

Public Hearing on “The Impact of the Sex Industry in the E.U.,”
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One of the most visible developments in the sex industry during the last 30 years has been its rapid expansion and massive diversification. Globalization of the economy means globalization of the sex industry, whether one is confronted with sex trafficking, prostitution, mail order bride marketers, lap dancing and other sex clubs, sex tourism and/or pornography. There are few countries in which the sex industry is shrinking.

The sex industry thrives on renaming its sexual exploitation as “sex.” Pornography is called “erotica” or “adult videos;” prostitution is renamed as “sex work” or “sexual services;” pimps are now called “third party business managers” or “erotic entrepreneurs;” and lap dancing or sex clubs are called “gentlemen’s entertainment.”

The internet has greatly enhanced the reach of the sex industry. The *World Sex Guide*, an internet-based trove of information informing men about what country, what brothel, and even what woman to exploit if the man prefers a certain ethnic group, a certain kind of sex, and a certain preference in women. In the UK, 33 percent of all internet users access what is called hardcore pornography (“Men and Porn,” 2003). The heaviest demand is for pornographic material featuring children, bondage, sadomasochism, and sex acts with various animals. The adult entertainment group called Private Media will soon beam pornography to UK mobile phones. In the United States, people (mostly men) spend more on pornography every year than they do on movie tickets and all the performing arts combined (“Men and Porn,” 2003).

The internet search engine, Yahoo, has clubs devoted to father-daughter incest, complete with pictures. There is an “Asphyxia and More Club” depicting naked women hung by the neck and other women who have been strangled. There are photos of emaciated concentration-camp victims lying naked in a mass grave accompanied by a sexually suggestive caption (Nickson, 2003). The sex industry plays on the ever more transgressive nature of the pornographic content, mainstreaming what in former times would only have been found in seedy, marginal, pornographic emporiums.

What is most disturbing about all this information is that not only is the sex industry big business but that the selling of its “products” – pornography, prostitution, sex tourism, mail order brides – all depending on the commodification of mostly women and children, has become much more acceptable, more normal, and even fashionable and “cool.” And anyone who raises criticisms of the industry and its turning of sexual exploitation into “sex” is labeled out of touch, moralistic and repressed. Ultimately, the sex industry has made sexual exploitation not only normal but respectable. As one woman explained: “It’s like a joke among my close male friends...I’ll ask, ‘What did you do last night?’ and they say, ‘I was up till five in the morning jerking off to the Internet’ ”(Amsdem, 2003). And many women have commented that many men seem incapable of having sexual relationships or, for that matter, genuine emotional relationships with women who don’t act like women in pornography.

For many men, however, pornography is not enough. They want to enact the fantasies, the transgressions and ultimately the degradation and violence of pornography with live women. And the place to do this is in prostitution. The sex industry expands to accommodate all tastes and all demands. For example, men buying women in prostitution don't just want the local women – they want exotic women from other countries who, according to their racial preferences, may be stereotyped as more pliable, more willing or more sexy. An estimated 500,000 women and children, mainly from Eastern Europe, Africa, South America and Southeast Asia are trafficked to E.U. countries *for sexual exploitation* every year, according to the European Institute for Crime Prevention and Control. The International Organization of Migration claims that this business generates US\$8 billion per year and attributes the soaring rate of trafficking to the increasing demand for prostitution in the E.U., the rise of organized crime in Eastern Europe especially, which capitalizes on the demand for prostitution in western Europe, and the desperation of trafficked women from poorer countries.

The normalization of sexual exploitation has been greatly enhanced by the legalization/decriminalization of the sex industry in various countries in Europe. Legalization has been a gift to traffickers and pimps who, overnight, become legitimate businessmen. Prostitution becomes a public good and governments derive enormous revenues from its legal legitimation. Legalization, or what we call State-sponsored prostitution, has become so normalized in E.U. countries that brothels in Germany and elsewhere gain enormous acceptance by, for example, raising money for charity through throwing open their doors to the public and holding pornographic art exhibitions and displaying their wares (“Who Needs Charity,”2003).

But the impact of the sex industry's expansion doesn't stop with legal legitimation of prostitution through State approval. The State is also called upon to fund the training of prostitutes to service, for example, disabled men and to insure that State-employed caretakers of these men take the men to brothels and help to physically facilitate their sex acts with women in prostitution where they are not able to engage in intercourse themselves. As one critic has written: “If sex is viewed as a human right needing state support, one could legitimately claim he belongs to an oppressed minority as an unattractive, desperate male. What about the lonely pensioner who can't find a companion, or can't afford Viagra? Should the state subsidise the fulfillment of his sexual appetites too?”(McGrail, 2003).

People ask what can be done. Government authorities and the press affirm that it's high time that something is done. But this “something” is usually to repeat the old and failed measures of legalizing, decriminalizing or regulating prostitution -- whether in tolerance zones where prostitution is restricted to certain parts of the city, mandatory health checks and registration of so-called “sex workers,” or decriminalizing pimps as third party business agents or managers, and/or brothels as “houses of protection” for women in prostitution, These are not “new” solutions to the problem. They are very old and very repressive measures.

As part of its mission, my organization, the Coalition Against Trafficking in Women (CATW), advocates against state-sponsored prostitution in many parts of the globe. We work with legislators to devise legal and programmatic remedies that do not involve decriminalizing the sex industry and abandoning women in prostitution to what has to be “the most demeaning job in the world.” CATW supports the decriminalization of women in countries where women have been criminalized for prostitution, because we believe that no woman should be punished for her own sexual exploitation. But we do *not* support the decriminalization or legalization of the sex industry. Although forms of decriminalization or legalization of the industry may vary from country to country, or city to city, *we call all these forms state-sponsored prostitution*

because the common element is that the system of prostitution itself becomes accepted and legitimated by the State.

Legalization of prostitution was promoted with the argument that legitimation of prostitution would control and curb the expansion of the sex industry and restrict the number of brothels, sex clubs and entrepreneurs who could operate. But instead of restricting its expansion, legalization has increased the number of brothels and sex clubs and also increased trafficking. The goal of any industry, legitimate or not, is to expand. Advocates of legalization invoke a peculiar argument when they rationalize that legalization will bring the sex industry under control, restricting its reach and abuse.

Contrary to claims that legalization and decriminalization would control the expansion of the sex industry, prostitution now accounts for 5% of the Netherlands economy (Daley, 2001, p. 4). Over the last decade, as pimping was legalized, and brothels decriminalized in the year 2000, the sex industry increased by 25% in the Netherlands (Daley, 2001, p.4).

Legalized or decriminalized prostitution industries are one of the root causes of sex trafficking. One argument for legalizing prostitution in the Netherlands was that legalization would help to end the exploitation of desperate immigrant women who had been trafficked there for prostitution. However, one report found that 80% of women in the brothels of the Netherlands were trafficked from other countries (Budapest Group, 1999)(1). In 1994, the International Organization of Migration (IOM) stated that in the Netherlands alone, “nearly 70 % of trafficked women were from CEEC [Central and Eastern European Countries]” (IOM, 1995, p. 4).

This expansion of the legal and illegal sex industry is not restricted to Europe. Legalization of prostitution in the State of Victoria, Australia, resulted in massive expansion of the sex industry.

Recommendations:

1. We must address the *growing trend to de-link prostitution and trafficking and reestablish the connections between prostitution and trafficking*. The trend to minimize prostitution, and now even *trafficking* for prostitution, has been growing for years. Particularly in policy circles where anti-trafficking legislation is being discussed and debated, legislators and NGOs are being told to concentrate only on trafficking and not on prostitution. Unfortunately, prostitution has been wiped off the policy agenda in many countries so that whenever anti-trafficking legislation is discussed in inter-regional or international forums, countries are told not to discuss prostitution else it will jeopardize agreements against trafficking. Sadly, policy makers have caved in to this censoring of the linkages between trafficking and prostitution.

Are we going to maintain that trafficking in women is a horrendous violation of women's human rights when the same violence, exploitation and health consequences happen to women who are in local prostitution, many of whom have been domestically trafficked from neighborhood to neighborhood, city to city, state to state and province to province? Do we really want to ratify the notion that commercial sexual exploitation is only actionable when it happens to women who have been trafficked into a country and not within a country?

The Coalition Against Trafficking has interviewed almost 200 victims of international and domestic trafficking in 5 countries: Thailand, Indonesia, the Philippines, Venezuela and the United States. The information we have collected from victims of trafficking and prostitution, and from others involved in work against sexual exploitation -- such as social services providers,

human rights advocates, and law enforcement authorities --clearly indicates that a significant number of *both* women who have been internationally trafficked, as well as those who are in local prostitution industries, endure similar kinds of violence and suffer similar and multiple health effects from the violence and sexual exploitation.

2. We must *combat the trend to legalize/regulate prostitution as work* with all that legalization/regulation implies. We cannot redefine women in prostitution as “sex workers,” without redefining the whole industry as work, unless we want to redefine men who buy women for the sex of prostitution as ordinary “customers,” and pimps as “third party business managers” for women whom, it is alleged, have the right to contract with whomever they want to further their “profession.” Many people think that they are dignifying women by referring to them as “sex workers.” However, when we redefine women as “sex workers,” the whole industry becomes redefined as a legitimate economic sector.

Legalization/regulation of the sex industry doesn’t address its primary consequence -- that women in prostitution are *segregated* as a legal class whose occupation is to provide sexual services to men – albeit under regulated conditions but letting the male demand for commodification of women’s bodies stand. In countries that tolerate prostitution -- as one commentator noted -- “there are more brothels than schools.” Do we really want brothels everywhere? Is prostitution a career to which we want young girls to aspire?

3. We must *focus on the demand and combat the trend to make the buyers invisible*. The least discussed part of the prostitution and trafficking chain has been the men who buy women for sexual exploitation in prostitution, pornography, sex tourism and mail order bride marketing.

We cannot shrug our shoulders and say “poor men,” or “men are like this,” or “prostitution has always been in existence,” or “boys will be boys.” Shall we tell women and girls in prostitution that they must continue to do what they do because prostitution is inevitable, or because that’s the way men are?

Sweden’s law against the buying of “sexual services” has been a model that should be emulated elsewhere. There is an urgent need for governments to put male buyers of women and children in prostitution on the policy and legislative agenda, taking seriously that the problem of global sex trafficking will not be dented unless those who create the demand for prostitution are addressed and punished. Sweden has clearly chosen to resist the legalization/regulation of prostitution and to address prostitution as a form of violence against women.

5. *We must not treat trafficked women as migration criminals* – i.e., as illegal migrants who should be deported from a country. Trafficking is not a migration crime. Many regard trafficked women as “undesirable and criminal aliens,” crossing borders illegally to take advantage of greener pastures elsewhere. This perspective is reflected in national legislation in destination countries that makes immigration more restrictive, thus obstructing the flow of migrant seeking to enter countries legitimately and through applications for asylum.

Ironically, these restrictive immigration policies also tighten up border controls that often are used to harass vulnerable migrants, but have little effect on the traffickers. As immigration becomes more restrictive and discriminatory, and ineffective border controls are utilized in receiving countries, traffickers become the major international players who facilitate international migration because the legitimate channels are so restrictive.

Anti-trafficking policies and programs must address organized prostitution and domestic trafficking. Most trafficking is *for* prostitution, and operates within the context of domestic sex industries. International women are trafficked into domestic sex industries, and both international and local women are trafficked within the country. In the face of a transnational sex industry that traffics women into all parts of the globe and that draws women into the industry at home and abroad, anti-trafficking and anti-prostitution legislation must be made as powerful as the sex industry.

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