Re: France's policy developments on prostitution

Your Excellences,

My organisation, Swedish Women’s Lobby, would like to let you know how instrumental the recent policy developments taking place in France on the issue of prostitution are. The position taken by your government, which qualifies prostitution as a form of violence against women and an obstacle to gender equality, reflects a strong political will to put an end to this pervasive violation of women’s rights and dignity. We cannot but welcome and applaud this policy approach.

We know that the French Parliament has been working on a new law proposal which would address all aspects of the system of prostitution, including the criminalisation of the purchase of sex. As a women’s rights organisation, struggling for a society free from violence against women, we would like to stress on the crucial need to address the demand for prostitution, which fuels trafficking and perpetuates detrimental inequality between women and men. We sincerely hope that France is going to show the way to progressive policies on gender equality by discussing a comprehensive strategy embracing all aspects of an abolitionist policy, like the Swedish or Norwegian models.

We share with you the conviction that abolishing the system of prostitution is the best way to address the structural inequalities between women and men and at the same time effectively tackle trafficking for sexual exploitation. Such abolition can only be effective is perpetrators, like for any form of violence, are made accountable, and sex buyers and pimps are considered as such.

We also trust that the French government will abolish repressive measures against prostituted persons and develop concrete alternatives for the persons who want to quit the system of prostitution. Awareness raising and education activities and campaigns are also key to make social change.

Prostitution is blatantly a gendered phenomenon. This has been clearly acknowledged in the Resolution of the French Parliament of 6 December 2011, which we would like to pay tribute to, as it demonstrates that prostitution is in contradiction with the principle of equality between women and men. Systems of prostitution in Europe are directly challenging policy developments aiming at breaking gender stereotypes and realising equality between women and men.
In two of its recent resolution, the European Parliament lists prostitution amongst the many forms of violence against women and girls in Europe.¹ Recent studies, including in France, highlight the detrimental impact of the trivialisation of prostitution on the representations of young people on sexuality and equality.² Other research on sex buyers show that men buying sex have a degrading image of women.³

We agree with UN Special Rapporteur on Trafficking in Persons Ms Sigma Huda that “prostitution (...) is rarely one marked by empowerment or adequate options”. France is amongst the 18 EU Member States which have ratified the UN 1949 Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others states: “Prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person”.

Already in 2006, the UN Special Rapporteur on Trafficking in Persons, especially women and children, pointed out to the direct impact of the policies on prostitution on the scale of trafficking in human beings. Ms Sigma Huda alerted that: “As current conditions throughout the world attest, States parties that maintain legalized prostitution are far from satisfying this obligation” to “ensure that their legalized prostitution regimes are not simply perpetuating widespread and systematic trafficking”.⁴ A comparative look at the official reports of the Netherlands and Sweden, analysing the impact of their respective policy approaches to prostitution on trafficking, supports the same assessment. This is why we strongly welcome France’s decision to tackle the system of prostitution and hope that you will implement and/or strengthen legislatives measures criminalising both sex buyers and procurers, who are both fuelling and benefiting from the exploitation of others.

Our organisation has signed the Brussels’ Call, which has been endorsed by 200 NGOs from all over Europe. We believe that the issue of prostitution can be tackled at European level and hope that France will play a leading role, together with Sweden, in this direction. An abolitionist law on prostitution in France would send a strong signal to other EU Member States towards achieving real equality between women and men.

We would like to express our support to your work on this issue, and remain at your disposal to share any information.

Sincerely,

Gertrud Åström,
President Swedish Women’s Lobby

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¹European Parliament resolution of 5 April 2011 on priorities and outline of a new EU policy framework to fight violence against women (2010/2209(INI)) and European Parliament resolution of 6 February 2013 on the 57th session on UN CSW: Elimination and prevention of all forms of violence against women and girls (2012/2922(RSP)).
²For example, the study of Ms Sophie Avarguez and Aude Harlé, sociologists, and Ms Lise Jacquez, PhD, on the prostitution phenomenon in the cross-border Catalan area: http://www.assemblee-nationale.fr/14/cr-delf/12-13/c1213013.asp#P4_104.
³Several studies on sex buyers can be found here: http://www.womenlobby.org/spip.php?article1948&lang=en.
Annex:
- European Parliament’s reports and resolutions referring to prostitution

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European Parliament Report of 17 January 2006 on strategies to prevent the trafficking of women and children who are vulnerable to sexual exploitation
“Whereas one of the principal preconditions for international trafficking in women and children is the existence of local prostitution markets where certain people can and wish to sell and buy women and children for the purpose of exploiting them sexually; whereas traffickers in human beings mainly send women and children from countries in the south to countries in the north and from east to west, where demand from purchasers is strongest”
“Regrets the lack of any analysis of the demand for prostitution in the Member States as a possible motivation for the phenomenon of trafficking; considers that the Commission should carry out a comprehensive study on the impact of the Member States’ legislation on prostitution on the number of victims of trafficking”.

European Parliament resolution of 2 February 2006 on the current situation in combating violence against women and any future action
“Whereas men’s violence against women is an important factor in the lives of those women and girls who become victims of human trafficking for sexual exploitation, including prostitution, or other purposes; whereas surveys show that 65-90% of prostituted women have been subjected to sexual abuse in the past”
“Whereas marginalisation and poverty are basic causes of prostitution and of increased trafficking in women”
The EP “urges the Member States to take appropriate measures concerning men’s violence against women in their national laws, in particular (...) to combat the idea that working as a prostitute can be equated with doing a job”.

European Parliament resolution of 26 November 2009 on the elimination of violence against women
“Whereas the tolerance of prostitution in Europe leads to an increase in trafficking of women into Europe for sexual purposes, and to sex tourism”

European Parliament resolution of 5 April 2011 on priorities and outline of a new EU policy framework to fight violence against women
“Whereas violence against women encompasses a wide range of human rights violations, including: sexual abuse, rape, domestic violence, sexual assault and harassment, prostitution, trafficking of women and girls, violation of women’s sexual and reproductive rights, violence against women at work, violence against women in conflict situations, violence against women in prison or care institutions, and several harmful traditional practices; whereas any one of these abuses can leave deep psychological scars, damage the general health of women and girls, including their reproductive and sexual health, and in some instances results in death”
“Recognises the serious problem of prostitution, including child prostitution, in the European Union, and requests further studies into the link between the legal framework in the Member State in question and the form and extent of the prostitution taking place; draws attention to the worrying increase in human trafficking into and within the EU – a trade which targets women and children in particular – and urges Member States to take firm action to combat this illegal practice”

European Parliament resolution of 6 February 2013 on the 57th session on UN CSW: Elimination
and prevention of all forms of violence against women and girls

“Whereas harassment and violence against women encompass a wide range of human rights violations such as: sexual abuse, rape, domestic violence, sexual assault and harassment, prostitution, trafficking of women and girls, violation of women's sexual and reproductive rights, violence against women at work, violence against women in conflict situations, violence against women in prison or care institutions, violence against lesbians, arbitrary deprivation of liberty, and various harmful traditional practices such as genital mutilation, crimes of honour and forced marriages; whereas any one of these abuses can leave deep psychological scars and involve physical or sexual harm or suffering, threats of such acts and coercion, damage the general health of women and girls, including their reproductive and sexual health, and in some instances result in death”