



CSW 59 Priority Theme: Beijing Declaration and Platform for Action, including challenges that affect its implementation and the achievement of gender equality and the empowerment of women.

**Statement submitted by the Congregation of Our Lady of Charity of the Good Shepherd, a non-governmental organization with special consultative status with the Economic and Social Council together with Dominican Leadership Conference; International Federation of Women in Legal Careers; International Federation of Women Lawyers; International Presentation Association of the Sisters of the Presentation of the Blessed Virgin Mary; Passionists International; Religious of the Sacred Heart of Mary; Society of Catholic Medical Missionaries; The Sisters of Mercy of the Americas; UNANIMA International**

The Congregation of Our Lady of Charity of the Good Shepherd unites with all who celebrate the vision and outcome document of the 4<sup>th</sup> World Conference on Women in 1995. It is truly a visionary declaration rooted in a human rights framework with a call for practical actions towards implementation of gender equality and women's empowerment in critical areas. Despite progress in the past 20 years, as we move towards a bold and transformative agenda for post-2015 with Sustainable Development Goals we must consider a range of gender issues that continue to be problematic, sometimes used as 'tradeoffs' within negotiation processes or fully ignored.

We identify now, at this 59<sup>th</sup> Session of the Commission on the Status of Women, the stubborn persistence of poverty and violence, the vicious circles of disempowerment that facilitate ongoing sexual exploitation of women and girls through structures of prostitution and human trafficking. These degradations continue to exist in violation of human rights because member states have lacked political will to enact or to uphold strong human rights frameworks. This is reinforced by unyielding and dominant patriarchal mindsets that resist gender equality dialogue, discussion, and change.

Today, within the various Good Shepherd grass roots services in 72 countries women and girls are constrained by the same, often worsening, situations that existed in 1995. In our current models of economic globalization, women and girls who are living in extreme poverty are denied access to basic services and are highly susceptible to forces of irregular migration, prostitution, and trafficking for sexual and/or labour exploitation.

Prostitution is a violation of human rights, violence against the person prostituted; equally disturbing is exploitative labour trafficking and trafficking for organ removal and child soldiers. The Beijing Declaration and Platform for Action condemned trafficking in women and girls for sex as “a matter of pressing international concern” and noted “the use of women in international prostitution and trafficking networks has become a major focus of international organized crime.” The Beijing Declaration and Platform for Action referenced implementation of the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploration of the Prostitution of Others. It is interesting to note that the above Convention was adopted by the United Nations on December 2, 1949, one year after the Universal Declaration of Human Rights. The system of prostitution was affirmed as a contemporary form of slavery that oppressed women and was injurious to men and all society. In the 50 years of debate prior to the adoption of the Convention it had already been identified that state regulation and legalization of prostitution encouraged trafficking in women.

Since 1995 much has been done at the international level to enact laws and reinforce a human rights perspective. The Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children was opened for signature in 2003. We applaud the 179 member states that have ratified and begun to adopt these international laws at national level. We acknowledge and appreciate the many regional mechanisms and agreements that are in place. But only when each country has integrated the international laws into its national laws and collaborate across borders to ensure the human rights of every person will change be seen. The appointment of the first Special Rapporteur on Trafficking in persons especially women and children in 2004 was welcomed and the endorsement of a third rapporteur in 2014 is supported. The draft resolution of the Human Rights Council, resolution 26/8, recalls and affirms various the normative frameworks that have been developed. More recent developments have been the United Nations Global Plan of Action to Combat Trafficking in Persons (2010) and the celebration of the first World Day against Trafficking in Person on July 30<sup>th</sup> 2014. These are all milestones we acknowledged within our Beijing +20 review.

We acknowledge and appreciate the work and achievement of Sweden, Norway, and more recently France, Canada and Northern Ireland in addressing the human rights violation caused by prostitution. Using a legislative basis, they have criminalized not only traffickers but the purchasers of sex and sexual services, insightfully defining the multiple layers of human rights violations in prostitution. We encourage all member states to do the same. The debates engaged in during the legislative process bring complex gender consciousness to the public forum.

The Beijing Declaration and Platform for Action embodies and reinforces the human rights of women and girls and reaffirms that all human rights - including the right to development – are universal indivisible, interdependent and interrelated. It was further identified that the gap between the existence of rights and their effective enjoyment derives from a failure by Governments to promote and protect those rights. This challenge continues today and was elaborated in the combined statement of a number of UN special rapporteurs entitled ‘Poverty, Inequality, Discrimination – Let’s stop human trafficking at the roots’ prepared for European

Anti-Trafficking Day, 18<sup>th</sup> October 2014. In their call for a concerted global response, they wrote that trafficking is a grave violation of human rights which remains pervasive because its eradication requires coordinated efforts to address its root causes across multiple sectors. It is of paramount importance that countries of origin, transit, and destination, work together to eradicate poverty, inequality, discrimination and other factors causing vulnerability. It is a cause of concern for us to read ‘all over the world, child trafficking is on the rise. Detected cases of child trafficking represent 27% of human trafficking. And ...the increase has been greater in girls: two out of every three child victims are young girls.’ When we read these facts we must consider the multiple predators or exploiters of these girls. The trafficker is a central ‘middle person’ in this criminal activity. But the purchaser of sex is equally culpable. And we are compelled to ask, where are the government protections?

‘Trafficking’ is mentioned 26 times in Beijing Declaration .... Paragraph 99 calls for the ending of all sexual and gender-based violence, including trafficking in women and girls. Paragraph 108 q urges the adoption of specific preventive measures to protect, women, youth and children from any abuse including sexual abuse, exploitation, trafficking and violence. Yet in Paragraph 122 we see reference to “the sex trade.” The use of the term ‘sex trade’ especially in such a fine document requires critique, analysis and challenge. Its very use is a violation of human rights as persons cannot be traded. It is unfortunate that trafficking in person is often mentioned in the same line as trafficking in drugs, arms or endangered species.

In all the discussions that have taken place little is ever said of the interpersonal exploitative human rights violations that occur in prostitution. The use of economic terminology ‘demand and supply’ concepts to describe prostitution and human trafficking is in itself exploitative, a failure to uphold human right and disrespectful of the dignity of the person.

It is a serious omission that the proposal of the Open Working Group for Sustainable Development Goals A/68/970 does not reflect a strengthened commitment to human rights for all which should be at the center of a socially just and ecologically sustainable development agenda as well as a means of achieving it.

The absence of ‘human rights’ in the title of Goal 5 ‘Achieve gender equality and empower all women and girls’ is an aberration and we ask that the goal read ‘Achieve gender equality and human rights for women and girls’. Likewise, not clearly indicating that food, water, sanitation, access to health, education, and basic income – all elements of national floors of social protection - are human rights is unacceptable. Only within a strengthened human rights foundation for gender equality and all human rights can society move towards transformation ‘leaving no one behind.’