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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Written statement\* submitted by Associazione Comunita Papa Giovanni XXIII, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[03 June 2019]

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\* Issued as received, in the language(s) of submission only.



## **Re-thinking migration in a gender perspective. Different problems require different solutions**

Associazione Comunità Papa Giovanni XXIII (APG23) welcomes the report of Mr Felipe Gonzalez Morales, the Special Rapporteur on human rights of migrants entitled “The impact of migration on migrant women and girls: a gender perspective”<sup>1</sup> and delivered at the forty-first regular session of the Human Rights Council.

We welcome the reference on human trafficking for sexual exploitation and the conclusions and recommendations made by the Special Rapporteur concerning the topic.

Among the difficulties migrants’ women and girls have to face, this statement will focus on those who become victims of traffickers and are forced into prostitution.

Trafficking, in fact, and especially the one for sexual exploitation, is a big component of the global migration movement today.

During the International Conference on the Trafficking of Persons held at the Vatican City on the 11 April 2019, Pope Francis vigorously stated that “Human trafficking is a crime against humanity”, which “disfigure the humanity of the victim, offending his or her freedom and dignity [...] dehumanizes those who perform it”, it is a real form of slavery and it cannot be tolerated any longer. He also claims “Trafficking seriously harms humanity as a whole, treating apart the human family (omissis). Trafficking”, he adds, “constitutes an unjustifiable violation of the freedom and dignity of victims, constitutive dimension of the human being wanted and created by God. For this reason, it is to be considered a crime against humanity”.<sup>2</sup>

The contemporary migration and refugee crisis pose many challenges to our contemporary societies. Population movements towards developed countries had been steadily increasing over time. However, due to the high numbers and the nature of this, the destination countries were not able to predict and plan the necessary resources to host the migrants.

Gender affects reasons for migrating. It also affects those who migrate and where and how they migrate, the network they have, the opportunities they have access to and the resources available at destination. Migration is not gender neutral.

On one hand collocating gender in the centre of the speech and addressing migration issue throughout a gender perspective, allow us to realize the substantial ways in which gender fundamentally organizes the social relations and structures influencing the causes and consequences of migration.

On the other hand, taking into account some specific issues concerning some exact groups allow us to understand that women and girls, for example, represent a group particularly vulnerable, victims of violation and abuse: because of their migrant’s status and because of the former gender-based discrimination.<sup>3</sup>

Women and girls, represent around half of the total population of international migrants worldwide<sup>4</sup> and they constitute a peculiar discriminated group, made vulnerable and at risk of extreme poverty because of the pre-existing gender inequalities.

“The trafficking of women and girls for prostitution and forced labour is one of the fastest growing areas of international criminal activity. Women who are trafficked are the most vulnerable of all migrants as the process of trafficking involves exploitation, coercion and

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<sup>1</sup> A/HRC/41/38.

<sup>2</sup> [http://w2.vatican.va/content/francesco/en/speeches/2019/april/documents/papa-francesco\\_20190](http://w2.vatican.va/content/francesco/en/speeches/2019/april/documents/papa-francesco_20190)

<sup>3</sup> Women and International Migration. Division for the Advancement of Women Department of Economic and Social Affairs United Nations  
[https://www.un.org/en/development/desa/population/migration/events/coordination/3/docs/P01\\_DAW.pdf](https://www.un.org/en/development/desa/population/migration/events/coordination/3/docs/P01_DAW.pdf).

<sup>4</sup> ILO, <https://www.ilo.org/global/topics/labour-migration/policy-areas/migrant-domestic-workers/lang-en/index.htm>.

the abuse of power. Trafficking builds on existing gender inequalities. Trafficked women frequently originate from regions where there are few employment opportunities for women and where women are dependent on others and lack access to resources to change their situation. Trafficked women and girls often believe they will work in legitimate occupations but find themselves trapped into forced prostitution, marriage, domestic work, sweatshops and other forms of exploitation that are similar to slavery. Strategies need to be developed to protect and empower women in these situations. Actions to prevent trafficking include first of all the removal of the root causes of the phenomenon such as poverty, women discrimination, gender inequality as well as “the dissemination of information on the modes used by traffickers to attract and entrap women, the dangers involved and the legal channels open for migration, as well as the provision of better employment opportunities in the country of origin”.<sup>5</sup>

There are several millions of victims of human trafficking in the world and it has continued to grow up: 173 million in 2000, 220 million in 2010, and 258 million in 2017.<sup>6</sup>

Around half of them are women and girls. According to ILO commercial sexual exploitation generates 99 billion USD of profit every year out of 150 USD billion generated by forced labour in private sector.<sup>7</sup>

APG23 works in the field of human rights at different levels and, largely, it works fighting against human trafficking by providing support and protection to persons who are victims of trafficking and enforced prostitution. Thus, we would like to bring to the attention of the Special Rapporteur our experience gained working on the ground with women and girls.

In 2017, our social protection programme worked with 147 victims of prostitution. Thirteen of them are minors. From the 1st January 2018, among the 47 new women who have joined our programme, seven of them are underage. The total number of women hosted in our shelters is 134 in the period 2017/2018.

Statistics elaborated by our anti-trafficking street units in Italy estimate the actual presence of women, victims of trafficking, around 75.000: 36% are Nigerians; 22% Romanians and the remaining come from Albania, Republic of Moldova, Ukraine, China and States of Eastern Europe. These numbers and information clarify the close relationship between migration, human trafficking and prostitution.

Considering the wideness of the phenomenon and the urgency of taking action, APG23 promotes also at UN level good practices and an advocacy for building a specific legislation to address the issue constructively.

Trafficking of human beings is not only a human rights violation. It is an extremely lucrative market driven by profit and the purpose and the destination of the crime is the sexual industry/system of prostitution. Looking at the problem from the market law's perspective States must address the topic through the law of supplying and demand: it is being produced what can we sold. Thus, there is a clear need to address the sexual industry/system of prostitution directly. Eliminating the demand there will be no supply.

The “Nordic model” (also called “Nordic Equality Model”) on one hand decriminalises all those who are prostituted, providing them support services and on the other hand criminalizes the costumers of this market, reducing the demand that drives sex trafficking. Thanks to this approach Sweden, Finland, Norway, Island, United Kingdom of Great Britain and Northern Ireland and France obtain constructive and positive results.

In Sweden the number of persons engaged with prostitution decreased of 65% after the implementation of the law.

<sup>5</sup> The World Survey on the Role of Women in Development, presented to the Second Committee of the General Assembly at its fifty-ninth session (A/59/287).

<sup>6</sup> Report of the Special Rapporteur on the human rights of migrants, *The impact of migration on migrant women and girls: a gender perspective*, A/HRC/41/38.

<sup>7</sup> ILO, Profit and Poverty: The economics of forced labour. 2014.

The new law has also shaped the public eye in a very short time: now it is not longer the 30% of peoples in favour of the client's punishment but the 70%.

“A limited understanding of the realities faced by migrant women and girls affects the ability of States to formulate and implement gender-responsive migration laws, policies and programmes, and ensure that women and girls can enjoy their human rights throughout their migration journey”.<sup>8</sup> however any society that claims to defend gender equality must take into account the link between migrant and human trafficking for sexual exploitation. Any country should reject the idea that women and girls are commodities that can be bought, sold and sexually exploited by men.

Nowadays only a very small minority of States adopted a consistent and comprehensive legislative framework on the destination of the crime when it comes to the issue of trafficking for sexual exploitation.

Based on what is observed in the past, higher levels of international migration should be expected in the future, especially from developing countries.<sup>9</sup> It is fundamental to act now and consider carefully the implication of gender issue throughout the topic of migration in order to find constructive responses and reduce the phenomenon.

Our hope is that more countries will consider the criminalization of buying sex as an instrument to combat trafficking, especially trafficking for sexual exploitation, to combat men's violence against women and not the least to protect human rights and achieve gender equality.

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<sup>8</sup> Report of the Special Rapporteur on the human rights of migrants, *The impact of migration on migrant women and girls: a gender perspective*, A/HRC/41/38.

<sup>9</sup> Migali, S., Natale, F., Tintori, G., Kalantaryan, S., Grubanov-Boskovic, S., Scipioni, M., Farinosi, F., Cattaneo, C., Benandi, B., Follador, M., Bidoglio, G., McMahon, S. and Barbas, T., *International Migration Drivers*, EUR 29333 EN, Publications Office of the European Union, Luxembourg, 2018.