



**nswp** Global Network of Sex Work Projects  
Promoting Health and Human Rights

## BRIEFING NOTE:

# Beijing Declaration and Platform for Action & Beijing+25 review

### Introduction

The United Nations has organised four world conferences on women. The 4th Women's World Conference, held in China in 1995, marked a significant turning point for gender equality and led to the Beijing Declaration and the Platform for Action<sup>1</sup> (BPfA), one of the biggest commitments on women's rights at the time. The BPfA was adopted unanimously by 189 countries, it reaffirms and builds upon the Convention on the Elimination of all Forms of Discrimination Against Women<sup>2</sup> (CEDAW).

The BPfA set out strategic objectives and concrete actions in **12 critical areas of concern**<sup>3</sup>:

- Women and poverty
- Education and training of women
- Women and health
- Violence against women
- Women and armed conflict
- Women and the economy
- Women in power and decision-making
- Institutional mechanisms for the advancement of women
- Human rights of women
- Women and the media
- Women and the environment
- The girl-child

Following the adoption of the declaration, the BPfA was reviewed at a special session of the UN General Assembly in 2000 - which resulted in a political declaration<sup>4</sup> and further actions and initiatives<sup>5</sup> to implement the Beijing commitments - and then at the Commission on the Status of Women (CSW) in 2005, 2010 and 2015.

### Beijing+25 review process

2020 will be the 25-year review of the BPfA. UN Women are leading the Beijing+25 review process, which have included Regional Commissions and **national review process**<sup>6</sup>, where States submitted national-level reports reflecting on their progress towards achieving the objectives and actions of the BPfA, and the challenges and setbacks they faced. Governments were encouraged to collaborate with civil society and stakeholders in the preparation of these reports. Civil society organisations were also able to submit parallel reports to the NGO CSW Forum<sup>7</sup>. As well as informing the planned regional review process, the national reports are intended to feed into a report by UN Women to CSW.

A series of **regional and sub-regional meetings** took place between October 2019 and January 2020, with each region organising a civil society forum prior to the official intergovernmental meetings. These fora brought together a wide range of communities and constituencies to review the implementation of the BPfA, and agree their collective advocacy positions, seeking to influence the negotiated political outcome statements and ministerial declarations from Member States in the region.

Civil society involvement in the Beijing+25 review process has been led by the Women's Major Group (WMG). WMG is a self-organised group, open to all interested organisations working to promote

<sup>1</sup> UN Women, 2015 (updated), "[Beijing Declaration and Platform for Action, Beijing+5 Political Declaration and Outcome](#)".

<sup>2</sup> UN OHCHR, 1979, "[Convention on the Elimination of all Forms of Discrimination Against Women](#)".

<sup>3</sup> "[World Conferences on Women](#)", UN Women.

<sup>4</sup> UN General Assembly, 2000, "[S-23/2. Political Declaration](#)".

<sup>5</sup> UN General Assembly, 2000, "[S-23/3/ Further actions and initiatives to implement the Beijing Declaration and Platform for Action](#)".

<sup>6</sup> "[CSW64 Preparations](#)", UN Women.

<sup>7</sup> "[Beijing+25: NGO Participation – submitted NGO parallel reports](#)", NGO CSW.



human rights-based sustainable development with a focus on women's human rights, the empowerment of women and gender equality. WMG has the responsibility to facilitate women's civil society active participation, information sharing and input into the policy space provided by the United Nations. UN Women are also convening the **Generation Equality Forum**<sup>8</sup> (GEF), a multi-stakeholder gathering with two major meetings in Mexico City (7-8 May 2020) and Paris (7-10 July 2020), which will be co-chaired by the governments of Mexico and France. The GEF is described as "a global public conversation for urgent action and accountability for gender equality, celebrate the power of women's rights activism, feminist solidarity and youth leadership to achieve transformative change."

The decision-making body of the GEF is the Core Group, with a representative each from UN Women, civil society and the governments of Mexico and France. However, the governance structure of the GEF also includes a **Civil Society Advisory Group**. This is a group of 21 members representing a broad and diverse set of constituencies, diverse genders, generations, regions and backgrounds, and was selected by a transparent civil society-led process<sup>9</sup>. This Advisory Group supports the decision-making of the Core Group, ensuring that civil society's priorities are reflected in the Forum's outcomes.

Generation Equality **Action Coalitions**<sup>10</sup> have also been formed as multi-stakeholder partnerships that aim to mobilise governments, civil society, international organisations, and the private sector to:

- catalyse collective action,
- spark global and local conversations among generations,
- drive increased public and private investment, and
- deliver concrete, game-changing results across generations for girls and women.

They aim to kick-start "an effort to achieve transformative change over a five-year period" in the following six areas:

- Gender-Based Violence
- Economic justice and rights
- Bodily autonomy and sexual and reproductive health and rights (SRHR)
- Feminist action for climate justice
- Technology and innovation for Gender Equality
- Feminist movements and leadership

The political review process will culminate at **CSW64**<sup>11</sup> in March 2020. Governments with a presence at CSW have been having informal negotiations before the event, and plan to adopt the resolutions in the form of a Political Declaration<sup>12</sup> on the first day. NGO CSW will use CSW64 to build support and achieve global consensus for the Feminist and Women's Movement Action Plan for Beijing+25<sup>13</sup>.

In September 2020, ahead of the 25th anniversary of the 1995 Beijing Conference, there will be a one-day **UN General Assembly High-Level Meeting**, dedicated to the Beijing+25 review. NGO CSW hope to persuade Governments to make firm commitments here to finance and implement the Feminist and Women's Movement Action Plan and those of other working groups. They aim to ensure that the overall percentage of gender equality funding that goes to women's rights organisations shows as significant increase, from the current 1% as a result of the Beijing+25 process.

### **How have sex workers been engaging in Beijing+25?**

Sex workers have been engaging in the Beijing+25 review process at key moments for regional and global advocacy. These include:

<sup>8</sup> "[Generation Equality Forum](#)", UN Women.

<sup>9</sup> "[Generation Equality Mexico and Paris 2020](#)", NGO CSW.

<sup>10</sup> "[Action Coalitions](#)", UN Women.

<sup>11</sup> "[CSW64 / Beijing+25 \(2020\)](#)", UN Women.

<sup>12</sup> "[\(draft\) Political declaration on the occasion of the twenty-fifth anniversary of the Fourth World Conference on Women](#)", UN Women

<sup>13</sup> "[Feminist and Women's Movement Action Plan](#)", NGO CSW

- Phelister Abdalla, National Coordinator at KESWA, and Vice President of NSWP, was selected as one of the members of the global Civil Society Advisory Group of the GEF
- Sex worker representatives attended the regional review meetings in Asia-Pacific, Africa, Europe and Latin America & the Caribbean, with support from the International Women's Health Coalition (IWHC) and 'Count Me In!' Initiative.
- A sex worker from Russia provided expert testimony as part of a panel for a side event 'Women Human Rights Defenders', at the Dutch Embassy in Geneva. This event was organised by Dutch Gender Platform WO=MEN and the Dutch Ministry of Foreign Affairs, and had the Human Rights Ambassador of the Netherlands as guest of honour.
- In preparation for the European regional review process, NSWP collaborated with WMG's regional organising partners, Women in Europe for a Common Future (WECF), to develop a factsheet on the Sexual and Reproductive Health and Rights of Sex Workers<sup>14</sup>
- NSWP endorsed the civil society opening statement<sup>15</sup> for the UNECE Regional Review meeting.
- NSWP collaborate in the development of the Women's Rights Caucus (WRC) Priorities for Beijing+25 manifesto. IWHC co-convenes the Women's Rights Caucus as a self-organised feminist advocacy group dedicated to influencing CSW.
- NSWP has applied to join the GEF Action Coalitions in three of the priority areas, to ensure the centring of sex workers' voices in the review process.
- NSWP is supporting a large sex worker delegation to attend CSW64. The delegation will be attending official and side events, advocating that the human rights of sex workers are respected, protected and fulfilled throughout the Beijing+25 review process.

### Why is Beijing+25 important for sex workers?

In reviewing the BPfA, on the 25th anniversary, true progress towards gender equality, gender justice and fulfilment of women's human rights must be inclusive of women in all their diversity, **including** sex workers. Sex workers face intersecting forms of criminalisation, discrimination and marginalisation, which cannot be addressed in isolation.

The feminism must be sex worker-inclusive, recognise that women sex workers, including transgender and non-gender binary sex workers, are among those women most affected by discrimination, gender-based violence and lack of access to justice and rights-based health services. Criminalisation is used by States as a tool to punish but also increases stigma, discrimination, and violence against sex workers. Sex workers' right to health, and other human rights, are violated by policy and legal frameworks that oppress and criminalise sex work, including the criminalisation of clients and third parties. Active discrimination by healthcare providers and state authorities (e.g. police) against sex workers is a major barrier to sex workers accessing services and treatment.

Criminalisation of sex work is a major structural driver of the HIV epidemic and sex workers remain disproportionately affected by HIV. Globally, HIV prevalence among sex workers is estimated to be 21 times higher than HIV prevalence of the general population. UNAIDS Global AIDS Update for 2019<sup>16</sup> showed that key populations, including sex workers, now account for more than half (54%) of new HIV infections globally, and around 95% of new infections in some regions. Yet, as the report outlines "less than 50% of key populations were reached with combination HIV prevention services in more than half of the countries that reported. This highlights that key populations are still being marginalised and being left behind in the response to HIV." UNAIDS' World AIDS Day report 2019<sup>17</sup> states "Laws that criminalize key populations or discriminate against people living with HIV undermine efforts to prevent HIV infections and AIDS-related deaths... Such laws include the criminalization of drug use, **sex work** and same-sex sexual behaviour".

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<sup>14</sup> WECF, 2019, "[Sexual and Reproductive Health and Rights of Sex Workers](#)".

<sup>15</sup> "[CSO Opening Statement](#)", 2019.

<sup>16</sup> UNAIDS, 2019, "[Global AIDS Update 2019 – Communities at the Centre](#)".

<sup>17</sup> UNAIDS, 2019, "[World AIDS Day Report 2019 – Power to the People](#)".

## Priorities for inclusion in Beijing+25 actions

- Respect the bodily autonomy and agency of sex workers: recognise the self-determination of sex workers, in all their diversity, and uphold them as rights bearers.
- Promote the full decriminalisation of sex work, including sex workers, their clients and third parties, and the repeal of 'end demand' approaches. Whether some or all aspects of sex work are criminalised, it creates structural barriers, escalates marginalisation and increases vulnerability to exploitative work conditions. Decriminalisation is a necessary step to ensure that sex workers can claim their labour rights, promote sex workers' economic empowerment and social inclusion. Decriminalisation reduces the risk of HIV transmission for sex workers. As Winnie Byanyima, Executive Director of UNAIDS, "in a stroke of a pen we could reverse this. Decriminalization of sex work could reduce between 33% and 46% of new HIV infections among sex workers and their partners over 10 years."<sup>18</sup>
- Recognise sex work as work and expand social protection to informal sector workers, including sex workers. Ensure sex workers are afforded labour rights in line with the four components of decent work defined by ILO: employment, social protection, workers' rights and social dialogue.
- Sex workers face significant barriers in accessing justice, both as victims of crime and when charged with crimes. Criminalisation of sex work, stigma and discrimination, as well as police corruption and violence limit reporting crimes to the police, the successful prosecution and conviction of perpetrators, and access to victim compensation and support services. Where sex work is criminalised, sex workers' rights to protection from the law and freedom from arbitrary detention are also systematically violated by police and the judicial system.
- Local, national and international bodies must investigate human rights abuses against sex workers, either through existing bodies or tribunals for this specific purpose. Many reports and responses indicated widespread abuse and violence, primarily at the hands of law enforcement and other state institutions. To understand the pervasive nature of these abuses, sex workers should be able to access reporting mechanisms; independent monitors and reporting mechanisms must be made available to sex worker communities to report violations.
- Promote a worker-centred and human rights-affirming approach to preventing exploitation in the sex industry. Anti-trafficking frameworks based on criminalisation not only foster and promote human rights abuses; they fail to address structural barriers (e.g. criminalisation, lack of labour protections, lack of access to justice and social protection) that create vulnerability. The conflation of trafficking and sex work, and trafficking and migration produce anti-trafficking measures that further stigmatise, criminalise, and isolate both sex workers and migrants while doing little to protect victims of trafficking.
- Meaningful participation and involvement in decision-making on the laws policies and practices that affect their lives. For example, sex workers' right to health is best upheld when sex workers are meaningfully involved in all stages of service development. This includes planning, design, implementation, monitoring and evaluation and management. However, meaningful involvement is not possible in an environment rife with structural barriers.

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<sup>18</sup> UNAIDS, 2019, "[Press statement: UNAIDS Executive Director's message on the occasion of Human Rights Day](#)".

Project supported by:



NSWP is an alliance partner of Bridging the Gaps – health and rights for key populations. This unique programme addresses the common challenges faced by sex workers, people who use drugs and lesbian, gay, bisexual and transgender people in terms of human rights violations and accessing much-needed HIV and health services. Go to: [www.hivgaps.org](http://www.hivgaps.org) for more information