

A summary of the prostitution regulations in the EU member states

Austria

Prostitution is legal. Persons who let their bodies be exposed to sexual actions in their professions or make such actions to others shall be registered and go through a weekly medical examination to avoid sexually transmitted diseases. Procuring is illegal.

Belgium

Procuring is illegal. From 1995 it is legal to rent premises for the purpose of prostitution, if the prostitutes do not make "abnormal profits". Prostitution is legal if it does not disturb the public order, via openly providing sexual services. Several proposals to change the current law has been put to the senate recently, including laws similar to the Dutch and the Swedish. There is no information at the moment which way Belgium will follow, but a change of the present law is probably soon to come.

Denmark

The buying and selling of sex is not criminal since 1 July 1999, except regarding children under 18 years of age. Prostitution used to be allowed only as an extra income, but since 1998 the law allows people to have their whole income based on prostitution. Prostitutes can register themselves as independent workers. Procuring is illegal. The advertisement of sexual services is very open.

Finland

Prostitution is not criminal but local municipalities can prohibit street prostitution in their local laws. Since December 1999 prostitution is prohibited in public areas. To buy sex is however not criminal, except concerning children under 18 years of age. A proposal similar to the Swedish law, penalising the client, is currently being prepared.

France

"Active prostitution" is criminal. The law has been strengthened (2003), but only concerning the selling part. Prostitution is tolerated as long as it does not disturb public order and shall therefore be restricted to certain areas. It has however become criminal to buy sex from children under 18 and other persons being considered especially "weak", for example disabled persons.

Greece

Prostitution is legal and highly regulated, but only in state-licensed brothels. Brothels are not allowed on a closer distance than 200 metres from public buildings. A proposal for a new law which would cut that distance in half, to facilitate the prostitution during the Olympic Games in Athens 2004 has been debated recently but the Greek government has now decided (December 2003) not to submit the proposal.

Germany

Prostitution is legal but all Bundesländer except for Berlin has regulated certain areas where prostitution may not be exercised, close to schools and child care centers, for instance. The law which came into force 2002 allows prostitutes to have a social insurance, be on paid sick leave and receive a pension, if they are hired on a brothel or own a company. Few own companies however and so far no one has been employed (September 2003), because it would mean a decrease in income. Foreign women are not included by the law. Advertisement on employment agencies exist.

Ireland

All kind of prostitution is illegal- procuring, selling sexual services, keeping brothels and buying sex of underage persons.

Italy

In the current law from 1958 brothels and procuring are illegal, but not prostitution. Prostitution is considered to be a problem of disturbing the public order and there is a recent proposal aiming at allowing brothels but not street prostitution.

Luxembourg

Procuring is prohibited, and the keeping of brothels. Buying sex from children under 18 is illegal, but prostitution in itself is not criminal.

The Netherlands

On the 1st of October 2000 a ban on Dutch brothels from 1911 was lifted. In January 2001 prostitution was considered a profession like any other. Prostitutes have the right to claim hygienic working conditions, security at the workplace and so on. They shall have a working condition and pay income tax. "Forced" prostitution and procuring are illegal. After a case where an employment agency offered a position as a prostitute to a woman seeking employment, the Dutch Social ministry have stated that the brothels can advertise on the agencies but they must not actively offer such positions to women who come and seek work.

Portugal

It is not criminal to sell sex, only procuring and facilitating prostitution. The law does not mention male prostitution, only female. The exploitation of men is not criminal.

Spain

Procuring and prostitution are not criminal, but it is criminal to force someone to work as a prostitute, to exploit someone's weak position by making them work as a prostitute and to stop someone to work as a prostitute. The keeping of brothels are illegal in some regions, for example Catalonia and the Basque Country.

Sweden

It is illegal since January 1999 to buy or try to buy sexual services. Prostitution is considered to be a part of the sexualised violence (gender related violence) and an expression for unequal relations between women and men. The act prohibiting the purchase of sexual services is a part of the Womens inviolable rights act (Kvinnofridslagstiftningen) including the law on violence against women, sexual harassment, gender mutilation and so on.

United Kingdom

Prostitution is not illegal if the prostitute works independently without disturbing the public order. Men who are found several times in prostitution areas buying sex can be fined. It is criminal to advertise prostitution, run a brothel and recruit persons for prostitution. Members of the Scottish parliament have suggested "tolerance zones" in Scotland.

