**EQUALITY NOW ORAL SUBMISSION FOR CEDAW DISCUSSION ON TRAFFICKING IN CONTEXT OF GLOBAL MIGRATION**

We thank the Committee for providing Equality Now with the opportunity to address you all today on trafficking in women and girls in the context of global migration. Equality Now appreciates the Committee’s timely recognition of the need to provide comprehensive guidance to states in a new General Recommendation in relation to Article 6 of CEDAW. We hope the General Recommendation will increase the much needed political momentum to address trafficking and in women and girls, which we all recognise is a growing global crime and gross violation of their human rights. In particular, trafficking for the purposes of sexual exploitation remains the most pervasive form.

The links between gender-based discrimination and inequality, migration and trafficking in women and girls are well established. Economic and political instabilities, conflict, humanitarian crises and natural disasters will impact on women and girls disproportionately, as they are more likely to be in inferior situations as a result of underlying gender-based discrimination, violence and inequality.

We would like to specifically highlight some recommendations to the Committee today that we hope will ensure that international human rights law best addresses the underlying issues and factors.

* We believe this General Recommendation should emphasise the importance from the outset that **states parties address gender-based discrimination and inequality by putting in place specific measures that permit women’s substantive equality** in accordance with existing international laws and standards. These measures are key in eliminating trafficking and exploitation of women and girls, including in the context of global migration. The new General Recommendation should **reaffirm the Sustainable Development Goals’ characterisation of “trafficking and the sexual and other types of exploitation” of women and girls as a form of violence against women**, and call on states parties to put in place measures which address structural factors that increase their vulnerabilities to trafficking and sexual exploitation.
* We hold that this General Recommendation should **encourage both home and host countries to work harder at identifying traffickers and instilling stricter punishments for this crime when it is identified**. In particular, special attention should be made to trafficking for the purposes of “the exploitation of the prostitution of others or other forms of sexual exploitation” as it is the most pervasive form of exploitation that women and girls experience, and requires a different approach than labour exploitation.
* In situations of extreme political and economic instability there is systematic failure to uphold basic human rights and women and girls are disproportionately affected. In these situations, where the rule of law breaks down, it is of the utmost importance that the **legal responsibility held by all state and non-state players is clearly articulated** in order to ensure that traffickers do not thrive or operate with impunity.
* We further recommend that the **General Recommendation confirms that trafficking is as a result of abuse of power and grounded in the ideology of male entitlement**. We wish to see therefore an **encouragement to states parties to put in place punitive measures that address impunity at all levels**. This includes strengthening measures to address the demand that fosters trafficking, exploitation and the supply of victims.
* We recommend the **General Recommendation applies the Equality Approach, which is a comprehensive strategy that recognises both the push and pull factors that enable trafficking and exploitation of prostitution of women to thrive**. This would require all States to affirm that prostitution is a major form of violence against women and not work, and put in place laws and **measures that decriminalise women in prostitution, while at the same time addressing the demand that fosters trafficking and prostitution to ensure accountability for the exploitation of women and girls**.
* The term “forced prostitution”, is not defined in international law nor is it a term that otherwise has universal acceptance. **We recommend that the General Recommendation uses the agreed international law terminology, namely “exploitation of prostitution of others/women” as found in CEDAW, the Palermo Protocol and the 1949 Convention for the Suppression of the Traffic in Persons.**
* In conclusion, it is our belief that the current scope and focus may result in the General Recommendation limiting the full understanding of the context of migration which is closely intertwined with trafficking and the exploitation of prostitution of women and girls. The majority of women and girls are trafficked into prostitution, and while there is strong evidence of the role of migration in exacerbating trafficking in women and girls, there is much more that is happening outside the context of migration. **In this first General Recommendation on Trafficking in Women and Girls, we encourage the Committee to take a broader approach to elaborating Article 6, and acknowledge the full spectrum of contexts in which the trafficking and exploitation of women and girls occurs.**

We thank you for your time and look forward to the discussion.

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