

UN Women Submission

CEDAW Half-day general discussion on trafficking in women and girls in the context of global migration, 22 February 2019

Ladies and gentlemen, most of the victims of trafficking are women and girls. The vast majority are trafficked for the purposes of sexual exploitation. Although not all victims of trafficking are migrants, being a migrant heightens the risk of being trafficked. Migrants often find themselves in vulnerable situations, which exposes them to deception or coercion by traffickers.

For migrant women and girls, the multiple and intersecting forms of discrimination they may face exacerbate the risk of trafficking. Discriminatory laws and policies in some countries which restrict the migration of women and girls, coupled with the lack of regular migration pathways can compel women and girls to take irregular and dangerous migration routes and to turn to smugglers. Such routes heighten the risks of trafficking, exploitation and abuse that women and girls face, including sexual and gender-based violence.

Enduring gender-based discrimination in the labour force and the undervaluation of occupations such as care and domestic work limit women`s job opportunities and make them vulnerable to labour exploitation and trafficking. Consequently, many women must resort to jobs in the low-paid informal economy with few or no labour or social protections.

Many women girls who have been trafficked are criminalized or face the judicial consequences of their irregular migration status instead of provided with the services to recover from the exploitation and abuse suffered at the hands of traffickers.

The development of the CEDAW General Recommendation on the linkages between trafficking and global migration comes at a critical juncture. The adoption of the Global Compact for Migration by Member States in December 2018 provides an important blueprint to address trafficking and migration in a coordinated manner. The Global Compact for Migration articulates human rights-based and gender-responsive approaches as key guiding principles and includes a specific objective on combating trafficking. The Global Compact thus offers important entry points to ensure gender-responsive coherence between laws and policies on migration, labour and trafficking.

To support the development of the General Recommendation on trafficking in women and girls in the context of global migration, we outline below some of the key gaps and recommendations taken from the 2018 Secretary-General’s report on trafficking of women and girls:

1. Propose specific recommendations that address the root causes that heighten the vulnerabilities of women and girls from falling victims to trafficking and looks more deeply at different aspects of prevention efforts beyond awareness raising;
2. Highlight the need to ensure women and girls victims of trafficking are not punished in any way for crimes they were forced to commit as a result of their exploitation;
3. Address the specific and long-term needs of women and girls who are the primary victims of sexual exploitation, domestic servitude and forced marriages, including ensuring the provision of high-quality services, long-term reintegration and rehabilitation support and ensuring these are not contingent on their cooperation in the judicial process or immigration status;
4. Ensure coherence between different laws on and measures responding to trafficking, migration and labour;
5. Highlight the need to address the intersecting and multiple forms of discrimination that increase the vulnerability of the most marginalized women and girls;
6. Ensure data collection efforts not only take into account age and sex disaggregation, and were possible other aspects that can better help identify vulnerabilities of different groups of women and girls;
7. Prioritize the issue of impunity of traffickers;
8. Address the heightened vulnerabilities of women and girls in the context of disasters and conflict and the need to mainstream anti-trafficking responses in this arena.

The proposed CEDAW General Recommendation bridges an important gap between global migration and trafficking in women and girls. It will support States parties in their efforts to eliminate the heinous practice of trafficking, while ensuring that the human rights of all women and girls on the move are being respected, protected and fulfilled. UN Women stands ready to provide technical support to CEDAW in developing this landmark General Recommendation.