

TAINA BIEN-AIME, HUMAN RIGHTS DIMENSIONS IN THE HUMAN TRAFFICKING OF WOMEN AND GIRLS

Good evening. I would first like to thank the Consule générale Anne-Claire Legendre and the French Consulate for graciously hosting us and the Scelles Foundation for inviting CATW to join them this evening. My congratulations go to Mme Rossignol, the Minister of Families, Childhood and Women's Rights for her decades-long tireless work and leadership on behalf of women and girls. It is an honor to sit with you at this table.

Under the leadership of the great Eleanor Roosevelt whose home was a few blocks from here, governments gathered in post-World War II to pen to adopt the Universal Declaration of Human Rights (UDHR), which lays out the basic principles of our inalienable and indivisible rights, among which that all human beings are born free and equal in dignity and rights and that "[e]veryone has the right to life, liberty and security of person." Specific to human trafficking, the Declaration establishes that "[n]o one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."

One of the major global challenges of human trafficking is that it is not only a pervasive crime and one that is "hidden in plain sight," but it is also an extraordinarily lucrative one, perpetrated with very low risk of punishment. The International Labor Organization estimated in 2014 that illegal profits from human trafficking had reached \$150 billion, \$90 billion of which in sex trafficking profits. These estimates are modest.

As an organization that focuses on the trafficking in women and girls as gender-based violence and discrimination, we at the Coalition Against Trafficking in Women ask ourselves every day how we can accelerate efforts of governments, the international community and civil society to tackle this human rights violation.

From a legal perspective, the laws in place are sterling tools. Article 6 of the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) calls on member states to address trafficking in women, including the exploitation of prostitution. The 1949

Convention for the Suppression of the Traffic in Persons and of The Exploitation of the Prostitution of Others offers governments effective means to combating human trafficking, and like the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), these documents recognize that among the means of trafficking are the abuse of power over persons with acute vulnerabilities. These laws also call on governments to punish the 'demand' side of trafficking. We understand that the equations of supply and demand are applicable to this multi-billion dollar illegal market. Labor trafficking thrives on the demand for cheap goods and free labor and as it relates to sex trafficking, the demand for prostitution fuels it.

Within national legal frameworks, since 1999, starting with the Government of Sweden, a number of governments have also recognized that the key to address sex trafficking, and its end goal, the sex trade, including prostitution, is focusing on the demand or sex buyers. Indeed, in this multibillion-dollar market of misery, the fuel to the engine of sex trafficking is the demand for prostitution. Governments must prosecute the broad swath of exploiters of the sex trade, including the pimps and sex buyers, rather than punishing the exploited, who are mostly women and girls. We know that without sex buyers, the market would dry. Without sex buyers, governments would be forced to focus on investing on the educational and economic development of girls and women and engage its citizens, in accordance with human rights principles and international law, and most times, their own constitutions, to ensure equality between women and men.

So where are we today in this particular struggle for justice and equality? In 2016, we celebrated with France its victory in passing their law on prostitution, described by Minister Rossignol and M. Charpenel, deemed the strongest demand-focused legislation in the world to date. On February 14, a few weeks ago, the Republic of Ireland also followed Sweden, Iceland, Norway, Canada (with some exceptions), Northern Ireland and of course, France, in enacting what is known as the Swedish or

Nordic Model. We should now think of calling this legal framework the Global Model. These governments have recognized that sex buyers are the bedrock of the highly profitable sex trade; without them the sordid multi-billion dollar business would collapse and sex traffickers would have no place to park its prey.

While celebrating these successes, we must continue asking ourselves why is it taking so long for other governments, including the United States, to recognize the sex trade as global factory of the most violent forms of gender-based violence and discrimination? Yes, we understand that myriad challenges exist, including addressing organized crime and, in each city or neighborhood, the difficulties in identifying victims and gathering data on such crimes. We recognize the challenges, budgetary and otherwise, to providing housing, medical and other services to victims, once found. However, those who seek shall find and if the political will to combat all forms of violence against women were in place, we, as a society of nations, would be well on our way to implementing programs and policies to address the sex trade. What is holding us back?

Prostitution is one of the most brutal forms of male-perpetrated sexual abuse and violence, but it is still not perceived as such in our society. In most societies, it is defined as a crime, or moral failing on the part of the “weak” man who finds no sexual satisfaction with his wife or that of a so-called fallen woman. In countries that have legalized prostitution, prostitution is considered a job like any other. Perhaps the indifference to or the criminality of prostitution also stems because the majority of its victims are overwhelmingly poor, from disenfranchised communities, and dysfunctional childhoods that include sexual abuse and homelessness or other origins of acute vulnerabilities. But the pointed truth is that its victims are overwhelmingly women and girls, whose low status in society often dictates whether or not governments and society deem them worthy of attention or whose human rights should be respected. Prostitution is not more of a choice for women and girls than is female genital mutilation, child marriage, polygamy, widow-burning, or any human rights violation that happens to women because they were born female. These are all forms of

violence hidden under the guise of religion, tradition or culture. Likewise, prostitution is a harmful cultural practice that can only end if we unveil its origins as the exercise of power, control, and sexual access to women by men. If we pledge to fight for the abolition of all forms of human rights violations, then we must also invest in the abolition of prostitution.

Combatting sex trafficking and prostitution requires an intensive collaborative network of law enforcement, governments, civil society, and NGOs, but also the medical and mental health community, labor unions, men and boys, and youth groups. And of course, first and foremost, meaningful support to the formidable growing network of survivors, like Rachel, the leaders at SPACE Intl, and others around the world, who are helping us understand the true horrors of a life in prostitution and at the hands of sex buyers, pimps, brothel owners and other exploiters, for the profit of others.

What gives us hope to reach our goals is the progress we have made these past decades on combatting domestic violence, which is no longer seen as a private conjugal matter but a crime. What gives us hope is the global recognition that a 5,000-year-old practice called FGM that is no longer relegated to culture or religion, but deemed a human rights violation against women and girls worthy of eradicating. What gives us hope is the abolitionist movement that examines the impact of colonialism, racism and patriarchy on our lives and what is needed for true social and political change for women and girls. What gives us hope is that an increasing number of governments, including France, are finally recognizing that the exchange of money for unwanted sexual acts, sexual violence, degradation and dehumanization is not and never will be consent, and that women deserve better than being bought and sold for profit and male pleasure. We must transform that hope into action, without which equality and a just society will never be realized.

Thank you.