

Discussions and Recommendations



The concept paper and six related strategy papers were presented in plenary sessions. Each of the seven papers had a respondent who commented on the relevant paper during plenary. Participants were divided into six smaller workshop groups according to the themes of the strategy papers. Workshop discussions were guided by questions and issues raised by the concept and strategy papers and the respondents' comments. This section captures the key issues raised and recommendations made during plenary and workshop discussions.

PLENARY AND GROUP DISCUSSIONS: ISSUES AND RECOMMENDATIONS

PLENARY 1

**Concept Paper: *Gender Equality, Human Rights and Trafficking:
A Framework of Analysis and Action***

by Jean D’Cunha, Technical Advisor/Regional Programme Manager
UNIFEM Asia Pacific and Arab States Regional Programme on Migration

Respondent: Aurora Javate de Dios
Chair, National Commission on the Role of Filipino Women, the Philippines

Issues Raised in Open Forum

- The concept paper lays down a detailed and multi-layered framework of analysis that sees trafficking as an issue that is intertwined with varied aspects of women’s status, roles and location in societies. The complex factors that contribute to the systematic marginalization of women correctly connects the issues around trafficking of women with structural, historical, institutional and ideological factors that account for women’s continued subordination, including their pervasive abuse as sex objects in the private and public spheres. Despite progress that has been made to improve women’s lives, in no country are women substantially free from violence and abuse. The visibility of trafficking in women as an issue today illustrates this point.
 - An important insight of the concept paper is the need to better address the demand dimensions of the issue, including male demand for women’s sex services in prostitution – a sector into which large numbers of women are trafficked. This has implications for the way we frame the analysis of trafficking as a gendered phenomenon that is rooted in ideological constructions of the social roles of women. Even more important, it will have implications for the substantive direction of education and awareness initiatives and of legal frameworks. However the paper has not elaborated the role of pornography or new information technologies and their utilization by the sex industry as a means of socializing men into being sex consumers. It should be noted that sites for sexual services are some of the most profitable and fastest growing mediums for the marketing and exploitation of women and children. They reinforce racist and misogynist images of women. The high growth rate and massive income derived from sex sites indicate that changing male attitudes and demand for sex may not be so easily attainable.
- There is need for greater involvement of male advocates in anti-trafficking campaigns and initiatives to transform male-centred attitudes and behaviour that generate demand for trafficking and proliferation of institutions into which they are trafficked.
- The concept paper proposes a multidimensional and multi-sectoral, integrated approach which links long-term interventions with more immediately implementable actions. It is necessary to reinforce the need for survivor-centred programmes to be at the core of all action strategies. This approach assumes that the most knowledgeable persons are the survivors of trafficking themselves and together with policy and programme planners, would be in the best position to inform us about trafficking and its impacts on their lives.

- There is need to adequately recognize the significance of community-based anti-trafficking initiatives, and ensure that good practice is replicated and scaled up.
- Finally participants also reinforced the view that while a gender sensitive rights-based approach is woman-centred, it does not exclude preventing trafficking in men and boys or assisting them if trafficked.

WORKSHOP 1

Strategy Paper: *Providing Livelihood Options for Women and Adolescent Girls: An Integrated Approach*

by Lorraine Corner
Regional Economic Adviser, UNIFEM

Respondent: Syed Nuruzzaman
Social Affairs Officer, Poverty Centre
Office of the Executive Secretary, UNESCAP

Issues Raised

- There is need to place the preventive role of livelihood opportunities for women and girls in relation to trafficking within the total socio-economic context of migration and trafficking. Relevant livelihood opportunities may be located in developed or developing countries. Macroeconomic policies in both countries may contribute to their creation or destruction, and to whether they have a negative or positive impact on migration and trafficking.
- Prevention calls for an integrated and multi-sectoral approach that addresses migration and trafficking within the context of national development policy. Many countries of origin do not regard trafficking, gender mainstreaming or human rights as development priorities, and the links between trafficking and global macroeconomic environments and specific macro policies in countries of origin and destination are not widely recognized.
- There is need to recognize and address the role of industrialized nations in prevention by addressing women's fundamental human rights to livelihood and decent work.
- There is need for a more sophisticated analysis and critical review of the role of economic opportunities and empowerment, as strategies for preventing trafficking and rehabilitating the survivors of trafficking. Key issues for review include trafficking as a component of the continuum of population mobility, the role of economic factors on both the supply and demand sides in generating population mobility in general and trafficking in particular, and the relative roles of micro interventions and macro-economic policies.

Priority Group Recommendations

- Micro credit and entrepreneurial programmes:
 - (a) need to be strategically focused on specific target groups at the local level;
 - (b) should be linked to savings and build on skills acquired abroad (for returnees in particular); and
 - (c) must be market-oriented, generate profits and offer returns that are potentially competitive with those available through trafficking or irregular migration.
- Skills development programmes must adopt both a gender perspective and an empowerment approach.
- Reintegration of returnees should take account of their specific needs and the wider socio-economic situation.
- Education for girls should be gender sensitive and provide marketable skills.
- Bilateral MOUs and regional agreements should focus not only on trade in commodities but also on the mobility of people and their protection.
- Governments should:
 - (a) enforce contractual obligations and monitor labour standards;
 - (b) prosecute exploiting employers and agents.
 - (c) ensure a rights-based approach to protect migrants;
 - (d) develop localized and targeted interventions for specific groups; and
 - (e) consider sectoral approaches to prevention in specific localities.
- The Poverty Reduction Strategy process should:
 - (a) be gender sensitive, participatory, and inclusive of vulnerable groups;
 - (b) attentive to integrating issues such as trafficking that are not directly “owned” by a specific agency; and
 - (c) promote corporate responsibility among employers especially in countries of destination.

WORKSHOP 2

Strategy Paper: *Providing Education for Livelihood and Resilience for Girls and Boys*
by Sean Devine, Consultant, UNESCO
by Vibeke Jensen, Programme Specialist, UNESCO

Respondent: Phuong Nguyen
Project Officer on Education
UNICEF Regional Office for East Asia and the Pacific

Issues Raised

- The marginalization of women and children, especially girls, from education and sustainable jobs, heightens vulnerability to trafficking.
- Education systems must accommodate all children and be geared towards developing sustainable livelihood skills and resilience to live and sustain a living in their own communities, or in larger towns and cities to which they have migrated on a safe and voluntary basis.
- This would entail major curricula reforms and management changes in education systems that view formal and non-formal education and information dissemination as complementary and in need of improvement; provision and support of work options towards which edu-

cational opportunities are geared; need to make formal and non-formal curricula more gender- and rights-responsive;

- need to be able to scale up successful community-level interventions to a national level and incorporate successes into national policy; need to build alliances in a multi-sectoral way.

Priority Group Recommendations

- Ensure a match between better education and available job opportunities.
- Incorporate gender and human rights concerns, including themes like trafficking into school and university curricula.
- Ensure life skills and resilience training that raises awareness on the ploys of traffickers and harms of trafficking, and provide assertiveness and self-defence orientation.
- Conduct gender- and rights-awareness training for teachers and heads of institutions who will impart these values to students.
- Ensure life skills and resilience training that raises awareness on the ploys of traffickers and

WORKSHOP 3

Strategy Paper: *Providing Social Security and Protection for Women and Children in Difficult Circumstances*
by Margie de Monchy
Regional Advisor on Child Protection
UNICEF Regional Office for East Asia and the Pacific

Respondent: Prof. Sven Hessele
Department of Social Work, Stockholm, Sweden

Issues Raised

- Social protection with reference to trafficking needs to be discussed in relation to broader social exclusion, rather than limiting it to poverty.
- Community protection programmes with “social safety nets”, must be developed with a special focus on prevention and hence early intervention.
- Considerations for successful interventions should include recognition of links between migration and trafficking; targeting of the most discriminated groups, and addressing the special and different needs of women and children at special risk of exploitation.
- The paper presented illustrations of government and civil society initiatives on social safety net programmes in Asia and an assessment of these. Lessons learned included reaching the unreached, ensuring the participation of vulnerable women and children in programmes, linking targeted assistance with institution building, improving information and monitoring mechanisms so that they reach the most violated women and children, developing

Priority Group Recommendations

- Institutionalize training on children and women's rights.
- Improve the knowledge base on trafficking and build the information base on good practice on social security and protection for women and children.
- Strengthen the capacity of middle-level administrators on technical, logistical, management, perspectival and governance issues.
- Ensure participation and empowerment of target groups in social security and protection schemes.
- Provide services like counselling, life or livelihood skills, safe shelters, girls' residential schools, foster care to communities identified to be at special risk, or to high-risk populations.
- Support community-based protection bodies and social security initiatives like social funds.
- Strengthen social work capacities and social welfare systems.

WORKSHOP 4

Strategy Paper: *Safe Migration and Citizenship Rights for Women and Adolescent Girls*

by Jyothi Sanghera
Consultant, UNICEF

Respondent: Dr. Bridget Andersson
Senior Researcher, Institute of Social and Cultural Anthropology
University of Oxford, UK

Issues Raised

- While the right to leave one's country is recognized as a fundamental right, there is no concomitant right to enter another country. Visa and entrance requirements for migrants from poorer countries make it difficult to enter and work legally, thereby restricting mobility. This is especially true for women who are discriminated against by their skills not being respected, their jobs regarded as low-skilled, or by legal requirements that enforce dependence on male spouses. Emigration regimes that restrict women's migration, force them into "illegality" and render them vulnerable to abuse.
- Promoting safe migration and citizenship rights is crucial in combating trafficking. Stringent immigration controls do just the opposite – they
- Trafficking may occur in legally sanctioned systems of immigration: women may enter as "wives" or "au pairs" and be forced into work, including into prostitution. Many legal migrants are tied by immigration rules to a named employer, making it impossible to retract from the employment contract even if they have been deceived as to the terms and conditions of work. Enforced dependence increases vulnerability, especially if enforced by the State.
- It is important to recognize women's migration in terms of exercising agency. This leads us to problematize the "feminization of trafficking". We must refrain from adopting an essentialist model that sees men as "undocumented" workers or "smuggled aliens" and women as passive victims of trafficking, because there are also men who are trafficked and women

do migrate. In fact trafficking transforms women as agents into victims, within the context of migration.

- The characteristic endpoint imagined in discussions on trafficking, is that of the trafficked person as a helpless victim. While this undoubtedly happens, there are many who escape the situation on their own or with the help of others. They are transformed into irregular immigrants. Should they be punished or treated as trafficked persons to be assisted? This lack of recognition of other endings to the trafficking process results in responses and strategies that reinforce other forms of dependencies. It can also result in the construction of hierarchies of victimhood and oppression,

whereby the most worthy of help are those who suffer most, while those who struggle out of misery become less deserving or even undeserving of support – for instance support related to regularization of irregular immigration status or granting citizenship rights. Promoting safe migration and citizenship as a strategy to combat trafficking must address such intricate questions and all the unfoldings of the trafficking process – individual and collective.

- It is further important to examine the consequences of repatriation and return, especially from the safety angle. For repatriation does not always mark the end of abuse, exploitation and harm. Nor does it mark the end of mobility, as many re-migrate or are re-trafficked.

Priority Group Recommendations

- Ratify the International Convention on the Protection of the Rights of All Migrant Workers and their Families, 1990.
- Generate databases on migration disaggregated on the basis of sex, age, ethnicity, etc., that provide information on sectors of job demand, supply, remittances.
- Build women's capacity to deal with potential exploitation through pre-departure gender and rights-based orientation and training, thus enhancing their access to entitlements.
- Regulate recruitment and travel agencies in terms of protecting workers rights and develop mechanisms for accountability.
- Provide reliable and regulated sources of easy, low-interest credit, especially to women migrants, as a means of avoiding highly exploitative indentured labour contracts. Sources of credit need to be separated from employment and recruiting agencies.
- Review immigration laws and policies in accordance with international human rights standards, and an assessment of demand for migrant women's labour in various sectors.
- Enforce minimum national labour standards for the protection of national and foreign women migrant workers.
- Facilitate collective action and organization in countries of origin and destination.

WORKSHOP 5

Strategy Paper: *Promoting Effective Legal Strategies to Combat Trafficking*

by Shanti Dairam

Executive Director, International Women's Rights Action Watch Asia Pacific

Respondent: Eleanor Condor
Lawyer, the Philippines

Issues Raised

- Trafficking in persons, the majority of whom are women, largely occurs in the context of migration and is not often recognized by destination countries as a violation of human rights. Rather, it is addressed as irregular migration, and action is taken against trafficked persons for irregular immigration status.
- Guiding principles of a human-rights-based legal approach to trafficking are as follows: place trafficked women at the centre of the issue; decriminalize the victim; avoid conflating trafficking with migration; address all violations throughout the trafficking cycle; ensure provision for bilateral and multilateral agreements protecting trafficked persons; enumerate the legal obligations of countries of origin and destination to protect the trafficked person; pay special attention to the needs of ethnic minorities and stateless persons; eliminate all forms of discrimination against women in countries of origin and destination.

Priority Group Recommendations

- Ratify the UN Protocol to Suppress, Prevent, Punish Trafficking in Persons, Especially Women and Children, as an international instrument that meets basic standards from a rights perspective.
- Ratify other international conventions that have a bearing on trafficking such as the Convention on the Rights of the Child and its Optional Protocol, the Convention on the Elimination of All Forms of Discrimination against Women, the Palermo Convention on Transnational Crime, etc.
- Amend or adopt national legislation in accordance with the UN Trafficking Protocol and other international standards.
- Ensure that trafficking legislation and its enforcement is gender- and rights-responsive, with protective provisions for victims and witnesses. Eliminate clauses penalizing or discriminating against women in prostitution.
- Collect and analyze good practice of organizations striving to protect the rights of trafficked and non-trafficked persons in prostitution without demanding legalization or decriminalization of the industry.
- Enhance the efficacy of legal enforcement through the following:
 - (a) Develop guidelines for the rapid identification of trafficked persons.
 - (b) Generate databases (disaggregated on the basis of sex, age, nationality, ethnicity, etc.) on trafficked persons, purposes for which they were trafficked, profiles of traffickers, patterns of trafficking, routes and operations of traffickers.
 - (b) Improve systems of collecting and exchanging such information within countries and across borders.
 - (c) Institutionalize legal refresher courses for enforcement agencies and gender and rights training to identify trafficked victims and treat them in accordance with gender and human rights principles and standards.

- (d) Train law enforcers to act pre-emptively, e.g. early and speedy interventions when cases of persons missing are reported.
- (e) Develop early warning systems, e.g. establish trafficking hotlines, indicators and warning sets to monitor shifts in trafficking patterns and methods.
- (f) Provide legal education for populations and communities at risk and enhance access to legal assistance.

WORKSHOP 6

Strategy Paper: *Promoting Changes in Existing Social Attitudes to Women, Men and Sexuality*

by Bo Lewin
 Professor of Sociology
 University of Uppasala, Sweden.

Respondent: Prof. Julia O'Connell Davidson
 School of Sociology and Social Policy, University of Nottingham, UK

Issues Raised

At one end of the discussion was a point of view represented by the respondent as follows:

- Analyses that explain trafficking by focusing on general questions about notions of womanhood and manhood, and prevailing beliefs about male and female sexuality are limited in a number of respects.

To begin with, women and girls are trafficked into a range of sectors, including factory work, domestic work, agricultural work, as well as prostitution. Questions about the cultural construction of male and female sexuality are not relevant to understanding the use of exploitative and slavery-like practices in these other sectors.

- Though general questions about the cultural construction of male sexuality are relevant to understanding the general demand for commercial sex, they do not necessarily help to account for trafficking for prostitution. Not all those who work in prostitution have been trafficked. In other words, demand for commercial sex does not always or necessarily represent demand for trafficked persons' labour and services, and so general questions about why men buy sex or about whether and when

women are imagined as sexually inert, are not on their own enough to explain why some women and girls are subject to forced labour within the sex trade.

Instead, we need to think about patterns of labour exploitation within the sex trade, and how these may or may not link to particular patterns of consumer behaviour. In other words we need to address the complexities of both the supply and demand side of commercial sex and the relationship between the two.

- Many are reluctant to consider these complexities because they object to the sex trade on moral and/or political grounds, and therefore take the trafficked woman or child as emblematic of the condition of all prostitutes. But the commercial sex sector is organized and imagined by many sex workers, employers and clients as a kind of personal service industry, and it is enormously complex and diverse. Hierarchies exist not only between owners and controllers on one hand and sex workers on the other, but also among clients and sex workers themselves. These hierarchies and patterns of employment relations within the sex industry are linked to the intersection between gender inequalities and a range of

other social, economic and political inequalities. Further it is social attitudes towards prostitutes, rather than some general category of 'women', that make sex workers particularly vulnerable to abuse and exploitation. Although the stigmatization of prostitutes is intimately bound up with general social attitudes towards women and sexuality, it is important to note that measures to promote greater gender egalitarianism will not automatically help to destigmatize prostitutes, who are often imagined as standing outside the community of good, decent, rights-holding women. Moreover prostitution law in most countries enshrine this stigma, leaving particular groups of sex workers hugely vulnerable to abusive and slavery-like employment practices. There are few countries in which prostitution law helps establish employment norms within the sex trade that are respectful of prostitutes' rights as workers.

So to understand linkages between the sex sector and trafficking, it is vital to analyse the legal and social regulation of the *commercial* sexual experience, as opposed to sexual experience in general. We need ask how ideas about race/ethnicity/nationality, in combination with global, political and economic inequalities, and restrictive immigration policies, intersect with ideas about gender and sexuality to place particular groups of migrant sex workers at the bottom of the price hierarchy in the most exploitative working conditions.

- Whatever we believe about the rights and wrongs of buying sex, there are huge differences between clients in terms of their motivations and practices as consumers. While some clients actively seek prostitutes from groups that are most likely to be subject to abusive and slavery-like employment practices, others actively attempt to avoid prostitutes from these groups. Variations in patterns of demand for commercial sex do not merely reflect individual differences between clients, or general cultural norms regarding male sexuality, but also different social norms regarding what is and is not an acceptable way to behave as a buyer in the commercial sex market. Even as actors in what is often a com-

pletely unregulated market, clients do have a sense of, and generally want to conform to the prevailing norms of the commercial sex market. As consumers in other markets, people tend to observe what other consumers do and follow suit. However most people are very malleable in terms of their morality in any market and can quickly adjust themselves to practices that they would previously have considered exploitative, provided everyone else appears to be doing the same thing. Clients are no different.

- In some settings, prostitution is socially imagined and regulated in ways that construct women and girls as debased objects of trade, rather than as workers selling a personal service. When men's actions as clients are informed by such a framework, they are much more likely to feel it is acceptable and justifiable to use trafficked/unfree, young and vulnerable prostitutes, and more likely to tolerate or justify violence against them. And even where prostitution is imagined and regulated as a personal services market in which sex workers sell their skilled and alienable sexual labour, the existence of racialized hierarchies in terms of prices and working conditions can make the mistreatment of certain groups of sex workers appear to be normal and acceptable.

- The following conclusions can be derived from the above:

1 There are many who wish to promote change in existing social attitudes towards women and sexuality. But if the concern is to identify realistic and workable anti-trafficking measures, and come up with short-term, harm reduction measures for those most vulnerable within the sex trade, we need to focus specifically on attitudes towards commercial sex among buyers of sex. Efforts should be directed towards establishing and promoting universal standards and norms in relation to the minimum rights of sex workers that would be respected by a majority of both employers and clients.

2 We must recognize the complex interplay between gender and other social hierarchies – especially class, race, ethnicity, nationality and age, if anti-trafficking measures are to be effective.

3 We must address the state's central role in creating and reinforcing the social, economic and political inequalities that leave some women and children vulnerable to various forms of abuse and exploitation, including trafficking. With regard to questions about social attitudes towards women and sexuality, we need to consider ways in which prostitution law or the regulation of the commercial sex trade, may enshrine the negative stigma attached to prostitute women. This acts as a barrier towards collective organization among those working in the sex industry in pursuit of greater rights and status. It discourages rather than encourages the establishment of social norms among employers and clients that are respectful of prostitutes' rights as workers.

4 Finally many abolitionists call for laws to forbid men from buying sexual services. But it is important not to confuse sentiments about prostitution with those about trafficking. Not all clients buy sex from trafficked prostitutes, or even from groups of sex workers among whom trafficked persons are likely to be found. The case for criminalizing prostitute-use *per se* must thus be made through appeal to something more than simply the fact that the sex industry is currently a site of exploitative and slavery-like employment practices. Further criminalizing the buying of sexual services would be an unrealistic response in settings where prostitute use is widely socially accepted as a normal aspect of male sexual behaviour. Laws against prostitute-use are particularly likely to be

ineffective in settings where more than 70 percent of male police officers may themselves have experience of buying sex. Furthermore, since children and members of other politically, socially and economically marginalized groups are among those who provide demand for commercial sex, punitive approaches to those who buy sex may in many cases conflict with concerns for children's rights and other social justice issues. Finally, in settings where female prostitutes are most intensely stigmatized and where their civil and human rights are most systematically and consistently violated, calls for punitive approaches towards clients are likely to have unintended and negative consequences for women and children in the sex trade. All of this points to the conclusion that a "one measure fits all" approach along the lines of "penalize the buyers" is unworkable. Instead, policy measures to address the demand side of the market for commercial sex need to be sensitive to the particularities of the regional and local context within which demand occurs.

Responding to the above point of view were participants who argued that:

- The social construction of manhood and womanhood, male and female sexuality, combined with other socio-economic and political factors, is intricately linked to both prostitution in general and to trafficking into the sex and other sectors as follows:



Participants at seminar

Prostitution is based on the patriarchal ideological assumption that sex is a male right; that sex and women's bodies are commodities to be bought and sold, used and abused in the interests of male clients. Women in prostitution are constructed as "lascivious providers of sexual pleasure" and stand in contrast to the wife – "the procreators of a husband's legitimate progeny". First, the very condition of commodification of sex and women's bodies is a condition of alienation. Second, violence is built into a male-defined institution like prostitution and women are pitted against women – "whore vs madonna".

Any male who can pay a price for sex and women's bodies can have recourse to them. In an increasingly alienated and consumerist world, alienation which includes sexual alienation, results in demand for newer forms of sexuality and different and sexual partners. Class, race and ethnic factors interface with gendered notions of sexuality, resulting in the further abuse of women in prostitution.

Hierarchies exist among women in prostitution in terms of institutional arrangements, degrees of freedom and control, other terms and conditions of work. Hierarchies notwithstanding, female prostitution involves the appropriation of women's sexuality by men who buy sex. Research also establishes client, pimp or state violence against women in the upper echelons of the sex sector.

- How do gendered constructions of male and female sexuality relate to trafficking of women and children into the sex sector? The sex sector has in the recent context of globalization assumed the dimensions of a profitable global sex industry. A vast array of women and children from any part of the world can be provided to a vast array of clients from or in another locale. New information and communication technologies rapidly and inexpensively facilitate the process.

As both migration and trafficking studies point out, feminized migration and trafficking is largely a demand-driven phenomenon. While it is true that not all women are trafficked into

the sex sector, research and ground evidence particularly, though not only from poor countries, suggest that women and children are kidnapped or abducted for prostitution. Or their consent to migrate deriving from a force of circumstance, is nullified by coercion, exploitation or deception, which includes insidiously capitalizing on vulnerability to gain consent. At the other end of the spectrum are women who knowingly move into the sex sector, but are deceived about job categories within the sector and other terms and conditions of work, thus vitiating original consent. All this amounts to trafficking as defined by the UN Optional Protocol on Trafficking. Further, observed trends related to prostitution and trafficking into the sex sector establish that the age of persons in the sex sector is rapidly falling. Trafficking, especially across national boundaries is thus a principal method of supply into the sex sector. Traffickers thus use the bodies of young women and children as a central resource for the generation of profits.

- Assertions of class, racial, and male hegemony intertwined with gendered constructions of male and female sexuality are also relevant to women trafficked into other sectors, such as domestic work or sweat shop labour. Rape and other forms of sexual violence against women trafficked into other sectors are a well-documented phenomenon. Further, employers and contractors employing foreign or national migrant women workers in sweat shops or in export processing zones are known to also hire them out for prostitution. There are also cases of domestic workers being forced to entertain clients in sex establishments owned by their male employers.
- There is no doubt that clients exhibit varied motivations, attitudes and behaviour to women in prostitution. But these remain broadly within a power mindset – an exercise of class, racial, male hegemony, interlinked with gendered notions of male and female sexuality.

Clients normally do not go to brothels and to the hospitality sector (a euphemism for prostitution) into which trafficking also occurs, asking for women who are there by "choice". Nor do

owners tell them that they employ trafficked women. The appropriation of the sexuality of growing numbers of young women, minors and children testifies to large numbers of men showing blithe disregard for women and for children.

- Penalizing clients may act as a deterrent, though it may still be too early to ascertain the impacts in countries that have introduced the measure. However it defines “buying sex” as a crime and unacceptable behaviour and generates public discussion on existing notions of male and female sexuality, towards change.
- The respondent’s paper suggests encouraging clients and employers to treat women in prostitution with respect, within a legalized, decriminalized industry. This is proposed as a short-term harm reduction measure. However, once normalized like any other business, the proliferation of sex services to cater to varied

client demand will result in greater sexual violence against women, as ground experience shows.

Normalization of paid sex and the objectification of sex and women’s bodies, would diminish the value of struggles for gender equality and for the elimination of sexual harassment and violence against women. For what is defined as sexual harassment and violence in contexts where no monetary transaction occurs, would be defined as legitimate work in institutions where monetary transactions take place.

- Finally women and children in prostitution, including those trafficked for sex and other purposes must be decriminalized. Their rights as individuals must be protected. The focus must be on efforts to protect their rights without legitimizing the institution, as well as for long-term preventive development measures.

Priority Group Recommendations

- Undertake participatory research on the experience of sex and sexuality of non-trafficked and trafficked women and children in prostitution.
- Undertake studies on client motivation, attitudes and behaviour to persons, especially women and children providing sex services, and on client experience of sex and sexuality in prostitution.
- Raise awareness especially among young girls and boys, young men and women, challenging existing gendered constructions of male and female sexuality that endorse the abuse of women and reinforce the demand for institutions into which they are trafficked.
- Use gender and rights-based sex education as a tool directed at youth, school children, parents and communities to prevent trafficking for sex.
- Advocate for women’s sexual integrity to be accepted as a normative issue and eliminate the social stigma against women in the sex trade.
- Enhance access of women in prostitution to woman-friendly sexual, reproductive and general health services.
- Expand the gender and human rights framework to the domain of sexuality.

SECTORAL RECOMMENDATIONS

*Recommendations by Governments, Civil Society,
International Development Co-operation and UN Agencies*

GOVERNMENTS

- Place trafficking on national development agendas, linked to millennium development goals, with adequate budget allocations.
- Develop engendered databases on trafficking and monitoring and impact assessment indicators.
- Ratify the UN Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, 2000.
- Mainstream a gender sensitive rights-based perspective into development and anti-trafficking plans, policies, legislation and programmes, in an integrated multi-sectoral manner.
- Address the special needs of children in development and anti-trafficking plans, legislation and programmes.
- Establish mechanisms for inter-ministerial, inter-agency, multi-sectoral collaboration in formulating, implementing and monitoring policies and programmes.
- Collaborate with NGOs in formulating and implementing these policies and programmes.
- Conduct gender sensitive rights-based training on trafficking for policymakers and staff of concerned government agencies.
- Develop regional and subregional co-operation and exchange to combat trafficking, including bilateral and multilateral technical co-operation.
- Address the demand side of the problem in both Europe and Asia.
- Encourage all ASEM countries to implement the above recommendations.

CIVIL SOCIETY: NGOs, PRIVATE SECTOR, MEDIA, SPECIALISTS

- Advocate with governments to ratify and enforce relevant international instruments such as the Palermo Convention 2000, the UN Optional Protocol to Prevent Suppress and Punish Trafficking in Persons especially Women and Children, the Convention on the Elimination of All Forms of Discrimination against Women 1979, the Convention on the Rights of the Child, 1989.
- Review and reform anti-trafficking laws from a gender sensitive rights perspective, including policy and practice restricting women's mobility.
- Run media campaigns to combat trafficking.
- Promote gender and human rights education at all levels especially among young children and youth.
- Implement gender sensitive rights-based awareness-raising and training on labour laws, HIV/AIDS, existing social attitudes on gender roles and sexuality, for vulnerable groups;
- Integrate UNHCHR Human Rights Guidelines and Standards on Trafficking and the perspectives of trafficked persons and NGOs, into the formulation and implementation of plans, policies, legislation and programmes on trafficking.

INTERNATIONAL DEVELOPMENT CO-OPERATION AND UN AGENCIES

- Treat trafficking as a development issue.
- Support the development of engendered data-bases, monitoring and impact assessment indicators on trafficking.
- Support inter-sectoral plans of action marked by a gender sensitive rights-based perspective.
- Support initiatives that aim to understand the motivations and operations of traffickers and how demand is generated.
- Support awareness-raising initiatives that aim to transform male-centred attitudes and behaviour that generate demand for trafficked persons, as well as initiatives involving men as advocates against trafficking in women and in children.
- Enhance gender rights sensitivity among staff of international development co-operation and UN agencies.
- Support efforts at regional collaboration and exchange to combat trafficking.



Alfhild Petrén, Rosa Linda T. Miranda and Thelma Kay