**INTRODUCTION**

This input is primarily based on the experience of Talita Asia, a non-government organization that was established in Ulaanbaatar, Mongolia in September 2013, to prevent girls, boys, and women, from being exploited through prostitution and human trafficking for sexual purposes as well as to protect them by providing with a long-term help and support, including with one 4-beds shelter.

Talita Asia’s vision is that each woman and girl who has been exploited in prostitution can rise to a new life. Talita Asia’s motto is to see the whole person and help her the entire way, regardless of where she has been exploited and regardless of whether someone pays for her placement at Talita Asia. Our mission is to prevent sexual exploitation in all forms by offering our target group the possibility of experiencing inner healing and a transformed life.

Talita Asia is a member organization of the CAP (Coalition for the Abolition of Prostitution) a movement made of grassroots and survivors-led organizations.

While both selling and buying sex acts are illegal in Mongolia, prostitution is widespread in the capital city Ulaanbaatar, as well as in rural provinces and mining industry areas and most of the victims are women and girls. There have been no documented cases of boys involved in prostitution or victims of human trafficking for sexual purposes.

1. ***Provide examples of the hidden forms of prostitution, and explain to what extent they are recognized and dealt with as such?***

* **Online prostitution**: The internet has facilitated the growth of online platforms where women and girls can advertise and arrange sexual services.
* **Massage parlors and spas**: Many massage parlors offer sexual services under the guise of legitimate services.
* **Human trafficking**: In many cases, younger girls are forced and coerced into prostitution making it a hidden and illegal activity.
* **Street prostitution**: Street prostitution is visible in the capital city, but some aspects of it remain hidden due to the discreet nature of transactions and use of less-trafficked areas.

In terms of Mongolia, the extent to which hidden forms of prostitution are recognized and dealt with. Law enforcement practices, child protection agencies, and non-governmental organizations play a significant role in addressing these issues, but enforcement is challenging due to various factors, including limited resources, corruption, and social stigma.

1. ***Describe the profile of women and girls affected by prostitution in your country, and provide disaggregated data, where possible.***

Despite prostitution in Mongolia being illegal and heavily stigmatized, it is widespread in some areas. In Mongolia, women in prostitution live in shame and silence. Many of them cited that they lived in a cycle of humiliation and fear that kept them from reaching out for help. Mongolians say that “*it is better to have your bones broken than your name dishonored*”. People don’t openly talk about prostitution. Society treats women in prostitution as garbage and assumes that they are in it voluntarily**1**.

Mongolia remains a source, destination, and transit country for human trafficking (Tier 2) according to the 2021 Trafficking in Persons Report from the US Embassy in Mongolia.

Unicef estimates that roughly 19,000**2** persons are involved in prostitution in Mongolia, however, some field workers cite much higher numbers. The state’s population sits at around 3 million. While male prostitutes do exist, they are a small minority.

Official police statistics indicate that 350 individuals were identified as victims of human trafficking for sexual purposes within Mongolia and abroad from 2012 – to 2020. At least 70 percent of victims of trafficking for sexual exploitation assisted in Mongolia are girls and women who were lured into sex trafficking in an attempt to better their lives and social status**3**

**Places**

* There are about 10 facilities that sexually exploit women and girls (about 30-40 young women and girls in each establishment) **4**
* Apart from these designated facilities in Ulaanbaatar, a large number of girls living on the street or from poor and abusive families are also involved in prostitution**5**
* Girls and women are being prostituted in hotels (they are held in rooms and clients select women of their choice), in karaoke bars catering to foreigners, behind private premises (massage parlors and saunas)
* Traffickers lure victims with fraudulent offers of marriage or pretenses of high-paying employment in sectors such as herding, circus and art performers, or as domestic servants to the People's Republic of China, Republic of Turkey, South Korea, and India or for scholarships in China and Southeast Asian countries and then forced into sex trafficking. After being recruited, companies allow retaining only a small portion of their wages while subjecting them to harsh living conditions**6**.

**Age**

* Their average age is 29 but sexual exploitation of children has increased in Ulaanbaatar and border towns while there is a lack of information about such crime in rural areas. Traffickers mostly emphasize choosing girls and young women aged 14-25 from poor households with low income, orphans, whom nobody will look for and enquire about, or families with sexual violence and alcoholism.
* A large part of victims of prostitution are persons under 18. According to Talita Asia’s outreach list, as of 2021, 31 children aged 12-17 live on the street, 27 of them lived on streets for 2-4 years, and all of them escaped from their homes.

1. ***Describe the profile of those who solicit women in prostitution and whether such relations are regulated, and provide supporting data, where possible.***

Persons, who committed the crime of human trafficking in Mongolia, were mainly male aged 20 - 50, while the recruiters were mostly female, girls and women, who previously became victims of trafficking. The participation of adolescents, who are used to observing victims and delivering information, has increased. Of 16 persons convicted for human trafficking in the last 5 years, 7 or nearly half were women. Of 70 persons convicted for involving others in prostitution and organization of prostitution 46 or 65.7 percent were women. The women aged 22- 30 accounted for 54.2 percent. Of criminals, 20.8 percent had higher and secondary education, and 25.0 percent had special secondary education. 45.8 percent had complete secondary education and 8.4 percent were persons with primary education. Criminals cleverly use gaps in the legislation, regularly change forms and methods of committing the crime, and improve the organization of their activities**7**.

1. ***What forms of violence are prostituted women and girls subjected to (physical, psychological, sexual, economic, administrative, or other)?***

While Law on Petty Offenses 6.18 criminalized both the buying and selling of sex in Mongolia, law enforcement has failed to arrest the perpetrators of this violence. Instead, women continue to be re-victimized by the law, to be exploited and raped by both clients and the police. Women and girls in prostitution are also denied social care.

The criminalization of victims of prostitution exposes women in prostitution to abuse and exploitation by law enforcement officials, such as police officers. Many victims of human trafficking for sexual purposes who received long-term help and support from Talita Asia have documented that, in criminalized environments, police officers harass them, extort bribes, and physically and verbally abuse them, or even rape or coerce sex from them. Criminalization of persons in prostitution makes them more vulnerable to violence, including rape, assault, and murder, by attackers who see women in prostitution as easy targets because they are stigmatized and unlikely to receive help from the police. Criminalization also forces them to work in unsafe locations to avoid the police and to get help and support8. When we meet women and girls, they say that they are afraid of being arrested or laughed at, or not taken seriously. They really do not want us to report. They are also denied access to justice. An example of this abuse happened in Ulaanbaatar when M9 was raped at the hotel and physically abused by a sex buyer, who is known to the survivors as a serial abuser. M suffered severe injuries that required hospitalization. She felt helpless and had no hope of getting justice if she went to the police, who had already profiled her as a “prostitute”, and who were unlikely to take her story seriously if she reported it. Many women like M suffer the consequences of a criminal justice system that targets desperate women trying to survive, while the abusers get off scot-free.

Most of the women and children that end up in prostitution come from either a family history of prostitution or from a difficult home life where one or both parents are in prison and they are left to provide for their family. An overwhelming number of children who end up in prostitution are also the result of abusive situations.

As for the reasons for becoming involved in prostitution, poverty, unemployment, and domestic and sexual violence contribute to pushing many young women into prostitution. Girls who have moved among child foster centres for years, and whose families migrated to the city from rural areas.

A specific area of sexual exploitation relating to mining activity in South Gobi pertains to the coal road from Tavan Tolgoi to the Chinese border and the so-called ‘fuel girls’ who work along this stretch of road and in settlements around the border post at Gashuun Sukhait. The forms of prostitution in Tsagaan Khad are secret- usually conducted by gers in trucks and karaoke bars. These arrangements are fronted by other businesses. In these situations, the women can be paid with money, but also very poor women are paid in trinkets, fuel meals, etc. For example, ‘fuel girls’ are poor women who accompany drivers up and down the ‘coal road’, moving from truck to truck, and are paid in fuel, which is then used by the family or sold for money. Women in this environment are vulnerable to violence, customers treat them poorly, and harmfully, and have unrealistic expectations of them sexually.

1. ***How effective have legislative frameworks and policies been in preventing and responding to violence against women and girls in prostitution?***

The legislation and policies fail to protect victims of trafficking and prostitution effectively:

* **Lack of funds for help and support -** Most percentages of the services for victims and victim protection activities were funded and implemented by non-government and international organizations. Two shelters for the victims of human trafficking for sexual purposes at the national level have been established and operated by the Talita Asia and the Gender Equality Center (GEC) since 2010 and 2013. There has been no financial support by the government during the last 5 years. In 2019, the government has funded the GEC with 20 000 000 MNT (7,540 US$) to support victim protection activities for one year, however, the support is not directed to the operating expenses for the shelter.
* Until today, there is **no established referral system** for protecting victims, organizations have separate programs and activities, are not stabilized, no stable funding resources and non-government organizations are operating with support from donor organizations.
* There is also an **inadequate systematic understanding of the human trafficking and prostitution issues among law enforcement officials and insufficient human capacity and resources** to fight against and prevent them.
* The circumstances surrounding child trafficking are even worse, with fewer cases having been identified and prosecuted. Law enforcement and judicial officials often face challenges to investigate, prosecute, and adjudicate human trafficking cases using **victim-centered approaches**. Professionals who directly work with child victims of trafficking report that providing protective care and rehabilitation services has been insufficient. They also report that interagency coordination is essential to rehabilitating survivors while investigating and prosecuting cases.
* As human trafficking is a hidden, underground criminal activity, obtaining real, **reliable data on trafficking cases is difficult**. To overcome these challenges, further studies on emerging trends of human trafficking causes, methods, and dynamics, as well as research on the vulnerability and coping capacity of victims, are needed to reflect on policies, interventions, and programs in Mongolia. Therefore, due to the increasing use of digital technology by traffickers during the current COVID-19 pandemic, it is urgently needed to enhance the capacity of civil servants, and furthermore, to improve work performance.10
* There is **no trained official or specialized unit that provides services to victims** of trafficking in the social welfare and social protection sector**s.**

1. ***What recommendations do you have to prevent and end violence associated with prostitution for women and girls?***
   1. **Decriminalize persons in prostitution**

* Decriminalize the selling of sex and the persons in prostitution. Prostitution always means that vulnerable people are forced to live under inhumane conditions. That’s why Talita Asia has a clear position of rejecting any notion of prostitution as a form of work. We do not accept, and will fight the use of, the term ‘sex work’. We should start with the word that describes who is selling sex. It describes in Mongolian as a worker.
  1. **Develop support services for victims by funding specialized NGOs and listening to survivors**
* Support NGOs implementing exit programs and enable the participation of survivors in policymaking. Approve the annual government budget specifically for rehabilitation programs for victims of human trafficking and allocate the budget for enhancing long-term services provided for victims, such as shelter, legal assistance, trauma therapy, health care, and life coaching and mentoring.
* Amend relevant laws to ensure victims’ access to protection services regardless of whether officials initiate formal criminal proceedings against their alleged traffickers.
* Systematize and fully implement formal procedures to guide government officials, including police, immigration, and labor authorities, in victim identification and referral to protective services.
* Strengthen inter-ministerial coordination to combat trafficking and protect its victims.
  1. **Implement the criminalizing of the demand/sex buyers that fuel prostitution and trafficking**
* Since prostitution in itself is a form of violence against women it would be impossible to meet the target in question if prostitution would be referred to as “work”. To eliminate violence against women, sex purchase needs to continue to be recognized as a crime. By default, women in prostitution need to continue to be defined as “victims of a crime” and never as “workers”. The purchaser (most of a man), however, uses the woman as an object, which is unacceptable in an equal society. The argument is that without demand, there would be no supply.
* Buying sex is already criminalized but it is not implemented. There is a lack of knowledge about social and gender equality and enjoyment of human rights. Sex purchase should be one of the most shameful crimes a person can be convicted of.

Government should take a **big step to raise public awareness of implementation**. Taxpayers should push the government to protect the most vulnerable people by changing their attitudes toward women and girls in prostitution.

Trafficking in human beings is interlinked with prostitution at all levels. Prostitution fuels the global trafficking industry by driving the demand. Sexual purposes are the most common reason for women to be trafficked and a majority of persons in prostitution have been trafficked. Therefore, **it is impossible to fight trafficking without fighting prostitution.** “Prostitution” and “trafficking” are addressed in combination with each other in the document such as the CEDAW, the BPA, and the Programme of Action of the ICPD.

* 1. **Improve the criminalization & punishment of traffickers, including through training and capacity building**
* Increase efforts to investigate and prosecute trafficking offenses—including those allegedly committed or facilitated by law enforcement officials, and in partnership with law enforcement counterparts in common destination countries—using Articles 12.3 and 13.1 of the criminal code, rather than under alternative administrative or criminal provisions that prescribe significantly lower penalties.
* Prosecute perpetrators, starting with anyone who keeps or manages a brothel.
* Strengthen human capacity and resources and train all stakeholders in the prosecution process need to be trained.
  1. **Address the root causes of prostitution including sexual abuse against children and poverty**
* Improve child protection system: 90% of the victims (Talita Asia) could not get appropriate help and support from the child protection system when they were sexually, physically, or emotionally abused at home.
* **End poverty in all its forms everywhere**; Poverty drives women and girls into prostitution. To choose between poverty and prostitution is not a choice at all. Women and children in poverty are disproportionately involved and exploited in prostitution and are more vulnerable to trafficking. As are victims of incest and sexual violence, indigenous women and children, migrant women and children, and women and girls from ethnic minorities.
* **Promote sustained, inclusive, and sustainable economic growth**, full and productive employment, and decent work for all; Needless to say, prostitution is a contradiction to decent work. As long as women have been trapped in prostitution the goal of full and decent employment can never be reached.
* **Facilitate orderly, safe, regular, and responsible migration and mobility for all people**. A majority of persons in prostitution have been trafficked into the industry. But even apart from that, an overwhelming majority of women in prostitution are urban migrants. Prostitution and trafficking are therefore obstacles to safe and responsible migration and mobility.
* **Conduct research** and analysis on prostitution at the national level.

RESOURCES:

* 1. Joint submission of Talita Asia together with CAP international to the 82 th session of the CEDAW
  2. <https://en.wikipedia.org/wiki/Prostitution_in_Mongolia>
  3. <https://www.iom.int/news/iom-launches-new-anti-trafficking-campaign-mongolia>
  4. <https://ecpat.org/wp-content/uploads/2021/08/a4a_v2_eap_mongolia_1.pdf>
  5. <https://ecpat.org/wp-content/uploads/2021/08/a4a_v2_eap_mongolia_1.pdf>
  6. <https://www.un.org/sites/un2.un.org/files/imrf-mongolia.pdf>
  7. GEC, Overview of Human Trafficking in Mongolia (Ulaanbaatar: Mongolian Gender Equality Center, The Asia Foundation, 2018
  8. Testimony collected by Talita Asia
  9. M-survivor of HT and prostitution and received long-term help and support from Talita Asia
  10. Gender Equality center\_UPR36\_MNG\_E\_Main.pdf