



ENGLISH COLLECTIVE OF PROSTITUTES

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Re: CEDAW Committee Call for comments: Draft General Recommendation on trafficking in women and girls in the context of global migration, May 2020

The English Collective of Prostitutes is a self-help organisation of sex workers, working both on the street and in premises, with a national network throughout the UK. Since 1975, we have campaigned for the decriminalisation of prostitution, for sex workers' rights and safety, and for resources to enable people to get out of prostitution if they want to.

We write in full support of the submission from Empower Foundation, Thailand in particular in reference to:

- **Opposition to “end demand”** and Empower's experience of how a criminal justice approach to trafficking has failed.
- Empower's experience of **how a raids and rescue approach to trafficking has caused harm to women** in the sex industry.
- **Prioritising of action** to “*focus on the rights and well-being of women and girls, beginning with addressing the root causes i.e. war, poverty, climate change, and the inequalities we face because of race, sex, and class.*”
- Empower's proposal that **to reduce exploitation States must pay mothers and all carers a living wage**. They comment: “*Wages for caring work done in the home or on the land, would offer security and reduce the number of women and girls who take extraordinary risks to provide for the family. Remembering that around 80% of women who do sex work are mothers, rather than ending demand, the Draft could map out a “new normal” where States are obliged to develop a robust welfare system, and the work of caring for people and the planet is valued, prioritized and importantly, paid.*”

In addition, we wish to add the following comments and suggestions:

A. Introduction Paragraph 2 and Section IV: paragraphs 27 a, b, and d.

We oppose the reference to “end demand” on the basis of women's safety. Criminalising clients does not stop prostitution, nor does it stop the criminalisation of women. Across Europe, laws which criminalise clients have driven prostitution further underground, making it more dangerous and stigmatising for women.

Evidence:

France which criminalised clients in 2016: “Since the law criminalising clients was introduced, 63% of sex workers have experienced deterioration of their living conditions, more isolation and greater stress; 42% are more exposed to violence.” Medecins du Monde. (2018).

https://www.sexworkeurope.org/sites/default/files/userfiles/files/EN_synthesis_SW_final_2.pdf

Ireland which criminalised clients in 2017: “Reported incidences of violent crime against sex workers, have risen by almost 50% since the introduction of the law to criminalise clients.” The Irish Times, 4 September 2017. <https://www.irishtimes.com/news/crime-and-law/dramatic-rise-in-attacks-on-sex-workers-since-law-change-1.3208370>

Sweden which criminalised sex workers in 1999: “63% of sex workers said the sex purchase law had created more prejudice from the authorities.” Jakobsson, P. & Edlund, C. (2014). Another Horizon; Sex Work and HIV Prevention in Sweden. <http://www.hiv-sverige.se/wp-content/uploads/En-annan-horisont-webb.pdf> Also, Levy, J. and Jakobsson, P. (2014). Sweden’s abolitionist discourse and law: Effects on the dynamics of Swedish sex work on the lives of Sweden’s sex workers, *Criminology and Criminal Justice*. <http://lastradainternational.org/lisidocs/3049-Levy%20Sweden.pdf>

Suggestion: Section IV. Root causes and discouraging the demand that fosters exploitation through trafficking

[Trafficking is not about prostitution](#) but about poverty, immigration. and asylum. Many women from poorer countries come to work in the UK in the hope of improving their and their children’s lives. Others are asylum seekers fleeing war or persecution who have been denied support yet prevented from working legally. Begging or working illegally, including in prostitution are some of the few options for people left destitute. Whether in the sex industry, agricultural, domestic or other service work, [exploitation is rife](#).

Suggestion: Section VI: Victims’ access to justice

Anti-trafficking legislation is primarily being used to target immigrant sex workers for raids and deportations. In December 2013, 250 police officers, with the stated aim of saving victims of [“rape and human trafficking”](#) broke down doors, handcuffed women and dragged at least one woman out in her underwear to the waiting media. No victims were found, but immigrant women were taken against their will to a so-called “place of safety” and then, when they insisted that they were working independently, dumped onto the street in the middle of the night.

One Brazilian mother in our network was convicted of trafficking and imprisoned for three years for running a flat where other immigrant women worked. Yet the judge agreed that “none of these women was, in fact, coerced by you into acting as a prostitute . . . you treated them in a kindly and hospitable way”. All her possessions, built up over many years of hard work, were confiscated and she faced losing custody of her seven-year-old child. Her British citizenship was withdrawn despite her having lived in the UK for 25 years and she narrowly escaped being deported.

In summary we ask that CEDAW consider:

1. Women move countries to escape poverty and overwork, and/or war and devastation. Government which wage wars, shattering and impoverishing countries should be held responsible for this and for the fact that women are pushed into the hands of agents in order to cross international borders because of repressive immigration policies.
2. [Women escape traffickers by their own ingenuity](#), courage and organisational skills. But those efforts are not acknowledged or supported by the authorities and are undermined by the criminalisation of sex work.
3. Traffickers escape prosecution not because of a lack of applicable laws, but as with domestic violence and rape, because protecting women is not the priority. Women Against Rape (UK) points to the appalling 6% prosecution rate for reported rape. Sex workers who report violence more often than not find the police refuse to act and may even [threaten sex workers with prosecution](#) for prostitution.

We ask that CEDAW urge States to address trafficking by such measures as: stopping raids, arrests (and deportation for those of us who are migrant) of sex workers; decriminalising sex work so that sex workers can more easily report all violence including trafficking; ending hostile immigration policies which prevent women in particular crossing international borders; ending wars that force women, to leave their home and community to preserve their life and that of their families.