

## RESOLUTION TITLE

Amnesty International policy on 'Sex work'

## RESOLUTION SUMMARY

Re-evaluation of Amnesty International Policy in the light of evidence of consequences of models adopted across Europe

## RESOLUTION TEXT

This AGM calls on AIUK to advocate to the international secretariat board to:

- 1 Undertake balanced, rigorous research to make comparisons from recent findings between countries where prostitution is either decriminalised or legalised or which have adopted the Swedish legal framework (the latter being countries by which the UK is now practically surrounded).
- 2 Use inclusive terminology to represent people in the sex trade rather than the term 'sex worker' and 'sex work', terms not representative of how most people in prostitution identify. The terms fail to include the vast majority of those in prostitution, 90% of whom are women. A more inclusive term would be 'prostituted persons'
- 3 Work with survivors of prostitution, to support their human rights and to recognise what survivor organisations are saying about the men who buy and pimp women.
- 4 Review the framework in which any policy on prostitution should sit. Alternative policy frameworks such as the elimination of all forms of discrimination against Women (CEDAW), prevention of torture and trauma or ending violence should be considered. To recognise that the Harm Reduction principle identified in AI's policy is inappropriate in the context of prostitution.(192 words)

## BACKGROUND NOTES

Evaluating decriminalisation (1999) in Denmark the Danish Social Agency (2012) reported an increase in the prevalence of prostitution. Decriminalization did not curb the high levels of violence that prostituted individuals experience, demonstrating that prostitution is inherently violent and abusive (New Zealand Law Review Committee, 2008). The majority of prostituted persons are female whereas the majority of sex-buyers are male (Dank et al 2014).

Empirical analysis for a cross-section of 150 countries shows that on average countries where prostitution is legal experience larger reported human trafficking inflows', (Neumayer 2013). None of the objectives ( to destroy the stigma of prostitution; end trafficking; improving safety and generating tax revenues) of legalisation introduced in Holland in 2000 was achieved (Raymond J. 2013)

The Swedish Sexual Purchases Act (1999) in which buying sex becomes a criminal offence is adopted in France, Northern Ireland, Norway, Iceland, Canada, Lithuania and Israel and supported by the European Parliament. Prostituted people are

decriminalised, criminal records wiped clean and Exit programmes offered. In Sweden street prostitution has halved, and murders of women in prostitution have dropped.

In evaluating the Swedish law Justice Skarhed (2010) submitted that on a gender equality and human rights perspective, shifting focus away from those who are exploited in prostitution to demand, i.e. traffickers, procurers and sex purchasers, the distinction between voluntary and non-voluntary prostitution is irrelevant. As survivor Moran R. (2013) states, '*To depict prostitution as chosen, with the prostitute in control, is to sanitise the true nature of prostitution: the commercialisation of sexual abuse.*'

The 1949 UN Convention on the Suppression of Trafficking in persons, declares that prostitution and trafficking are exploitative and '*incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community.*' The 2000 UN Palermo Protocol against Transnational Organised Crime states that any form of force, coercion, abduction, fraud, deception, abuse of power, or of a position of vulnerability or *the giving or receiving of payments or benefits to achieve consent nullifies the apparent consent.* Hence there is no such thing as consensual prostitution.

#### **THE FOLLOWING PARAGRAPH WAS DELETED**

'Harm reduction' in slavery to reduce the weight of shackles, limit lengths of slave voyages and tax slave ships in port ignored the fact (now taken for granted) that slavery as an institution needed to be abolished. Similarly prostitution is not an inevitable institution, but a harmful cultural practice (Raymond J. 2013)