

SWEDISH WOMEN'S LOBBY

Executive Director Phumzile Mlambo-Ngcuka
UN Women

11 November 2013

Dear Dr. Mlambo-Ngcuka,

Re: UN Women recent note on “sex work, sexual exploitation and trafficking”

I am writing to you on behalf of my organisation the Swedish Women's Lobby, regarding the recently disseminated UN Women note on “sex work, sexual exploitation and trafficking”, which my organisation was very surprised and shocked about. We strongly believe that the position expressed in the document would have a seriously detrimental impact on women's lives throughout the world, and act against our shared objective of realising gender equality.

We cannot believe that such a note can be issued by a UN agency, and especially UN Women, which aims to empower women and protect their rights. On top of promoting inequality between women and men, the note goes directly against UN internal and external standards and instruments, and does not reflect the views of women's organisations which have not been consulted on the issue.

This is why we ask you to officially withdraw this note, not only from the public sphere but also from the internal UN Women system, and to consult women's organisations on the issue of prostitution and gender equality.

1. The note goes against UN Women's mandate and values

Legitimising and recognising ‘sex work’ as a form of work is a very serious political positioning and we think it is legitimizing violence against women and the commodification of women's body and sexuality. UN Women is the UN Entity for Gender Equality and the Empowerment of Women, the creation of which we supported with all our strength. It is UN Women's role and duty to promote gender equality; very surprisingly, the note does not refer at all to gender equality or women's rights, and does not make any analysis of the impact of the system of prostitution on gender equality and on women's empowerment. It is shocking for us that the note does not take into consideration the rape and other forms of violence that the millions of women and girls in prostitution worldwide experience every day.

We are aware that the so called “sex workers” movement is pushing at all levels for a positioning that would distinguish between prostitution and trafficking. While we support the urgent need to stop criminalising women and girls in prostitution and protecting them from all forms of violence and human rights violation, we strongly believe that any purchase of sex, whether the prostituted person has been trafficked/exploited or not, is fuelling trafficking, normalising the sex industry and perpetuating inequality between women and men. Trivializing “sex work” ignores and silences the voice of the most vulnerable women and girls and legitimizes the buying, mostly by men, of women's sexuality and body in a way that also jeopardises all other efforts to promote women's empowerment and the fight against prejudicial gender stereotypes.

It is also time to listen to survivors, who from bitter experience share this insight, as explained for example by Rachel Moran, survivor of prostitution from Ireland who is working with women's organisations on this issue: "what is bought and sold in prostitution is not sex. It is sexual abuse. Prostitution is the commercialization of sexual abuse".

2. The note goes against UN internal and external standards and human rights instruments

The issue of prostitution and sexual exploitation has been addressed in several UN human rights instruments over the last decades:

- ***UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*** - adopted by the UN General Assembly on 2 December 1949: "Prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person".
- ***1992 CEDAW General Recommendation No. 19 on Violence against Women*** - Comment on article 6 of the CEDAW Convention: "Poverty and unemployment force many women, including young girls, into prostitution. Prostitutes are especially vulnerable to violence because their status, which may be unlawful, tends to marginalize them. They need the equal protection of laws against rape and other forms of violence."
- ***1994 Plan of Action for the Elimination of Harmful Traditional Practices affecting the Health of Women and Children*** - Violence against women and girl children (43-63): "Violence against women and girl children is a global phenomenon which cuts across geographical, cultural and political boundaries and varies only in its manifestations and severity. Gender violence has existed from time immemorial and continues up to the present day. It takes covert and overt forms including physical and mental abuse. Violence against women, including female genital mutilation, wife-burning, dowry-related violence, rape, incest, wife battering, female foeticide and female infanticide, trafficking and prostitution, is a human rights violation and not only a moral issue. It has serious negative implications on the economic and social development of women and society, and is an expression of the societal gender subordination of women."

Moreover, the UN has developed Standards of Conduct based on strict rules and principles for its staff, including a zero tolerance policy on sexual exploitation and abuse.¹ The reference policy document on ***Special measures for protection from sexual exploitation and sexual abuse*** prohibits sexual exploitation and sexual abuse, including "Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited. This includes any exchange of assistance that is due to beneficiaries of assistance."² Such policy document makes it clear that prostitution acts against human dignity.

It is incomprehensible for us that UN Women can potentially support positions that are directly in opposition to both UN internal standards and UN human rights instruments promoted all over the world.

3. The note does not reflect the views of many women's organisations and the assessment of the current policy developments

My organisation has signed the [Brussels' Call](#), together with more than 200 organisations working on women's rights and against violence against women, from all over Europe, as well as India, Argentina and Québec. Based on our joint expertise and experience, and especially the work of the frontline NGOs supporting prostituted persons, the Brussels' Call calls for abolitionist policies to end the systems of prostitution, which perpetuates gender inequalities, violence against women, and organise the exploitation of the most vulnerable ones. Many Members of the European Parliament,

¹ <http://cdu.unlb.org/UNStandardsofConduct/CodeofConduct.aspx>

² <http://cdu.unlb.org/Portals/0/PdfFiles/PolicyDocC.pdf>

from different countries and from the major political groups, [have also signed the Brussels' Call](#), sharing the same wish to see a Europe free from prostitution.

Moreover, the note does not take into consideration the experience of different countries, including in Europe, which have put in place different legal systems to deal with prostitution, showing that the normalisation of prostitution and legalisation of pimping has brought more vulnerability for prostituted persons, and for women and girls in general, especially in times of austerity. Many voices are alerting on the situation [in Germany](#) or [in the Netherlands](#), while many countries are seriously considering addressing the demand for prostitution as a way to tackle trafficking for sexual exploitation (Ireland, Cyprus, Northern Ireland, Scotland...). France is currently finalising a law proposal to adopt the Swedish model, which tackles the system of prostitution and trafficking by criminalising the purchase of sex and providing assistance and support to prostituted persons and survivors.

At European level, the European Parliament (EP) has delivered strong messages about prostitution:

- In 2006, the EP recognised that “one of the principal preconditions for international trafficking in women and children is the existence of local prostitution markets” and urged the Member States to take appropriate measures concerning men's violence against women in their national laws, in particular (...) to combat the idea that working as a prostitute can be equated with doing a job”.³
- In 2009, the EP stated that “the tolerance of prostitution in Europe leads to an increase in trafficking of women into Europe for sexual purposes, and to sex tourism”.
- This year, the EP, in its resolution on **UN CSW: Elimination and prevention of all forms of violence against women and girls**, lists prostitution amongst the many forms of violence against women and human rights violations.⁴

The European Parliament is currently working on a report which looks at the impact of prostitution and sexual exploitation on gender equality. We strongly believe that this approach should also be at the core of UN Women's work, and any UN agency in general, as any UN policy and action should aim at achieving equality between women and men and ensuring the true empowerment of women and girls, throughout the world. We are very concerned that UN Women has not been looking at recent policy developments, and the work of other intergovernmental organisations on the issue.

This is why we reiterate our demand to see the note officially withdrawn from any internal and external communication of UN Women, and we call for a consultation of women's organisations on the issue of prostitution, violence against women, trafficking and gender equality.

We hope to get a concrete response to this letter, and remain at your disposal for any complementary information about our organisation and our work.

Sincerely,



Gertrud Åström
President, Swedish Women's Lobby
info@sverigeskvinnolobby.se / www.sverigeskvinnolobby.se/en

³ European Parliament Report of 17 January 2006 on strategies to prevent the trafficking of women and children who are vulnerable to sexual exploitation, and European Parliament resolution of 2 February 2006 on the current situation in combating violence against women and any future action

⁴ European Parliament resolution of 6 February 2013 on the 57th session on UN CSW: Elimination and prevention of all forms of violence against women and girls