

**Parliamentary Joint Committee on the
Australian Crime Commission**

**Inquiry into trafficking in women for
sexual servitude**

Submission No:28

Received 30 September 2003

Ms Tessa Scrine

**Executive Officer Government
Relations**

Australian Bahá'í Community

Bahá'í Centre

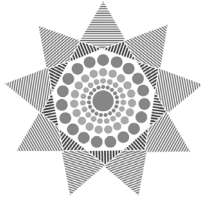
18 Hickey Court

WESTON ACT 2611

☎02 6287 2211 📄02 6287 3535

E-mail:

Tessa.Scrine@bnc.bahai.org.au



Australian Bahá'í Community

SUBMISSION TO THE INQUIRY INTO TRAFFICKING IN WOMEN – SEXUAL SERVITUDE

The Australian Bahá'í Community welcomes the Parliamentary Joint Committee on the Australian Crime Commission Inquiry into Trafficking in Women - Sexual Servitude.

One of the emerging problems of the 21st century facing not only Australia but also the world at large is the trafficking of women for sexual servitude. This problem is symptomatic of more fundamental global challenges – the inequality of men and women and abuses of human rights. While the work of the Australian Crime Commission is critical to addressing the trafficking of women for sexual servitude, a holistic approach is required in which specific actions necessary to address trafficking of women and to provide support for its victims are complemented by strategies that address the root causes of trafficking and promote and protect human rights.

Measures to Directly Address Trafficking

At a panel discussion entitled "Violence against Women," held during the 47th Commission on the Status of Women in March 2003 and sponsored by the Bahá'í International Community and the UN Office of the High Commissioner for Human Rights, Radhika Coomaraswamy, the UN Special Rapporteur on Violence against Women, focused her remarks on the problem of trafficking in women and girls. The Special Rapporteur examined the case of a Nepalese girl, who was sold into prostitution in India by her "husband", subjected to an enormous amount of physical and mental torture until she agreed to become a sex worker, finally rescued by a Nepalese non government organization and is now in an advanced stage of AIDS. The Special Rapporteur argued that cases like this illustrate the need for strong international conventions and strong national laws, coupled with "a sensitive police force which is not corruptible, a sensitive judiciary that actually convicts ...and support services for victims."¹

The efforts taken by Australia to date to address trafficking in women for sexual servitude are noted and should be strengthened and expanded to effectively address this problem. There is no doubt that strong and enforceable international and national legislation coupled with robust action against those who traffic in women is needed. Adequate resources are also required for those bodies that address trafficking in women as a criminal activity. Equally necessary is legislation and other measures that better protect the victims of trafficking. Law enforcement and other officials working with trafficked women need access to programs that sensitise them to the particular difficulties, disadvantages and injustices that these women have experienced. In

¹ "UN addresses violence against women" One Country, Volume 14, Issue 4 / January-March 2003

addition, adequate resources are required for the support and recovery services that work with trafficked women within Australia and abroad and there should be strong links between all organisations working to address trafficking. Hand-in-hand with these direct measures to address trafficking should go strategies that address trafficking at a more fundamental level.

Trafficking as a Symptom of Inequality

The trafficking of women for the purposes of prostitution is one of the most confronting injustices suffered by women. These injustices have been documented and examined at length over the past two decades in international fora such as the United Nations, and along with trafficking, include discrimination in education, particularly where tradition decrees that girl children are not "worth" educating, poor nutrition, poor reproductive health care and ineffective protection from unwanted pregnancies and sexually transmitted diseases, the brutal practice of female genital mutilation, denial of property rights, the perilous situation of women in the midst of armed conflict, domestic and other forms of violence and the exploitation of women labourers. These injustices are evidence of the persistent denial of equality to women, which retards not only the advancement of women but also the progress of civilisation itself. Sexual inequality promotes destructive attitudes and habits in men and women that pass from the family to the workplace, to political life and ultimately to international relations.

Equality of the sexes is, for Bahá'ís, a spiritual and moral standard essential for the unification of the planet and human progress. As stated in the Bahá'í Writings:

The world of humanity is possessed of two wings — the male and the female. So long as these two wings are not equivalent in strength the bird will not fly. Until womankind reaches the same degree as man, until she enjoys the same arena of activity, extraordinary attainment for humanity will not be realized; humanity cannot wing its way to heights of real attainment.

The Bahá'í Community believes that the equality of women and men must be universally promoted and implemented if we are to adequately address the many injustices faced by women in our world, including their trafficking for sexual servitude. A profound adjustment in humanity's collective outlook is needed, guided by the consideration of universal values and spiritual principles. When women are welcomed as full partners with men in all fields of endeavour, conditions that promote real justice and equity will prevail, allowing each person to develop his or her unique gifts and talents free from violence and abuse.

The effectiveness of any response made by the Australian Crime Commission to the emerging trend of trafficking women for sexual servitude will thus be enhanced by new and enhanced measures by other Australian Government agencies to promote the equality of women and men within Australia and internationally. For example:

- The traditional exclusion of women from processes of development and decision-making in many of those nations from which women are trafficked suggests that Australian aid agencies could place greater emphasis on the involvement of women in their programs in those countries.

- Australia could provide increased support for measures to educate girls. At a time when illiteracy is increasing among women in the developing world, it is vitally important to re-emphasise the role of the education of girl-children.
- Australia is taking active interest in the United Nations Commission on the Status of Women theme on the Role of Men and Boys in Achieving Gender Equality. Australia's strong support for the development and implementation of programs within Australia and internationally that work with boys and men to make them more aware of their responsibility to actively promote equal rights and opportunities for women and to sensitise them to the ways in which they may unknowingly discourage women and block their progress would assist in achieving such equality.
- Reforming laws and legal systems is one vital avenue in achieving equality. Australia has extensive experience in the development of legislation that lends practical expression to the equality of the sexes and could play a stronger role in bi-lateral and multilateral fora in promoting the development of such legislation globally.
- Australia's active support for UN Security Resolution 1325, the first resolution ever passed by the Security Council that specifically addresses the impact of war on women, and women's contributions to conflict resolution and sustainable peace, is another means by which it could promote the equality of women and men as well as directly address a situation which frequently gives rise to increased trafficking in women.
- Widespread education in spiritual or moral values is necessary not only to protect women from trafficking and other abuses but, indeed, to foster a global ethos in which all human rights are upheld. The social change needed to create an environment in which abuses such as trafficking are not tolerated begins with the individual. One form of education that, over time, can bring about inner change of the individual is moral or values education for children. Raising children who are imbued with self respect, conscious of the needs of society and, within the limits of their capacities, willing to behave altruistically towards others, is one of the most effective long-term remedies to a range of social and economic problems. The Australian Government's current efforts to explore effective models for values education could be extended as part of a longer term approach to addressing trafficking.

Trafficking as a Human Rights Issue

The trafficking of women for sexual servitude is one of the yardsticks by which we can measure violations of basic human rights. Conversely, measures to promote and protect all human rights will safeguard women from the range of abuses and destructive practices to which they are currently subjected, including trafficking.

An obstacle that needs to be addressed in this context is the lack of adequate mechanisms to enforce adherence to the provisions of international human rights conventions. International human rights standards are not legally binding on all governments, and compliance, even by those states that have ratified specific conventions, is voluntary. An urgent priority is to press for the universal ratification of the existing covenants and conventions. Alongside this process of ratification must go the strengthening of the role of the various committees established to monitor

implementation, such as the Human Rights Committee and the Committee on the Elimination of Racial Discrimination.

The general lack of awareness of human rights is also an obstacle to the full protection of human rights. To produce a more profound effect on community well-being, the discussion of human rights needs to be moved from the arena of legal and political policy making to the local community, where the lives of individuals will be touched and lasting changes can be made. In this respect the effectiveness of any instrument or governmental mechanism for the protection of human rights will be directly tied to the degree to which it is accompanied by community education, and the degree to which it itself serves as a vehicle for promoting awareness of human rights and responsibilities, and induces a motivation in the hearts and minds of individuals to take action to ensure their protection and advancement.

The Plan of Action prepared by the UN High Commissioner for Human Rights for the United Nations Decade for Human Rights Education (1995-2004) defines human rights education as "training, dissemination and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes". Human rights education, if it is to succeed, must seek to transform individual attitudes and behaviour and thereby establish a new "culture" of respect for human rights. Only such a change in the fundamental social outlook of every individual, whether a government official or an ordinary citizen, can bring about the universal observance of human rights principles in the daily lives of women and men. In the final analysis, the human rights of an individual are respected and protected - or violated - by other individuals, even if they are acting in an official capacity. Accordingly, if challenges to our nation such as the trafficking of women are to be effectively addressed, it is essential to touch the hearts, and elevate the behaviour, of all human beings, if, in the words of the Plan of Action, human rights are to be transformed "from the expression of abstract norms" to the "reality" of the "social, economic, cultural and political conditions" experienced by people in their daily lives.

Measures taken to address the human rights context of the emerging trend of trafficking women for sexual servitude will ultimately support the Australian Crime Commission's response to this problem. Australia has indicated its strong interest in reform of the United Nations and its efforts to introduce such reform provide an opportunity to address existing shortcomings of human rights mechanisms. The Australian Government already has demonstrated its commitment to the concept of human rights education and could take a leading role in bilateral and multilateral fora in promoting and supporting the further development of human rights education programs.

Conclusion

The rights of women are fundamental to the consideration of all human rights and trafficking in women is one of the most deplorable abuses of those rights. An integrated approach incorporating direct measures against those who traffic in women and to support its victims, as well as strategies to address the root causes of this growing problem, is needed to effectively address trafficking of women for sexual servitude.