

**Oral Intervention General Discussion on Trafficking in Women and Girls in the Context of Global Migration – Geneva, February 22th, 2019**

**Submitted by Vereniging Voor Vrouw en Recht ‘Clara Wichmann’ (VVR)**

**(Dutch Association For Women and Law)**

Dear Madam Chair,

Thank you for giving me the floor. We would like to use the opportunity to stress a number of principles which in our view should underlie the General Recommendation. They are based on the conviction that human trafficking and its related exploitation first and foremost are human rights violations and that human rights should guide any measures to address these abuses. In this way the General Recommendation can become a tool that will empower women in their fight against violence, injustice and inequality. That will help to prevent them from being subjected to abuse and exploitation. That will enable them to escape such situations and that will give them access to an adequate remedy for the damages they suffered.

Trafficking not only affects the women involved but is also closely connected to State interests, such as controlling borders, combating organised crime, promoting or restricting labour migration, or controlling women’s mobility and sexuality, including the regulation of prostitution. However, we feel that the General Recommendation in the first place should be led by the perspectives, interests and human rights of the women concerned.

A human rights approach means that

* Anti-trafficking policies should primarily focus on empowering women, strengthening their rights and widening their options rather than restricting them. Utmost care should be taken with repressive measures. Too often trafficking has served as a justification for repressive measures against migrants and against sex workers, at the cost of the safety, health and rights of groups of women who already find themselves in precarious situations. Thereby increasing their vulnerability for abuse and exploitation rather than protecting them.
* Anti-trafficking measures should not undermine or negatively impact on the human rights of trafficked persons and other groups affected by trafficking and anti-trafficking policies, such as female migrants, sex workers and refugees. In this context it is imperative to make a clear distinction between trafficking and sex work. The General Recommendation should combat trafficking, not sex work or sex workers. Instead it should address the lack of human and labour rights of women working in so-called female designated labour sectors, such as domestic work, care work and sex work, and the related lack of labour law protections and legal migration channels.
* In accordance with the key principle of participation, trafficked women and other groups affected by trafficking and anti-trafficking policies should be involved in the design, implementation, monitoring and evaluation of policies that affect their lives.

Finally, we would like to stress that the General Recommendation should avoid a one-sided focus on trafficking for the sex industry, but should address all forms of trafficking, including for forced, early and child marriage.

Thank you, Madam Chair