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Impact of the Sex Work in the Phenomenon of Human Trafficking¹

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Abstract

In modern Europe there is still an obstacle to achieving equality between men and women that turns the human body and human relationships into a commodity. The phenomenon of sex industry affects such as increase of human trafficking, violence and discrimination against women. Most often, victims of sexual exploitation in Europe are the less protected segments of the population: women, children, economically disadvantaged people, refugees and even usual migrants without sufficient experience of living in the new country. Average users of sex industry are men and sexual exploitation is the result of their demand and financial support in the form in which it is now. Traffickers, pimps and just people who involve women in prostitution make huge money, sacrificing the lives and the health of people in difficult situations. Legalisation of prostitution leads to greater demand. For people in poor or precarious economic circumstances it is the way to find “quick money” to survive or avoid intolerable living conditions. They pay for that with their mental and physical health, they are subjected to violence and various violations of rights, they are under control and exploitation, they can be isolated and intimidated.

Keywords: European Union, EU, Gender Equality, Sexual Exploitation, Prostitution, Human trafficking.

Introduction: Some measures have been taken at the national level

In 1998, the Swedish Parliament adopted a series of legislative measures to protect women from violence and harassment «Kvinnofrid» (Violence against Women, 1997/1998:55) which is also known as the Nordic Model. One of these measures was the decriminalisation of the sale of sex services, helping to get out of prostitution and the criminalization of buying people for sex. This model was later adopted by several other European countries such as Iceland (2009) Norway (2009) Northern Ireland (2015) France (2016) Ireland (2017). This model showed that it is wrong to buy people for sex and provides for sanctions that encourage people to refuse such actions. How effective this model was, was assessed by the Swedish Committee of Inquiry to evaluate the ban on the purchase of sex services in 2008. According to the report (SOU, 2010:49), street prostitution has halved.

On the other hand, other measures were taken, less effective, in such states as Germany and the Netherlands. It was decided to legalize prostitution and recognize it as sex work or a profession, the goal was to protect women by improving working conditions. However, this only benefited the pimps and brothels, and therefore harmed women, as brothels are largely controlled by organised gangs that

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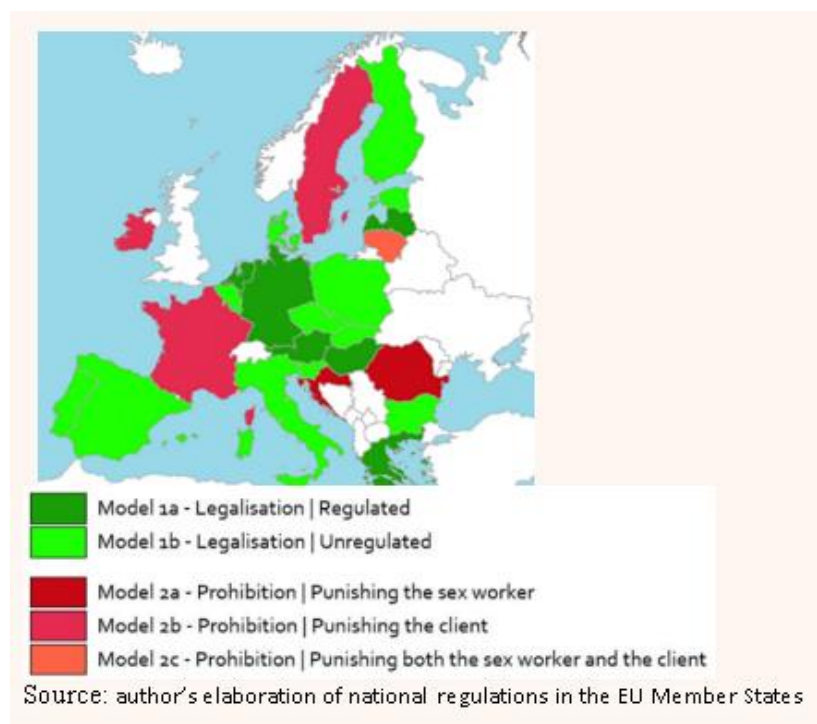
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exert various forms of pressure on female workers, including threats, social exclusion, and economic exploitation. The legalisation of prostitution is usually understood as the legalisation of pimping and brothels. This leads to the enrichment of pimps, their influence on business and government, and to the growth of prostitution, including its illegal and most violent forms.

In 2003, the mayor of Amsterdam Job Cohen declared the adopted model incapable of preventing human trafficking, stating that "it is impossible to create a safe and controlled zone that would not be open to organised crime abuses" (Het Parool, 2003). Currently the Netherlands is the main destination for victims of human trafficking (United Nations Office on Drugs and Crime, 2020).

As we see on map, in most European countries prostitution is still legal, and in many countries, it is not even regulated. In some of those countries detained women are subject to criminal or administrative prosecution and mass condemnation, which makes their exit from prostitution more difficult. Voluntary prostitution differs from forced and child prostitution, which are clearly illegal in all countries of the European Union, however, even the countries that legalised prostitution either did not initially have the goal of regulating it or faced the inability to regulate it. Due to the impossibility of regulating this area, more and more victims of violence and human trafficking, as well as minors are involved in it.

Figure 1: National regulation in the EU Member States



What is the danger of legalisation of prostitution?

Among supporters of legalisation, there is an opinion that prostitution is the choice of women, that legalisation contributes to the exercise of their freedoms. However, it is not entirely correct to consider a choice that was made under the influence of such less obvious reasons as economic pressure or childhood abuse. The exchange of sexual assaults for housing and food is conditioned by homelessness and poverty. An article by Der Spiegel (2013) discusses in detail the special case of a girl who managed to escape from a brothel despite the threats. She spoke about the conditions of "work", according to which the girls were required to give the pimp 800 euros a week, as well as serve customers at a fixed cost. It was forbidden to refuse customers and leave the brothel unaccompanied.

Sexual exploitation is the most common form of human trafficking in Europe. Shares of detected victims of trafficking in Central and South-Eastern Europe (United Nations Office on Drugs and Crime, 2020) show that 64% is sexual exploitation, 18% is forced labour and 18% is other forms of exploitation. While most victims of human trafficking are women who have migrated from outside the European Union, the number of women prostituted within the European Union is on the rise with the accession of Bulgaria and Romania to the European Union. Therefore, it is very important to deal with the problem of trade from east to west.

Most research in prostitution point to extremely high levels of violence

“Many of the chronic symptoms of women in prostitution are similar to the long-term physical consequences of torture.” - Melissa Farley³.

According to a report by Fondation Scelles (2012), prostitution involves around 40-42 million people, 90% of whom are dependent on a procurer. According to the research (Farley et al., 2003) prostitution in nine countries revealed that 71% experienced physical assaults in prostitution, and 62% reported rapes in prostitution. Up to 90 percent of prostitutes, in the survey, reported childhood sexual abuse such as incest, harassment, stalking, torture and beatings. Agencies serving women in this area report that almost all of it is controlled by pimps, resulting in social exclusion, economic exploitation, intimidation and violence. Also, depression, suicide, substance abuse imposed by pimps. Post-traumatic stress disorder (PTSD) was found to be prevalent in 67 percent of prostituted women. According to research from the USA (Brewer et al., 2007) prostitute women have the highest homicide victimisation rate of any set of women. They were killed primarily by clients.

³ American clinical psychologist, researcher of the consequences of prostitution, human trafficking and sexual abuse

Gender equality is one of the fundamental values of the EU

The European Convention on Human Rights is the main source of law for the protection of freedoms in Europe. Article 6, par. 2 and 3 of the Treaty on European Union states that the fundamental rights guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and deriving from the constitutional traditions common to the Member States constitute the general principles of Union law. But still most human rights are more regulated by member states.

In the 2007 Lisbon Treaty, strengthened the principle of non-discrimination and gender equality as a key value. Also, gender equality is mentioned as a fundamental value in Article 2 of the Treaty on the European Union. It is considered as a fundamental right by the EU, since fundamental rights are a subcategory of the area of freedom, security and justice.

Since 2014, the EU has started looking at prostitution through the lens of gender equality and human rights. The European Parliament's resolution (2014) pointed out that prostitution seriously affects gender inequality. It calls for the criminalisation of purchase of sexual services from persons under 21 years of age and calls attention to the increase of child prostitution. It calls for measures to prevent minors from entering this market. The resolution also indicates that the Nordic model is one of the ways to combat trafficking in women and decriminalisation of the sex industry puts women in a more dangerous position.

Key Recommendations:

- Criminalization of persons who force, control and economically exploit women into prostitution, especially owners of brothels
- Criminalization of sex clients
- Decriminalisation of women involved in prostitution
- Provision of social services to help get out of prostitution, financing from the National Funds.
- Assistance in obtaining employment, education and housing, and providing medical and psychological assistance
- Involved citizens of other countries should not be deported for sex work, they need help in getting out of prostitution and socialization in the country where they arrived.
- There is a need for sex and gender education in schools and propaganda in the media, which would talk about the dangers of being involved in prostitution and would teach men, first, that it is unacceptable to buy it. The term “sex work” should be removed from common terminology. It is

impossible to put paid violence and exploitation, without guaranteed rights, along with the usual profession

- Prohibition of prostitution propaganda that deceitfully neutralises its harm to women and positions prostitution as a job, a profession
- Prohibition of cooperation between job centres and brothels
- Consider the 2014 resolution of the European Parliament mentioned above on the impact of prostitution on gender equality

Conclusion

The problems such as military conflicts, low living standards, unemployment, and lack of awareness of the population about the threat of human trafficking often leads people to seek "quick money" or try to escape from bad conditions. Most women and children end up in prostitution as a result of childhood abuse, poverty, or outright coercion/deception. The presence of a criminal record for the provision of sex services only worsens their situation and complicates the exit from prostitution. This increases the risk of violations of their basic human rights and the risk of them being subjected to violence. The idea in society that prostitution is a solution for those who find themselves below the poverty line is fundamentally wrong and harmful. Prostitution is a very destructive phenomenon for any society, as it is difficult to regulate and takes the form of legal violence against the less protected sections of the population. Eliminating men's demand for prostituted sex is essential in ending trafficking and other sexually exploitative forms of violence. It is impossible to fit into the framework that initially carries a destructive basis.

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