

## Written statement by the Portuguese Platform for Women's Rights

### Question 1)

Transforming our world and strengthening universal peace and freedom through the empowerment of women and girls everywhere and ensuring a life free from all forms of violence against women, are indispensable requirements for a tangible sustainable development. We now have around 15 years to achieve the Sustainable Development Goals (SDG), in which gender equality and the empowerment of women and girls are not just a stand-alone goal but a cross-cutting issue present in all SDGs.

All people involved in the system of prostitution are subjects of human rights and should not be left behind, particularly women and children in prostitution. The 2030 Agenda is based on the fundamental principles of human rights, their protection and promotion. This means that the system of prostitution can, in no way, be considered in line with the Agenda.

While forced prostitution, as well as human trafficking that is often linked, are clearly perceived as human rights violations in line with human rights instruments, including CEDAW, prostitution is sometimes deemed a personal option. But poverty and being exposed to extreme violence (prior, during and even after being in the system of prostitution) is not a personal choice; is a consequence of the world's inequalities and discriminations based on sex, age, race, country and place of origin, migrant status, habitation and economic status, education and professional status, disabilities, etc. Selling of one's own body for money and for someone else's enjoyment and exploitation cannot be considered as a matter based on a human rights approach.

In fact, the legal position of the international community about the system of prostitution is specifically expressed in Article 6 of CEDAW, which commits State Parties to the suppression of all forms of traffic in women and exploitation of prostitution, directly or indirectly. This standard must apply for a broader interpretation of trafficking and sexual exploitation of women and children.

#### **No State Party of the CEDAW can:**

- Promote, by act or omission, the conditions for any form of trafficking and sexual exploitation involving the prostitution of women, and should not, particularly, create an environment that enables such exploitation;
- recognize, by any legal means, the prostituted person as an independent professional status, as this would facilitate not suppress trafficking and exploitation of prostitution, or accord professional status to other agents, particularly pimps, since this would be a form of exploitation of prostitution by the intended employer, which, in both cases, would imply the State to violate Article 6 of the CEDAW.

In fact, any person or ‘company’, formal or informal entity whose business is to provide people for sexual services in return for money, including through trafficking of these people, **can only expect that any State Party to CEDAW should attempt to terminate such a business, in compliance with its obligation to take all appropriate measures, including legislation, to suppress such activities**, while respecting the human rights of people involved.

To ground the political response to the system of prostitution on the international standards that guide UN Women’s work and an international human rights framework - including the Convention on the Elimination of Discrimination Against Women (CEDAW), the Beijing Platform for Action and the 2030 Agenda for Sustainable Development – is the way forward to achieve the target n. 5.2 - Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, including prostitution. This is no time to go back; instead, it is time to move forward in order to fulfill the SDG by 2030.

## Question 2)

Serious research, thinking and democratic debate are essential to make clear how negative for women the system of prostitution is. What does research tell us?

It estimates that worldwide there are 40 to 42 million persons in prostitution. 80% of them are women with an age range 13-25 and in Brazil 250,000 are children. In India, clients pay \$1,000 for sex with a virgin and \$1 for sex with an adult. 90% of all prostituted persons are dependent on a pimp. One of the reasons why prostituted persons are so young is based on the fact that even where prostitution is legal the risk and violence that prostituted persons face is frequent and deadly.

According to Prostitution Research:

- 70-95% of prostituted persons experience physical assault during their activities.
- 60-75% of prostituted persons are raped while undertaking their activities.
- 95% of prostituted persons experience sexual harassment that in other industries would result in legal action.
- Women who are prostituted persons are raped 8-10 times each year on average.
- Prostituted persons and those who had managed to leave the industry faced an increased rate of death that was 200 times the rate of death for women of the same race and age range.
- In a 2004 study, the mortality rate for prostituted persons was 391 per 100,000 people and active prostituted persons have a mortality rate of 459 per 100,000 people.
- Plus, findings from various studies show that half of clients continue to buy sex irrespective of clear indications that the prostituted persons are under 18 years of age.

The claim that “sex work” is just another form of work seems clearly untenable given these and other similar indicators. In what other line of work do its workers endure such appalling hardship?



The aims targeted in the 2030 Agenda are totally incompatible with the existence of the system of prostitution, as these realities are intrinsically part of the system that enables it; and women's reproductive rights are certainly not fully respected when their own bodies are used as objects. Peaceful and inclusive societies are not built upon exploitation and humiliation.

If sexual and reproductive rights are to be achieved everywhere, States must provide information, services and specific social support, and, in the case of adolescents, free from family, cultural or religious coercion, as appropriate to counteract the socially constructed gender roles that impede the achievement of substantive equality between women and men.

Women's ownership of land and assets will be a reality when economical and financial inequalities, including gender pay gap, are tackled with real and concrete political – public and private – measures all across the world, in association with ending sexual and moral harassment (direct, indirect, and perceived) in all spheres of life.

Ending the trafficking of women will only succeed if the demand for women in relation to sexual exploitation and to the system of prostitution is stopped. This implies the criminalization of pimps and clients. The hypocrite refusal by all people, States and organizations in combating gender stereotypes - in particular those that depict women as commodities permanently available to men - must be fully tackled with concrete, impacting and transformative policies.

And we will only be able to eliminate all forms of violence against women when we suppress the system of prostitution, sexual exploitation and trafficking of human beings, in particular women and children. The system of prostitution is the ultimate expression of the extreme male violence towards women and children. No State will accomplish the elimination of violence against women if it persists on the reinforcement of the commodification of the human body.

### Question 3)

According to the European Parliament report 2014, the number of prostituted persons in Germany is estimated at 400 000, but only 44 prostitutes are officially registered with the social welfare agencies following the 2002 law legalising prostitution; and there are no viable indications that this law has reduced crime – in fact, 1/3 of German prosecutors have noted that legalising prostitution has ‘made their work in prosecuting trafficking in human beings and pimping more difficult’.

It must be a global, concerted and holistic response. Legal provisions and their strict application penalizing those that promote and benefit from sex trade and prostitution, namely pimps and clients, together with promotion of social awareness of the real meaning of such activities, education and information of women and men starting from school, media involvement and above all, political commitment to respect, defend and promote human rights.

For those women already involved in such networks, special support programs are necessary, including safe houses to allow them the possibility of escaping from the networks and its supporters, as well as legal and social support, professional training to rebuild their lives, etc.

**The best way to protect women and children from sexual exploitation is to promote the so-called Nordic Model.** It recognizes prostitution as a form of violence, makes the purchase of sex acts illegal, regards prostituted persons as victims rather than criminals, and provides exit programs to the victims. It proves to be effective in reducing the demand for paid sexual services, threatening the profits of those who traffic in human beings for personal gain, and making equality between women and men a reality by decreasing sexual violence against women and increasing safety and protection for women.

### Subscribers:

- Association of Women Against Violence (AMCV) | Associação de Mulheres Contra a Violência
- Portuguese Network of Young People for Gender Equality (REDE) | REDE Portuguesa de Jovens para a Igualdade entre Mulheres e Homens
- Alliance for Parity Democracy (ADP) | Aliança para a Democracia Paritária
- Association of Women 21st Century | Associação de Mulheres Séc. XXI
- Association for the Advancement of Portuguese Gypsy Women (AMUCIP) | Associação para o Desenvolvimento das Mulheres Ciganas Portuguesas
- Association for Women in Cape Verdean Diaspora in Portugal (AMCDP) | Associação de Mulheres Caboverdeanas na Diáspora em Portugal
- Association Mên Non - Women of Sao Tome & Prince in Portugal | Associação Mên Non - Associação de Mulheres de São Tomé e Príncipe em Portugal
- Portuguese Women's Studies Association (APEM) | APEM - Portuguese Association of Women's Studies
- Girls of Odivelas - Association | Meninas de Odivelas - Associação
- Coolabora | Coolabora



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- EOS - Association of Studies, Cooperation and Development | EOS - Associação de Estudos, Cooperação e Desenvolvimento
- Portuguese Association for Woman's Rights in Pregnancy and Deliver (APDMGP) | Associação Portuguesa para os Direitos das Mulheres na Gravidez e no Parto
- Foundation Caring for the Future | Fundação Cuidar o Futuro
- Equality Question – Ass. for Social Innovation | Questão de Igualdade - Associação para a Inovação Social
- Cooperative SEIES | Cooperativa SEIES
- Association Women without Borders | Associação Mulheres Sem Fronteiras
- Association Project to Raise | Associação Projeto Criar

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