



## **The Need to Tackle Demand: Rights of Women Position Statement on Prostitution**

Enshrined within the UK's current legislation is men's right to buy women, this is directly contradictory to a society based on gender equality<sup>1</sup>. Rights of Women believes that the exploitation of women through prostitution is a form of violence. We believe that international human rights law requires the UK to tackle the demand to sexually exploit vulnerable women, children and men. Consequently we call on the Government to criminalise those who purchase sexual services and decriminalise those who sell them.

Emma Scott, Director of Rights of Women says:

**“The demand to sexually exploit women and girls has made the UK a destination country for traffickers and results in many vulnerable British women and girls being groomed or otherwise coerced into prostitution.**

**We need to take a stand. We need to say that women and girls are worth more than the price that a man is prepared to pay for them. We need to tackle the demand for sexual exploitation in the UK by making those who purchase sexual services criminally responsible for the devastating consequences of their actions.”**

### **Why prostitution is a form of violence against women**

Research carried out in nine countries on the health consequences of being exploited in prostitution found that:

- 71% of women interviewed had been physically assaulted;
- 63% had been raped;
- 68% met the criteria for post-traumatic stress disorder (this figure is in the same range as that for soldiers seeking treatment following active service and for survivors of torture); and
- 89% therefore wanted to leave prostitution<sup>2</sup>.

According to Sigma Huda the former UN Special Rapporteur on Trafficking:  
**“Prostitution as it is actually practiced in the world does satisfy the elements of trafficking. It is rare that one finds a case in which the path**

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<sup>1</sup> O'Connor M and Healy G (2006), *The Links Between Prostitution and Sex Trafficking: a Briefing Handbook*, Dublin: Coalition Against Trafficking in Women, European Women's Lobby.

<sup>2</sup> Farley, M (2003) Prostitution and Trafficking in Nine Countries: An update on Violence and Posttraumatic Stress Disorder in the *Journal of Trauma Practice*.

**to prostitution and/or a person's experience does not involve, at the very least an abuse of power and/or an abuse of vulnerability. Power and vulnerability in this context must be understood to include power disparities based on gender, race, ethnicity and poverty<sup>3</sup>."**

The exploitation of women through prostitution is, therefore, a form of violence against women as defined in the UN Declaration on the Elimination of Violence against Women<sup>4</sup>. The 1995 UN Fourth Conference on Women (1995) Platform for Action also recognised sexual violence, trafficking and forced prostitution as forms of violence which require positive State action<sup>5</sup>.

### **International human rights law requires the UK to tackle demand**

Article 5 of the UN Convention on the Elimination of Discrimination Against Women requires the UK, to challenge attitudes that tolerate inequality and discrimination. Article 6 requires States to take "all appropriate legislative and other measures" to deal with trafficking and the "exploitation of the prostitution of women".

The UN Convention against Transnational Organised Crime and its Protocol (the Palermo Protocol) defines and prohibits trafficking. Article 9 requires States to "discourage the demand" that results in sexual exploitation. The Convention on Action against Trafficking in Human Beings 2005<sup>6</sup> also requires States to analyse the factors that result in women being trafficked and suppress them.

The international human rights law outlined here sets out the myriad of positive obligations on the UK Government to tackle prostitution and trafficking. Positive obligations require States to do more than simply exercise due diligence in the investigation of criminal activity. Rather, they require States to analyse and respond to the causes of prostitution, trafficking and violence against women and take concrete steps to reduce the demand to sexually exploit women. Rights of Women believes that demand can be effectively reduced by shifting the criminal burden on to those who purchase sexual services and that such an approach would enable the UK to meet its obligations under international human rights law.

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<sup>3</sup> Special Rapporteur on Trafficking from 2004 to 2008 in *Integration of the human rights of women and a gender perspective*, United Nations. E/CN.4/2006/62.

<sup>4</sup> The UN Declaration on the Elimination of Violence against Women defines violence against women in Article 1 as: "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women...". Article 2 of the Declaration states that violence against women encompasses, but is not limited to: "...Physical, sexual and psychological violence... including rape, sexual abuse, sexual harassment and... trafficking in women and forced prostitution..."

<sup>5</sup> Under strategic objective D.3, which is focussed on eliminating trafficking in women and assisting victims of violence due to prostitution and trafficking.

<sup>6</sup> For further information see the *Explanatory Memorandum on the Council of Europe Convention on Action against Trafficking in Human Beings* available to download at <http://www.crimereduction.homeoffice.gov.uk/humantrafficking004a.pdf>