

March 8, 2005

REDUCING DEMAND FOR TRAFFICKED WOMEN AND GIRLS

[Switzerland: WORKING TOWARD THE ELIMINATION OF THE DEMAND FOR TRAFFICKED WOMEN AND GIRLS FOR ALL FORMS OF EXPLOITATION]

[Turkey, India: REDUCING DEMAND AND ROOT CAUSES OF ALL FORMS OF TRAFFICKING IN WOMEN AND GIRLS]

[New Zealand, Japan: ELIMINATING ALL FORMS OF TRAFFICKING OF WOMEN AND GIRLS]

[China: ELIMINATING THE DEMAND FOR TRAFFICKED WOMEN AND GIRLS]

The Commission on the Status of Women,

PP1(pre) [multiple: **Recalling the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime;**]

PP1(pre) [New Zealand, China: **Recalling the full range of previous resolutions on the problem of trafficking in women and girls adopted by the General Assembly and the Commission on Human Rights, in particular their reaffirmation of the principles set forth in the relevant human rights instruments and declarations and the resolve expressed by heads of government in the Millennium Declaration to intensify efforts to fight transnational organized crime in all its dimensions, including trafficking in human beings;**]

PP1(pre) [New Zealand, China: **Reaffirming our commitment to the provisions pertaining to all forms of trafficking of women and girls contained in the outcome documents of relevant international conferences and summits, in particular the strategic objective on the issue of trafficking contained in the Beijing**

Declaration and Platform for Action adopted at the Fourth World Conference on Women;]

- PP1 **[New Zealand et al. delete: Recalling General Assembly resolution 59/166 and Commission on Human Rights resolution 2002/45;]**
- PP2 **Acknowledging the fact that the majority of [Canada delete: victims of trafficking in persons] [Canada: trafficked persons] are women and girls [Colombia, Azerbaijan, Mexico, et al.: from developing countries and countries with economies in transition] [Canada, New Zealand: , that indigenous, refugee and migrant women and girls may be particularly vulnerable to being trafficked, and that trafficking is a gender inequality issue];**
- PP3 **Concerned about the increasing occurrence of trafficking for [Colombia: all] purposes [Colombia delete: of] [Colombia: including,] sexual exploitation and [Canada, Turkey delete: sex tourism] [Canada: forced labor];**
- PP4 **Recognizing that [New Zealand et al. delete: prostitution and the] trafficking in persons for the purpose of [Canada, New Zealand delete: prostitution are] [Canada: sexual exploitation is] [Turkey: all forms of trafficking is] incompatible with the dignity and worth of the human person [New Zealand delete: and endanger the welfare of the individual, the family, and the community];**
- PP5 **Recognizing that the [New Zealand delete: use] [New Zealand: exploitation] of women [Canada: and girls] in [Canada, Colombia delete: in international prostitution and trafficking networks] [Canada: for the purpose of sexual exploitation] has become a major focus of [Canada delete: international] [Canada: transnational] organized crime;**
- PP6 **Convinced that [Canada delete: a] key element [Canada: s] to combating [Canada delete: the particular problem of] trafficking in women and girls [Canada delete: is] [Canada: are eliminating violence and economic inequality experienced by women and girls and] reducing the demand for victims, including the demand for [Canada, Turkey, New Zealand delete: prostitution and other] [Canada: all] forms of sexual exploitation [Canada, Colombia: and**

forced labor] [Colombia: or services, slavery or practices similar to slavery, servitude or the removal of organs]; and

PP7 Deeply concerned over [New Zealand delete: the commission of unconscionable acts of sexual abuse and exploitation by a number of uniformed peacekeepers and civilian officials of some United Nations peacekeeping missions, and concerned that such] [New Zealand: all] activity [New Zealand: that] fuels the demand for victims of trafficking [New Zealand: , in particular the activity of armed forces stationed in other countries and that of civilian advisors].

OP1 Calls upon governments to:

- a) Adopt or strengthen [Colombia delete: legislative or other] measures, such as educational, social [New Zealand: , cultural] [South Africa: , economic] or other measures, including through bilateral and multilateral cooperation, [New Zealand: in order to fully implement existing international instruments and make full use of existing mechanisms to better address the factors that increase the vulnerability of women and girls to trafficking and] to [New Zealand delete: discourage] [New Zealand: eliminate] the demand [Canada: and root causes] that foster [Canada delete: s] all forms of exploitation of persons, especially women and girls, and that leads to [Turkey, New Zealand, Azerbaijan: all forms of] trafficking;
- b) Criminalize trafficking in persons, especially women and girls, in all its forms and to condemn and [Israel: severely] penalize traffickers and intermediaries [Philippines: and persons in authority found guilty of sexually assaulting victims in their custody], [Israel: including through provisions setting minimum punishments,] while ensuring [Israel: various forms of assistance [South Africa: and rehabilitation], including legal assistance, physical and mental healthcare, and witness] protection [Israel delete: and assistance] to the victims of trafficking with full respect for their human rights [New Zealand: , in particular to ensure their healing and rehabilitation into society];

- c) **[EU delete: Enforce] [EU: Strengthen]** or adopt legislative **[EU delete: and] [EU: or]** other measures to **[China delete: deter] [China: prohibit]** exploiters **[New Zealand delete: and sex buyers]** who create the demand **[Canada delete: for prostitution]** that leads to **[New Zealand delete: sex] [New Zealand: all forms of]** trafficking; and
- d) **[Canada: Sign and ratify the UN Convention Against Transnational Organized Crime and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention Against Transnational Organized Crime, and]** conclude bilateral, subregional, regional and international agreements to address the problem of trafficking in persons, especially women and girls, including mutual assistance treaties to enhance **[Turkey delete: police]** cooperation **[Turkey, Azerbaijan, et al.: among relevant law enforcement [Cambodia: and judicial] authorities]**, agreements and memoranda of understanding **[Cambodia delete: on information sharing]**, and specific measures aimed at reducing demand **[Canada: as appropriate to complement the UNTOC and its trafficking in persons protocol] [Turkey: for all forms of trafficking] [New Zealand: and ensuring that such agencies provide appropriate training on the rights and needs of the women and girl victims of human trafficking].**

OP2 Calls upon governments and civil society to:

- a) Take appropriate measures to raise public awareness of the issue of trafficking in persons, particularly in women and girls, including to address the demand side of the problem, and to publicize the laws, regulations and penalties relating to this issue, and to emphasize that trafficking is a crime **[Canada: and a violation of the human rights of trafficked persons]**, in order to eliminate the demand for trafficked women and girls, including **[Canada: the demand]** by sex tourists **[Canada: and the demand for cheap goods, labor and services] [New Zealand: and to ensure public awareness of the rights and needs of the women and girl victims of human trafficking and to eliminate the causes and consequences of multiple forms of discrimination against them];**

- b) Implement educational programs, including at the local level, to raise awareness of the negative consequences of [**Canada, New Zealand delete: prostitution and other**] [**Canada, New Zealand: all**] forms of sexual exploitation [**Canada: and abuse**], including the links to trafficking in persons, organized crime, and harmful public health effects, [**New Zealand: including the pandemic of HIV/AIDS, to empower women and girls and ensure their economic independence with full realization of their human rights**] and to inform sex buyers of the [**New Zealand delete: violence that prostitutes experience**] [**New Zealand: [full range of causes and consequences of trafficking in women and girls]**]; and
- c) Conduct research on the relationship between the trafficking of women and girls for sex and legislation governing [**Canada delete: prostitution and other**] [**Canada, New Zealand, Azerbaijan: all**] forms of sexual exploitation [**Canada: and abuse**].

OP3 Encourages the business sector, in particular the tourism industry and Internet providers, to:

- a) Develop or adhere to codes of conduct with a view to preventing trafficking in persons and protecting the victims of such traffic [**Canada, Turkey, Uruguay delete: , especially those in prostitution,**] [**Colombia: especially those in sexual exploitation,**] and promoting their rights, dignity and security; and
- b) Collaborate and take action in coordination with governmental and non-governmental organizations to eliminate [**Nigeria delete: child**] [**Cuba delete: sex tourism**] [**Cuba: all situations that result in the trafficking of women and girls**].

OP4 Calls upon [Canada, New Zealand delete: the Secretary General, in conjunction with**] countries contributing troops to UN peacekeeping missions, to ensure the provision of training to [**New Zealand et al. delete: peacekeepers and civilian and military advisers**] [**New Zealand et al.: any armed forces and civilian**]**

advisors stationed in other countries [Kenya: and in transit]] on sexual abuse and exploitation, including trafficking, and to ensure that allegations of sexual abuse and exploitation, including trafficking, will be swiftly investigated and [Colombia delete: dealt with] [Colombia: punished] [New Zealand, Cambodia: to the fullest extent].

OP4(alternative) **[Japan: Requests that the Secretary General require countries contributing troops to UN peacekeeping missions to provide training to peacekeepers and civilian and military advisers on sexual abuse and exploitation, including trafficking, and to ensure that allegations of sexual abuse and exploitation, including trafficking, will be swiftly investigated and dealt with.]**

Proposed additional paragraphs

PP1(pre) **[Japan: Welcomes the appointment of the special rapporteur of the Commission on Human Rights on trafficking in persons;]**

PP2(bis) **[Turkey: Acknowledging the fact that trafficking is both a cause and consequence of human rights violations;]**

PP2(bis) **[Canada: Recognizing the root causes of trafficking in women and girls which include women's and girls' experience of poverty and violence, which increases their vulnerability to being trafficked;]**

PP2(bis) **[New Zealand: Stressing the importance of achieving the Millennium Development Goals and in particular the need to remove extreme poverty and hunger and combat the pandemic of HIV/AIDS in order to address the root factors that contribute to the trafficking of women and girls;]**

PP3(bis) **[China: Recognizing the need to address the impact of globalization on the particular problem of trafficking in women and children, in particular girls;]**

PP4(bis) **[Turkey: Recognizing that trafficking in women and children constitutes a significant cause of the spread of HIV/AIDS and STDs;]**

PP6(bis) **[Turkey: Recognizing that the root causes of trafficking can be found in such factors as poverty, unemployment, underdevelopment, corruption and gender discrimination;]**

PP7(bis) **[New Zealand: Convinced also that a key element to combating the particular problem of trafficking in women and girls is empowering women and girls and ensuring their economic independence with full realization of their human rights.]**

OP1(alt) **[New Zealand: Take appropriate measures to address the root factors that contribute to trafficking of women and girls,**

- including poverty and gender inequality and relevant external factors, in order to eliminate trafficking of women and girls, including by strengthening existing legislation with a view to providing better protection for women and girls;]**
- OP1(alt) [China, Japan: Urges governments to take appropriate measures to address the root factors, including poverty and gender inequality, as well as external factors that encourage trafficking in women and girls, for prostitution and other forms of commercialized sex, forced marriage and forced labour, including by strengthening existing legislation with a view to providing better protection for victims of trafficking and to punishing perpetrators, through both criminal and civil measures;]**
- OP1(b)(alt) [Mexico: Criminalize all forms of trafficking in women and children, in particular girls, taking into account its increasing occurrence for purposes of sexual exploitation and sex tourism, and to condemn and penalize all those offenders involved, including intermediaries, whether local or foreign, through the competent national authorities, either in the country of origin of the offender or in the country in which the abuse occurs, in accordance with due process of law, while also ensuring that the victims of those practices are not penalized for being trafficked, and to penalize persons in authority found guilty of sexually assaulting victims of trafficking in their custody;]**
- OP1(c)(alt) [Mexico: Adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking;]**
- OP1(d)(bis) [China, Japan: Strengthen global efforts, including international cooperation and technical assistance programs, to prevent and combat trafficking in persons, especially women and children, with strong political commitment of all governments of countries of origin, transit and destination;]**
- OP1 [EU: Strengthen the social, economic and political position of women and girls at risk of becoming victims of trafficking for all**

forms of exploitation, by reinforcing or adopting legislative and other measures such as access to education and training, healthcare, employment, sharing of power and decision-making at all levels;]

OP2(alt) [China: Also urges Governments to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in women and girls, including for sexual exploitation, as part of a comprehensive anti-trafficking strategy that integrates a gender and human rights perspective, and to draw up, as appropriate, national action plans in this regard;]

OP2(a)(bis) [Canada: Eliminate the violence and economic inequality which make women and girls, particularly those most vulnerable, at risk to all forms of violence and exploitation, including trafficking;]

OP2(a)(bis) [Turkey: Provide financial assistance to specialized service-providing NGOs, including those that implement programs aiming to protect the human rights of victims of trafficking;]

OP2(b)(bis) [Turkey: Develop human resources, data collection, institutional and monitoring mechanisms in tackling the problem of all forms of trafficking and allocate adequate resources in this line.]

OP2(b)(bis) [Israel: Develop and implement judicial educational programs to as to raise judicial awareness to the magnitude of trafficking and its negative consequences and to raise judicial commitment for combating trafficking, primarily through reducing the demand for trafficked women and girls.]

OP2(c)(bis) [Canada: Take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity;]

OP2(c)(alt) [Colombia, Argentina: Conduct research on the trafficking of women and children for all forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery,

servitude or the removal of organs;]

EU AMENDMENTS TO THE US DRAFT RESOLUTION ON
TRAFFICKING (March 8, 2005)

**COMBATING THE ROOT CAUSES OF TRAFFICKING IN
WOMEN AND GIRLS FOR ALL FORMS OF EXPLOITATION**

The Commission on the Status of Women,

PP1 Recalling the United Nations Conventions against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention, the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, the Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Convention (No. 182) and the Convention (No. 29) of the International Labour Organization,

PP1 bis Reaffirming the Beijing Declaration and Platform for Action of the Fourth World Conference on Women, the Beijing + 5 Political Declaration and Outcome Document of the twenty-third Special Session of the General Assembly of the United Nations, as well as the agreed conclusions adopted at the sessions of the Commission on the Status of Women since Beijing and the United Nations Millennium Declaration, as well as all previous resolutions on the problem of trafficking in women and girls adopted by the General Assembly and the Commission on Human Rights;

PP2 Acknowledging the fact that the majority of victims of trafficking in persons are women and girls;

PP3 Concerned about the increasing occurrence of trafficking for purposes of all forms exploitation , including, at the minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery, servitude or the removal of organs [article 3 (a) in fine of Palermo Protocol];

PP3 bis Convinced that no person willingly consents to the suffering and exploitation that trafficking of persons entails [PP16 of CHR Res. 2004/45];

PP4 Bearing in mind that all States have an obligation to exercise due diligence to prevent, investigate and punish perpetrators of trafficking in persons and to provide protection to the victims and that not doing so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms [PP7 of A/RES/59/166];

PP4 bis Stressing the need for a global approach to prevent and combat trafficking in persons, especially women and girls, and the importance, in this regard, of systematic data collection and comprehensive studies, including on the modus operandi of trafficking syndicates [PP 10 of CHR res. 2004/45];

PP5 Recognizing that the exploitation of women in international trafficking networks has become a major focus of transnational organized crime;

PP6 Convinced that a key element to combating the particular problem of trafficking in women and girls is the alleviation of the root causes of trafficking, such as poverty, underdevelopment and lack of equal opportunity [Article 9.4 of the Palermo Protocol];

PP6 bis Convinced therefore, that measures have to be taken both to discourage the demand that fosters trafficking and strengthen the social, economic and political position of women and girls vulnerable to trafficking;

PP6 ter Recognizing that policies and programmes for prevention, rehabilitation and reintegration should be developed through a child- and gender-sensitive, comprehensive and multidisciplinary approach involving all actors in countries of origin, transit and destination [PP13 A/Res/59/166];

PP7

OP1 Calls upon governments to:

- e) [Former b)] Criminalize trafficking in persons, especially women and children, in all its forms and to condemn and penalize traffickers and intermediaries, while ensuring protection and assistance to the victims of trafficking with full respect for their human rights;
- f) [NEW] Take steps to promote and protect the human rights and fundamental freedoms of victims of trafficking [OP 11 CHR Res. 2004/45 reworded];
- g) [NEW] Take steps to ensure that all legislation related to combating trafficking is gender-sensitive and ensures the promotion of the respect for victims [OP 11 CHR Res. 2004/45 reworded];
- h) [FORMER a)] Adopt or strengthen legislative or other measures, such as educational, social, cultural and other measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, and that leads to trafficking;
- i) Strengthen or adopt legislative or other measures to deter those who exploit trafficked women and girls ;
- j) [NEW] Strengthen the social, economic and political position of women and girls at risk of becoming victims of trafficking for all forms of exploitation, by reinforcing or adopting legislative and other measures such as access to education and training, healthcare, employment, sharing of power and decision-making at all levels;
- k) Conclude bilateral, subregional, regional and international agreements to address the problem of trafficking in persons, especially women and children, including mutual assistance treaties to enhance police cooperation, agreements and memoranda of understanding on information sharing, and specific measures aimed at reducing demand.
- l) [NEW] Establish comprehensive policies, programmes and other measures to prevent and combat trafficking in persons and to

protect victims of trafficking, especially women and girls, from revictimisation [Article 9.1 (a+b) of Palermo Protocol];

OP 2 Calls upon governments and encourages civil society to:

- d) Take appropriate measures to raise public awareness of the issue of trafficking in persons, particularly in women and girls, including to address the demand side of the problem, and to publicize the laws, regulations and penalties relating to this issue, and to emphasize that trafficking is a crime, in order to eliminate the demand for trafficked women and children;
- e) Implement educational programs, including at the local, regional and international level, to raise awareness of the negative consequences of trafficking in women and girls, including the links to organized crime;
- f) Undertake measures such as research on best practices, methods and strategies, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in women and girls, including measures to discourage the demand;

OP3 Encourages the business sector, in particular the tourism industry and Internet providers, to:

- c) Develop or adhere to codes of conduct with a view to preventing trafficking in persons and protecting the victims of such traffic and promoting their rights, dignity and security; and

OP 4 Welcomes the intention of the United Nations Special Rapporteur on Trafficking in Persons, especially Women and Children, in her annual report, to devote special attention to thematic issues, including, inter alia, the root causes of trafficking and the discouragement of the demand that fosters trafficking for the purposes of all forms of exploitation.

OP 5