

HUMAN RIGHTS COUNCIL – 56th SESSION

Interactive dialogue with the Special Rapporteur on violence against women, its causes and consequences

24 June 2024

Ms Reem Alsalem, Special Rapporteur on violence against women and girls, its causes and consequences, shared with the Council her latest report focusing on prostitution and violence against women and girls.

Today, there is no doubt that women and girls globally are at a crossroads. Women's political and economic participation progress is hampered due to alarming setbacks. The international community has the resources to prevent and stop the killing, torture, maiming, subjugation, and erasure of women and girls. Yet, many countries have justified austerity measures to divert already limited resources away from grossly underfunded frontline services and organizations assisting and supporting victims of violence against women and girls. Some countries, including Afghanistan, attempt to erase women from language and deny their freedom to assemble, advocate, and speak on issues that are important to them, including the centrality of being female in their lives. It is imperative that relevant human rights mechanisms, such as the Commission on the Status of Women, be revitalized to take stock of the global situation and to improve prevention and response.

Specifically, the SR was deeply troubled by the testimonies from survivors and victims of prostitution. It is crystal clear that the system of prostitution entails severe human rights violations, including physical, psychological, and economic violence. It results in grave human rights violations, such as torture, and inhumane and degrading treatment, and infringes upon the right to safety, dignity, privacy, health, freedom of movement, and family. This horrific reality affects millions of women and girls and is a human rights crisis, begging the question of why it has never been recognized as such. Given the grave denial of basic human rights of victims and survivors, the international community must resist every attempt to sanitize the harmful realities of prostitution, especially by using terminology that is human rights-centric and reflects reality. Only by calling issues, phenomena, and relevant actors by the right terms, can be addressed properly.

She said that the other reason behind this issue is the need to address the causes that underpin, enable, and accelerate violence against women and girls. The perceived right of men to purchase sexual acts normalizes systematic violence against women and girls and blurs the line between consensual sex and sexual violence. This normalization has a far-reaching impact on shaping the sexual expectations and behavior of men and boys. Moreover, the normalization of prostitution, including pornography, or filmed prostitution, creates harmful sexual expectations and undermines the safe and equal participation of women and girls in society. It also results in girls being severely distressed by the pornification and sexualization of women and girls, particularly in pornography.

In conclusion, she advocated for an abolitionist legal framework. States have a responsibility to protect and assist victims in a gender-sensitive manner. States should decriminalize prostitution for women and girls, treat them as victims of a cruel system of exploitation and abuse, and provide comprehensive support and exit pathways. Simultaneously, they must criminalize the purchase of sexual acts and take stringent actions against pimping. Anti-trafficking policies that create an artificial distinction between 'forced' and 'free' prostitution should not be misused.

Further, she presented the report on her official country visit to Poland, which took place from 27 February to 9 March 2023. Poland has made notable advancements in gender equality, particularly in promoting women's economic independence and reducing the gender pay gap. Legal reforms have broadened the definition of domestic violence to encompass sexual, psychological, economic, and

cyber violence. However, many obstacles can be observed, including in accessing sexual and reproductive health rights as well as other restrictions on civil society and women's organizations working on sexual and reproductive health rights, gender equality, and LGBTI and migrant rights. Furthermore, acknowledging the immense hospitality that Poland has shown towards refugee women and girls from Ukraine, non-Ukrainian women and girls who need international protection must be able to find protection in Poland and also be given adequate assistance and support.

At the end of the interactive dialogue, the SR replied to questions posed by the Delegation regarding the consultation and submission of data information and lived experiences; on the issue of terminology, as she explained in the report, most of the victims, survivors of prostitution, and organizations rejected the term sex work because they felt it gaslighted them. It trivializes the violence and human rights violations that they have been subjected to. Women and girls are prostituted by the system and by others. They do not prostitute themselves. The context is exploitative and violent rendering consent irrelevant. Terminology needs to reflect the minimum agreed-upon language used by states. She agreed on that, for example, with the Russian Federation: *prostitution and exploitation of prostitution* are terms used in different international treaties and international declarations.

She categorically rejected *sex work and sex worker* terms, but other human rights-sensitive terminology can be used. She emphasized that the term *victim* is not derogatory nor demeaning. Victims have a legal status that means that women and girls in prostitution have been wronged, have suffered human rights violations, and are entitled to reparations, restitution, justice, and accountability. Indeed, she recommended in the report that prostituted women and girls should have the right to assemble and associate and should receive sufficient long-term and predictable funding and be invited to all discussions.

On the issue of consent and freedom to choose, many who are adults in prostitution today entered prostitution as girls. So, speaking about consent is not appropriate in this context. For those who are sheltered as adults, consent must be seen in the context of surrounding circumstances, not only apparent force and coercion but also gradual psychological manipulation, pressure, poverty, history of violence, and structural discrimination.

In terms of the proposed *policy model*, surprisingly some countries choose not to comment on this but to pretend that this is made under the guise of moralistic approaches.

She stated that demand for sexual acts creates a demand and supply of pimps and emboldens buyers of sexual acts leading to more violence.

In terms of *good practices*, the EU Parliament resolutions of 2014 and 2023 on prostitution are best practices as they frame and tackle prostitution most comprehensively.

Businesses including media, tourism, travel, and digital technologies have a clear human rights obligation and must be held accountable. In terms of pornography and technology-facilitated violence, the SR recommended adopting regulations that comprehensively target pornographic content and explicitly criminalize the possession, production, or hosting of material as they violate the right to life and dignity. She recommended that pornography sites must open themselves up to law enforcement and dedicated organizations to antitrafficking to assess risks.

Poland (concerned country) reported its national programs and plans aimed to protect and promote women's and girls' rights. Recent legislative action included the introduction of the crimes of female genital mutilation and forced marriage into the penal code. Also, the definition of domestic violence has been extended to cover informal, non-habitant, and former partners as well as economic,

psychological, and cyber violence. Further, the rights of children witnessing violence have been leveled with those of victims and survivors.

After the parliamentary election in October 2023, Poland has a new Government and a Minister for Equality with a universal mandate covering prevention and combatting all forms of discrimination, bias, and hatred, as well as violence against women and girls. In 2024, compared to 2022, Poland doubled the annual budget for counteracting domestic violence and local authorities regained access to funds for prevention projects.

Interactive dialogue

87 country delegations took the floor during the interactive dialogue, all of which reaffirmed their commitments to the full equal, and meaningful participation of all women and girls in all aspects of life, including in the public life. They continue to vigorously promote gender equality, ensure the equal and full enjoyment of all human rights by all women and girls, and ensure their empowerment free from multiple and intersecting forms of discrimination. **The United States**, alongside a cross-regional group of over 60 countries, reaffirmed its unwavering commitment to ending these violations and abuses and supporting victims, survivors, and witnesses. Conflict-related sexual and gender-based violence remains a devastating tactic used in times of war by state and non-state actors, particularly against all women and girls.

The international community must strengthen its efforts in taking a survivor-centered and trauma-informed approach to investigate allegations of conflict-related sexual and gender-based violence, facilitate access to justice and accountability for victims and survivors and provide comprehensive support to survivors including sexual and reproductive health services, psychosocial support and legal assistance.

The EU informed the adoption of the first ever EU-wide law combating violence against women, criminalizing offenses across the EU. The diverse voices of the women and girls at the heart of the report should have been more sufficiently taken into account.

Ghana and the African States are deeply committed to addressing sexual exploitation and violence against women and girls in all its forms. They emphasized the importance of supporting the right to development and eradicating poverty through sustainable growth as key to reducing the vulnerability of women and girls to sexual violence and prostitution. **The African Union** has been proactive in formulating policies against human trafficking recognizing the vulnerability it creates for women and girls. It strongly condemned sexual violence and forced prostitution in conflict situations both in Africa and globally. The African Group highlighted the African Union's positive masculinity initiative 2022 which promotes healthier and respectful attitudes among men. This initiative engages men and boys to support the broader movement for gender equality and women's empowerment. Positive masculinity is crucial to ending all forms of violence and discrimination against women and girls and serves as a model for other regions.

Jordan noted with concern the different problems related to information and communication technologies, which made it easier to carry out certain forms of prostitution. **Chile** commended the focus on prostitution as violence against women. Prostitution is a relationship based on both economic and sexual asymmetry.

Mexico affirmed that stopped using the term "*prostitution*" because believed that it stigmatizes people who exercise sex work. To guarantee the rights of sex workers, it is necessary to make visible the difference between trafficking in persons for the purpose of sexual exploitation and sex work

based on the right of all persons to decide about their bodies, non-criminalization, and safe working conditions, free from violence, exploitation, and discrimination. Mexico condemned trafficking in persons for the purpose of sexual exploitation and intersectional and gender-based approaches critical to protecting and providing comprehensive and effective care to victims and survivors.

The majority of the Member States of the Council reported national actions, plans, and regulatory frameworks that provide women and girls with an instrument in the fight against sexual exploitation and abuse. **Egypt** deplored the attempts by some countries to legitimize prostitution instead of penalizing those who treat women as an object. Prostitution is an exploitative system and a form of violence against women and girls and contradicts their fundamental rights it is essential for countries to pass more stringent laws regarding the sex trade, especially against women and children, as well as criminalizing pornography on the Internet and imposing severe fines on those who practice them. Prostitution needs to be criminalized because is a form of human trafficking exploitation and degrading treatment. The weakness of social systems and the inability to find proper opportunities are among the reasons that lead to the facilitation of exploiting women in general and women migrants in particular, added **Iraq**.

Israel highlighted the lack of interest concerning the perpetration of sexual and gender-based crimes against Israelis, including rape and gang rape, genital mutilation, and sexualized torture.

China, informing about national measures to protect women's rights and interests, noted that in some countries, black, Latino, Indigenous and native women and girls experience higher rates of sexual exploitation, predominantly by white men. These countries should implement the CEDAW demonstrating a political will and truly guaranteeing equal rights for women.

The Russian Federation stressed the role of families as the main foundation of society in bringing up children and helping people in difficult situations. Social rehabilitation programs to increase employment and participation of women.

The Sovereign Order of Malta agreed on addressing cross-border cyber trafficking, allowing evidence sharing across borders in any upcoming UN digital compact or international treaties, and addressing online sexual exploitation explicitly. It also highlighted the issue of the consequences for children of prostituted women who are often sold in trafficking networks and consistently used for sexual abuse or rape. **Cuba**, sharing its comprehensive strategy to prevent and combat gender-based violence, agreed on the importance of adopting measures to combat prostitution and connected crimes.

Afghanistan reported that under the Taliban, women have no institutional protection. When women seek help, they are often sent back to their abusers and as a result, violence against them continues to escalate dramatically. The pattern of abuse experienced by women in prisons provides new extremes of abuse. The appeal requires our immediate attention and action. **Ukraine** acknowledged the urgency and gravity of the issue at hand, especially within the current context of Russia's ongoing war against the nation. Reporting data and cases, it affirmed that the Russian occupying forces were wielding sexual violence as a barbaric method of warfare. **The State of Palestine** shared the reality faced by the Palestinian women in Gaza. The systematic targeting of women and children, and the deliberate destruction of vital infrastructure like hospitals and fertility clinics leave behind unimaginable suffering.

WHO stressed that public health and human rights evidence shows that criminalizing any aspect of sex work is not effective in reducing violence or improving health and well-being. Repressive policing of sex work is associated with increased risks of sexual and physical violence in condomless sex. Countries should review punitive laws and work towards decriminalizing sex work.

International Planned Parenthood Federation denounced in the strongest terms the content of this report and the ideologically driven process that led to it: the report ignored evidence and global recommendations by the World Health Organization, Amnesty International, and more importantly sex workers themselves. It supported the full decriminalization of sex work and stood in solidarity with sex workers and their struggle for human rights. **NGOs** shared first-hand experiences to underline the lack of the SR's report. It also dangerously conflates the needs of children and adults. **All the NGOs objected to the report.** The report largely ignored trans and nonbinary survivors. This report also infantilized survivors implying that are incapable of autonomous consent. Poverty, disability, education, addiction, pregnancy, and social status do not erase their ability to consent. These cases show that victim's voices as sex workers must be heard. They need labor law, the recognition of sex work as work, and respect for their choices as sex workers. The **Asia Pacific Transgender Network**, to name one, denounced the report's use of the unfulfilled term *prostitution* that ostracizes sex workers. The report conflated trafficking with sex work which misrepresents sex workers and leads to mismatched solutions assuming that all sex workers are trafficked also denying the autonomy and agency of people who sell sex.

Delegations that took the floor during the Interactive dialogue (87 country delegations):

Angola, Algeria, Armenia, Belgium, Canada, Chile, Czechia, Egypt, European Union, United States of America (on behalf of a group of countries), United States of America, Greece, Georgia, Gambia (on behalf of a Group of African States), Iceland (on behalf of Nordic Baltic Countries (NB8): Denmark, Estonia, Finland, Latvia, Lithuania, Norway, Sweden), Iran (Islamic Republic of), Iraq, Israel, Indonesia, Japan, Jordan (on behalf of a League of Arab States), Kuwait, Lesotho, Maldives, Mexico, Netherlands, Nigeria, Qatar, Qatar (on behalf of Cooperation Council for the Arab States of the Gulf (GCC), Republic of Korea, Saudi Arabia, Sierra Leone, Slovenia, Bangladesh, Ethiopia, Democratic Republic of Congo, Colombia, China, United Arab Emirates, Russian Federation, France, Croatia, Malaysia, Sovereign Order of Malta, Cyprus, Cote d'Ivoire, Tunisia, Albania, Qatar, Togo, Senegal, Holy See, Cuba, Paraguay, Austria, Yemen, Zimbabwe, Djibouti, Tanzania, Ghana, Afghanistan, Romania, Venezuela, Angola, South Africa, Mali, Sudan, New Zealand, Burkina Faso, Malawi, Mozambique, Niger, Lebanon, Antigua and Barbuda, Botswana, Namibia, Cambodia, Luxembourg, India, Ukraine, Panama, State of Palestine, Nepal, Gabon, Switzerland, Benin, Barbados.

NHRIs and NGOs that took the floor during the Interactive dialogue (10):

International Planned Parenthood Federation, Equality Now, Akahatá Equipo de Trabajo en Sexualidad y Géneros Asociación Civil, Global Alliance against Trafficking in Women, Action Canada for Population and Development, Asia Pacific Transgender Network, International Women's Rights Action Watch Asia Pacific, Women Deliver, INC, Global Network of Sex Work Projects Limited, COC Netherlands.

International Organizations: World Health Organization (WHO).

To watch the full meeting refer to the UN WEB TV: [Part 1](#) and [Part 2](#).