

Forum: HRC (*Human Rights Council*)

Issue: The question of preserving human rights with reference to preventing forced prostitution and protecting its victims.

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Introduction

The problem of forced prostitution was touched upon by the UN and international treaties several times but never dealt with in particular. It is a severe human rights violation; up to every right defined in The Universal Declaration of Human Rights is violated, especially the freedom from slavery and degrading treatment and the rights of liberty, social security and desirable work. Considering the enormous number of 4.5 million victims, there is an urgent need to address this specific issue while bearing in mind its extensive consequences, including human trafficking, poor health and social problems, and multiple others.

Besides reducing forced prostitution in various ways, there is a need to address the question of dealing with the victims. In addition to several approaches of supporting them and providing the desired help, there are also different opinions on the legal position of the persons concerned, especially those who have been trafficked. These differences pose an obstacle to both prosecution and assistance and make the victims face a vicious circle.

Major Countries and Organizations involved

There are no UN organizations which actively fight forced prostitution or investigate in the causes with major impact, but rather arrangements which work in small scales where forced prostitution occurs.

However, there are a lot of organizations which campaign to end abuses of human rights and fight against prostitution in general.

- Amnesty International Charity Limited (<http://amnesty.org/>)
- Human Rights Watch (www.hrw.org)
- International Labour Organization (<http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>)

Definition of Key Terms

Forced Prostitution

According to the Sexual Exploitation Task Force of the Inter-Agency Standing Committee, forced prostitution (or sexual exploitation) is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another.

Human Trafficking

Human Trafficking (or trafficking in persons) is a modern form of slavery. According to the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children, human trafficking is the recruitment, transportation, receipt etc. of persons for the purpose of exploitation. It's instruments are threat, use of force, fraud or position of vulnerability or the giving of benefits to achieve the consent of a person to be controlled.

Sexual and gender-based violence

According to WHO, sexual and gender-based violence (SGBV) is violence committed against females and males because of the way a society assigns roles and expectations based on gender. This form of violence includes specific acts especially against women, including rape and forced prostitution.

Forced labour

According to the ECOSOC, forced labour is the exploitation of one's workforce. There are mainly bonded labour, debt bondage and migrants who have been trafficked for work in domestic servitude, the construction industry, the food and garment industry, the agricultural sector and in forced prostitution.

Background Information

There are several ways how someone can be forced into prostitution. No matter how long the person stays there, the experience leaves a lasting imprint on their future. Victims of forced prostitution can be any age, any gender, but predominantly women and girls are affected. Adult women (59%) make up the largest group of sex trafficking victims, followed by girls (17%), although a small percentage of men (14%) and boys (10%) are also victims of the sex industry. There is no official number of how many people exactly impacted into forced prostitution per year because there is almost no way how to see through the perpetrator's game. Many of the poorest countries have the highest occurrence of human trafficking. In some countries, for example India or Pakistan, where economic alternatives for women and girls do not exist, they are much more susceptible to enter the sex industry unwillingly. There are also people who are practically born and then pushed into prostitution. It is nearly impossible to leave the sex industry, although 89% of the victims want to escape as fast as possible. Some studies report that about 90% of sex worker's daughters in India join the industry and become one of the 2 to 3 million prostitutes in India. The

affected people do not only have to labour under physical and psychological problems that will accompany them their whole lives, but rather with social disadvantages.

Causes

The main reason for humans to be forced into prostitution is to create a direct economic benefit of the procurer. It may also be used as an instrument of oppression against forced workers etc. or in a social context. Furthermore, sexual exploitation, in particular of women and children, is used in wars and other conflicts.

The vulnerability regarding forced prostitution is very distinct. Dependency, which may be of social, economic, legal or even emotional nature, increases the risk. The position of women in many societies makes them way more likely to be dependent and therefore exploited. Due to their precarious economic situation and the often illegal status, migrants are especially endangered. The often negative attitude towards victims prevents them from escaping their situation by seeking assistance, in some countries there is no assistance offered at all, often due to a bad overall humanitarian situation. As a result, victims of forced prostitution are mainly living in third-world countries, but may have been trafficked to developed countries.

Relevant UN Treaties and Events

- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 8 January 2001 (**A/RES/5525**)
- Security Council resolution 1888 on sexual violence against women and children in situations of armed conflicts, 30 September (**S/RES/1888**)
- Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 19 November 2000 (**C182**)

Possible Solutions

Several organizations of the UN have outlined their preferred solutions to the issue concerned. All of them agree on the point that the protection of victims should be of highest priority. The UN Special Rapporteur on trafficking in persons, especially women and children, stressed the importance of not criminalizing irregular migrants in order to lower social vulnerability. She called for legal, medical and psychological assistance to be provided in independent shelters. Rehabilitation and reintegration in the workforce were of great importance. Furthermore, it was suggested to grant temporary residence status etc. to exploited foreigners. The UN Inter-Agency Project on Human Trafficking as well as the WHO pointed at the fact that the victims should be respected and

only consensual measures should be taken to help them.

According to the ECOSOC, the support of victims suffered a lack of resources and investigations in exploitation were often ineffective due to underdeveloped police systems as well as powerful criminal organizations. The approach by UN Women and the sexual exploitation task force of the inter-agency standing committee is to fight the problem's roots. These were e.g. poverty, humanitarian problems and gender inequality.

A special concept which addressed some of the problems mentioned above was established in Asia and is described here:

http://www.unaids.org/sites/default/files/en/media/unaids/contentassets/documents/document/2012/20121212_HIV_SW.pdf

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