeting the ads that appeared on websites such as Backpage,⁵ it is quite astounding that people who openly lobby against SESTA - FOSTA are given a platform to air their views and considered 'experts' and impartial.

Backpage was a website where 73% of children trafficked in the USA were bought and sold.⁶

There is another organisation called Network of Sex Work Projects (NSWP). This appears to be an umbrella organisation, which various 'sex work organisations' are affiliated to.

NSWP have produced the paper 'Young sex workers'.⁷ This paper aims to undermine the UN Convention of Rights of the Child (1989)⁸, which states that children are victims of sexual exploitation. NSWP's former vice president is in jail for sex trafficking, serving a 15-year jail term in

³ Stop Enabling Sex Traffickers Act 2018, Allow States and Victims to Fight Online Sex Trafficking Act, 2018 (SESTA- FOSTA)

⁴ <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/women-and-equalities-committee/prostitution/written/106453.html>

⁵ <https://www.washingtonpost.com/news/true-crime/wp/2018/04/11/trump-signs-fosta-bill-targeting-online-sex-trafficking-enables-states-and-victims-to-pursue-websites/>

⁶ <http://missingkids.org>

⁷ <https://www.nswp.org/resource/policy-brief-young-sex-workers>

⁸ UN Convention on Rights of the Child (1989)

Mexico.⁹ However, these facts do not stop lobbyists retweeting these organisations.

There have been instances of various organisations, which we would expect to take a lead in supporting the most vulnerable, instead pledging support of the full decriminalisation of pimps, supporting decriminalisation of what are currently considered offences.¹⁰

There have been attempts by lobbyists to bring full decriminalisation in New York and Washington. These attempts have all failed. It is certainly the case that these sex industry lobbying organisations are interconnected and aim towards a framework of complete deregulation. This often comes into conflict with the legal systems of various countries.

Here is another example of the conflict between these organisations and individual countries checks and balances/ legal systems, during the Corona virus pandemic, for example, in Australia¹¹

Lobbyists have repeatedly downplayed the link between prostitution and trafficking, when the vast majority of evidence states that they are interconnected.

There are also wider extensive economic and social harms because prostitution is inseparable from organised crime and interlinked with fraud/money laundering and drugs.

“There are many interlinking and overlapping factors and vulnerabilities associated with being sold for sex; low socio economic status, sex/gender, people with disabilities, LGBT people and refugee or asylum seeking status and internationally, the above characteristics, including additionally, being low caste or from an indigenous group”.^{12 13}

⁹ <https://www.faber.co.uk/blog/a-human-rights-scandal-by-kat-banyard/>

¹⁰ http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/women-and-equalities-committee/prostitution/written/106453.html#_edn44 (para 4.1,4.4)

¹¹ https://redbook.scarletalliance.org.au/covid-19/?fbclid=IwAR0lv9fifBR-YfX5hp_5ZU9XQJJhyAMJB1ge2dWOzwRJ2e-m7BGNUaTCCsA

¹² <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/women-and-equalities-committee/prostitution/written/106453.html> (para 1.8)

¹³ UN CSW62 Event: The Last Girl and Her Vulnerabilities to Sex Trafficking
https://www.youtube.com/watch?time_continue=10&v=wLhuMsi1uoE

“In Zurich, 98-99 % of prostituted people are Hungarian citizens (80-85% are Roma women).”^{14 15}

In the UK, the APPG on Prostitution and the global sex trade report stated that the majority of women in prostitution in the UK were Romanian. This report also outlined the link between prostitution and organised crime.¹⁶

UK - Case study

In the UK, a lobbyist and sex industry academic has found herself in the position where she is seen to be an ‘expert’ about child abuse and trafficking.

Unrelatedly, she also aligned herself with the extremist organisation ‘CAGE’, which is an organisation who have refused to condemn stoning of women, wife beating and FGM¹⁷.

Indeed, the UK’s own government, rightly rejects extremist organisations, such as CAGE.¹⁸

We completely and unequivocally reject all types of extremism, whether that be Islamist extremism or far right extremism and strive toward a peaceful society. We also note that violence against women is a particular issue in conflict zones, or where extremism is present. As such, countering extremism is a women’s rights issue as well as a human rights issue. Trafficking ‘experts’ who want to be taken seriously, should be impartial and not have any connections to organisations who are extremist and disreputable.

To summarise, there is huge concern about many lobbyists and their vested interests. This is particularly the case, when certain sex industry lobbyists may exert influence over organisations which may have responsibility for vulnerable people and whom may influence public policy. We think that entryism and influence from sex industry networks and organisations into institutions is re-traumatising for survivors of prostitution and those currently in prostitution.

¹⁴ <https://womenlobby.org/Disrupting-the-continuum-of-violence-against-women-and-girls-p4>

¹⁵ <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/women-and-equalities-committee/prostitution/written/106453.html> (para 1.9)

¹⁶ <https://appgprostitution.uk/wp-content/uploads/2018/05/Behind-closed-doors-APPG-on-Prostitution.pdf>

¹⁷ <http://journal.quilliaminternational.com/2018/11/10/taking-grooming-gangs-seriously/>

¹⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874101/200320_Challenging_Hateful_Extremism.pdf