**Statement Kingdom of the Netherlands to CEDAW – 22 February 2019**

Thank you Mr Chair,

The Kingdom of the Netherlands welcomes the drafting of the General Recommendation on Trafficking. The fight against trafficking and exploitation of human beings must be continued, including through instruments like the Treaty Body system.

We do however feel that elements of the Recommendation require further attention. Its aim should be to enable national and international authorities to respond effectively and with full regard to the human rights and dignity of those directly involved.

Therefore, we should be cautious not to conflate consensual sex work, sexual exploitation and trafficking. *Criminalizing* sex work including “ending demand laws” only makes the environment more harmful for sex workers. Its effect is to deny the rights of sex workers to their bodily autonomy and to their rights as workers.

Please allow me to share the Dutch experience of *decriminalizing* consensual adult sex work. In making sex work legal, we have succeeded in upholding human rights and we are now better equipped to address trafficking. Also, there is evidence that decriminalising sex work can prevent 30% of new HIV infections.

Since the Dutch brothel ban was abolished in 2000, cities such as Amsterdam, Utrecht and The Hague have implemented extensive bylaws to regulate the prostitution sector. This includes provisions on enforcement and control and the provision of social services.

The abolition of the brothel ban has provided a better view of the sector, allowed for better contact between social workers, the police and sex workers. Sex workers are better placed than anyone else to prevent, report and help put an end to trafficking. Moreover, minors are very rarely detected at licensed businesses and the number of prostitutes working without a valid work or residence permit has been reduced.

While challenges remain, responding has proved much easier within an established regulatory framework. For instance, in the Netherlands, sex businesses were seen to be moving to those regions with less (strict) rules. In order to address such local and regional differences in prostitution policy, legislation containing a uniform national licensing system is now before Parliament. It will enhance the authorities’ ability to combat abuses and to improve the social position of prostitutes.

In short, the conflation of trafficking and sex work deflects attention from the real migration patterns of low-income women and men who undertake risky migration for work in exploitative informal employment.

Instead, if we recognize migration, consensual sex work and trafficking as separate phenomena, we can break entrenched stereotypes on gender and sexuality and stop viewing sex workers exclusively as victims or criminals.

I thank you Mr Chair.