

EFN Stance on Prostitution

EFN unashamedly opposes the sex trade, knowing it to be exploitative, harmful and dangerous for those involved in it. We believe:

- that consent cannot be purchased
- that the sex trade degrades all parties and
- that laws must be in place to protect the dignity and worth of all human beings.

Prostitution involves purchasing sexual access to the bodies of both women and men, but studies show the vast majority of those exploited within prostitution are women and girls and those who buy sexual access are men.¹ Prostitution is highly gendered. Prostitution can never be made safe as in and of itself it is inherently unsafe. (Salfati, 2005).² Harm, violence, stigma and discrimination are inherent to the system of prostitution, and cannot be reduced without ending the system itself. While harm reduction strategies are needed, they have to be a part of broader policy approaches which target prostitution as a demand-oriented market.

Some countries have already implemented policies aiming to protect people that are exploited in prostitution: in Sweden, Norway, Iceland, Canada, Northern Ireland, and France, people in prostitution are provided with support and access to exit programmes. Such policies address all actors within the system: they also provide equality education in formal and non-formal education, strongly condemn pimping and procuring, as well as all forms of trafficking and they criminalise the purchase of sex as a matter of social justice and a strategic way to disrupt the market.

Women and Girls:

It is the experience of our partners and supported by research that the majority of women in prostitution wish to exit³. About 50% of women in the sex trade entered before they were eighteen and up to 95% of women in street prostitution have substance use issues⁴. For example; UK figures show that vulnerable migrants are disproportionately involved. Additionally 81% of women operating in flats, parlours and saunas are originally from outside the UK⁵; It is estimated that at least 80,000 women are engaged in 'on-street' prostitution, with the average age girls become involved being just 12 years⁶; 85% women in prostitution in the UK report physical abuse, and 45% report histories of sexual abuse within the family.⁷ These figures will differ across jurisdictions, but are

¹ Studies report that globally 90% of those who are prostituted are women; 3% are men; 7% are transgender. See sources cited in Enrique Javier Diez Gutierrez, 'Prostitution and Gender-based Violence', *Social and Behavioural Sciences*, 161 (2014) 96-101 p.97 A European study reports that 87% are women, 7% are men and 6% are transgender. TAMPEP Network, *Sex Work in Europe: A mapping of the prostitution scene in 25 European countries*, <https://web.archive.org/web/20150714160224/http://tampep.eu/documents/TAMPEP%202009%20European%20Mapping%20Report.pdf> p.15

² Salfati, C.G., James, A.R., Ferguson, L. (2008) Prostitute Homicides: A Descriptive Study *Journal of Interpersonal Violence*, 2008, Vol 23, pp505-543

³ <http://www.prostitutionresearch.com/pdf/Prostitutionin9Countries.pdf>

⁴ 'Paying the Price,' A Consultation Paper on Prostitution, Home Office 2004

⁵ The Poppy Project, *Sex in the City: Mapping Commercial Sex Across London*, 2004

⁶ 'Paying the Price'. HO 2004

⁷ *ibid*



The European Freedom Network (EFN) is a Christian community that exists to prevent and combat human trafficking and commercial exploitation in Europe and to seek the restoration of victims, in collaboration with strategic stakeholders.

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provided as an illustration of the multiple and intersecting vulnerabilities that increase the likelihood of individuals being exploited in the sex trade.

An abolitionist approach

A sex act imposed by physical or financial constraint is rape. Sex acts imposed by the abuse of authority (an employer on an employee, an adult on a child) constitute sexual harassment or incest. As stated by a former UNSG Kofi Annan, a sex act imposed “*under unequal or coercive conditions*” is “*sexual abuse*”. Thus, a sex act imposed by the financial constraint is also, in itself, sexual abuse. Sex buyers exploit the precariousness and vulnerability of those exploited in prostitution by imposing a sex act through financial constraint. The specificity of the exploitation of prostitution of others and of trafficking for sexual exploitation, compared to other forms of crimes, is that these human rights violations are driven by profit. Traffickers, pimps and procurers exploit women, men and children only to meet sex buyers’ demand. No one would experience harm, abuse, violence, stigma or discrimination in the sex trade if men did not pay for sex acts. The sex trade’s damaging impact will only end when there is no longer a demand⁸

Therefore, EFN stand for a model of law and policy practice which ensures that the individuals exploited in prostitution are not criminalised and have easy access to effective exiting programmes. Alongside this support for the victims is the criminalisation of the buyer and the controller of people who are being exploited.

We assert that those sold into the sex trade must be offered unconditional support services that

- treat them as individuals, recognising that they have rights, abilities and aspirations
- empower them to make choices to direct their own life and access the support and opportunities they need; and
- accompany them on the process to exit from the sex trade, without placing arbitrary time limits on this complex process.

Those involved in the sex trade are likely to have experienced various combinations and degrees of historical and/or current abuse and trauma. They will likely have been subject to reduced or limited choices, substance abuse issues, psychological harm and control, financial hardship, entanglements with the criminal justice system or relational abuse. Service providers and policy makers must understand that exiting from the sex trade is a process and not a linear journey. Services should be provided whilst people are being exploited in the sex trade through to aftercare and independent living.

What is often called the Nordic or Abolitionist Model of prostitution legislation seeks to reduce demand by criminalising the buyer and supporting those exploited through prostitution to exit. We

⁸ The circumstances that brought a person into prostitution are of no interest to sex buyers or to pimps and profiteers. The global sex trade does not operate in terms of distinctions such as ‘force’, ‘coercion’, and ‘voluntary’ involvement in prostitution, nor does it clearly distinguish between the markets for those who are underage and those who are over 18, as well as other vulnerabilities. A recent report from the Immigrant Council in Ireland found that attempts to prosecute trafficking/sexual slavery on the basis of people knowingly buying sex from a trafficked woman were a complete failure. The report instead calls for an approach that challenges the demand for sexual services in general (ICI. (2018). Comparative Report: Disrupt Demand. Immigrant Council of Ireland). The global sex industry is an extremely powerful and lucrative business. It is driven by demand for sexual access. Where there is demand then pimps will procure people in any way possible to meet that demand and profit from it, usually by targeting the most vulnerable in society. They need our support instead of being offered a choice between the harms of prostitution or being unable to survive. One method of procuring people into prostitution is through trafficking and sexual servitude but this must be understood as part of the fabric of the sex trade as a whole.

support these principles. There is clear evidence from Sweden, which pioneered an abolitionist legal and policy framework over 20 years ago, that street prostitution has decreased.⁹

However, in all the countries who are implementing a form of this model there are strong indications that there has been inadequate provision of support services for those exploited in the sex trade. Even worse, in some situations, there is anecdotal evidence that the authorities have used the law as an opportunity to swiftly deport those desperately needing support services.

Support services should be offered regardless of immigration status or identification as a victim of human trafficking and recovery must be allowed before migration status is discussed. It is important that efforts are made to discover if human trafficking has taken place. Nevertheless, the survivor should be the one who decides if they wish to be officially identified as a Victim of Human Trafficking and to access extra services and seek justice.

⁹ Swedish government report SOU 2010:49: —The Ban against the Purchase of Sexual Services. An evaluation 1999-2008