Parliamentary Assembly
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COUNCIL OF EUROPE
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Resolution 1983 (2014)[1]
Final version

Prostitution, trafficking and modern slavery in Europe

Parliamentary Assembly

1. Trafficking in human beings is one of the most hideous violations of human rights, affecting between 70 000 and 140 000 people every year in Europe. Girls and women are disproportionately affected, and so are transgender persons, but men and boys are also concerned. A considerable proportion of victims are citizens of the European Union, in particular Bulgarian and Romanian women who are trafficked for the purposes of sexual exploitation.

2. The Parliamentary Assembly is deeply concerned that, despite several national and international mechanisms and legal instruments put in place to counter it, trafficking in human beings in Europe is not only widespread, but is even on the rise, while relevant convictions are falling. It is necessary to step up efforts to curb this scourge, allocating the necessary resources and efforts towards prevention, investigation and prosecution, while ensuring that freeing victims from this modern form of slavery and restoring their rights and dignity remain at the centre of actions undertaken.

3. Although they are distinct phenomena, trafficking in human beings and prostitution are closely linked. It is estimated that 84% of trafficking victims in Europe are forced into prostitution; similarly, victims of trafficking represent a large share of sex workers. The lack of precise and comparable data on prostitution and trafficking makes it difficult to assess with accuracy the impact that different regulations on prostitution may have on trafficking. However, considering the significant overlap between the two phenomena, the Assembly believes that legislation and policies on prostitution are indispensable anti-trafficking tools.

4. Research and data collection on prostitution and trafficking should be carried out in all Council of Europe member States. It should aim to collect nationwide information and be conducted on the basis of Europe-wide harmonised standards to guarantee comparability.

5. Legislation and policies with regard to prostitution vary across Europe, ranging from legalisation to criminalisation of prostitution-related activities. In 1999, Sweden was the first country to criminalise the purchase of sexual services, with proven positive results in terms of reducing the demand for trafficking. Since then, other countries have followed the same path or have taken steps in this direction. At the same time, other member States have chosen to legalise both the sale and the purchase of sexual services, with the aim of reducing the attractiveness of this business for criminal organisations and improving the working conditions of sex workers, with limited results.

6. Forced prostitution and sexual exploitation should be considered as violations of human dignity and, as women are disproportionately represented among victims, as an obstacle to gender equality.

7. Prostitution is a complex issue presenting various facets that should be taken into account. It affects the health of sex workers with consequences ranging from increased exposure to sexually transmitted diseases to higher risks of drug and alcohol addiction, physical and mental traumas, depression and other mental illnesses. Prostitution is often linked to criminal activities such as petty crime and drug dealing. In addition, criminal organisations controlling trafficking in human beings are often involved in drug trafficking.

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1. *Assembly debate* on 8 April 2014 (12th Sitting) (see Doc. 13446, report of the Committee on Equality and Non-Discrimination, rapporteur: Mr José Mendes Bota). *Text adopted by the Assembly* on 8 April 2014 (12th Sitting).

8. The Assembly acknowledges that different legal approaches and cultural sensitivities make it difficult to propose a single model of prostitution regulations that would fit all member States. It believes, however, that human rights should be the main criteria in designing and implementing policies on prostitution and trafficking.

9. Irrespective of the model chosen, legislators and law-enforcement officials should be aware of their responsibility to ensure that sex workers, where prostitution is legalised or tolerated, may carry out their activity in dignified conditions, free from coercion and exploitation, and that the protection needs of those who are victims of trafficking can be adequately identified and addressed.

10. In designing and enforcing prostitution legislation and policies, public authorities should strengthen co-operation with civil society, particularly non-governmental organisations (NGOs), assisting victims of forced prostitution and trafficking, as these are not represented by sex workers' organisations.

11. Furthermore, in all cases, the authorities should refrain from considering prostitution regulations as a substitute for comprehensive action aimed specifically at human trafficking, based on a sound legal and policy framework and implemented effectively. International co-operation at bilateral and multilateral level has a major role to play in action on trafficking, given its transnational nature and the economic interests involved.

12. In the light of these considerations, the Assembly calls on Council of Europe member and observer States, Parliamentary Assembly observer States and partners for democracy, to:

12.1. as regards policies on prostitution:

12.1.1. consider criminalising the purchase of sexual services, based on the Swedish model, as the most effective tool for preventing and combating trafficking in human beings;

12.1.2. ban the advertising of sexual services, including forms of disguised advertising;

12.1.3. criminalise pimping, if they have not already done so;

12.1.4. establish counselling centres providing prostitutes with legal and health assistance, irrespective of their legal or migrant status;

12.1.5. set up "exit programmes" for those who wish to give up prostitution, aimed at rehabilitation and based on a holistic approach including mental health and health-care services, housing support, education and training and employment services;

12.1.6. if they have legalised prostitution:

12.1.6.1. consider fixing the minimum legal age for prostitution at 21;

12.1.6.2. ensure that all the relevant laws and regulations – including those concerning health and safety, social security and tax – are reviewed and effectively implemented, at all levels of administration;

12.1.6.3. ensure that prostitution regulations apply to all forms of sex work, including Internet prostitution;

12.1.6.4. apply strict administrative and technical requirements for the practice of sex work, aimed at ensuring monitoring of the administration and regular contacts with sex work establishments ("barrier system");

12.1.6.5. require that information on the rights of sex workers as well as contact details of anti-trafficking services be clearly displayed in prostitution establishments;

12.1.6.6. exchange best practices with a view to reducing the harm caused by prostitution;

12.1.6.7. raise general public awareness of the need to change attitudes towards the purchase of sexual services and to reduce the demand, including by countering social encouragement, particularly in the workplace;

12.1.7. strengthen co-operation with civil society, including sex workers' associations and non-governmental organisations assisting victims of trafficking and forced prostitution, and consult them in the context of the drawing up or revision of policies on prostitution;

12.1.8. establish specialised police forces for the enforcement of prostitution and human trafficking regulations;

12.2. as regards policies on human trafficking:

12.2.1. sign, ratify and implement the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197) (if they have not yet done so) and fully co-operate with its monitoring mechanism;

12.2.2. introduce action plans on human trafficking and closely involve parliaments in their preparation and implementation, and monitoring of their implementation;

12.2.3. allocate adequate resources to all agencies and services active in the prevention, investigation and prosecution of human trafficking;

12.2.4. reinforce co-operation with Europol and increase substantially the financial and human resources allocated to it;

12.2.5. establish shelters for victims of human trafficking;

12.2.6. work bilaterally with countries of origin, including developing countries, to prevent trafficking, and ensure that those victims who are returned to their country of origin are given the means to reintegrate into society;

12.2.7. strengthen co-operation between the anti-trafficking and law-enforcement authorities on one side and with non-governmental organisations on the other, in the context of anti-trafficking and victim assistance activities;

12.3. as regards research and data collection:

12.3.1. promote quantitative and qualitative research on prostitution: prevalence, types/ markets of prostitution, breakdown of people involved by gender, age and national origin;

12.3.2. promote quantitative and qualitative research on human trafficking: prevalence, countries of origin, purpose of the trafficking, and prevalence of victims among prostitutes;

12.3.3. mandate independent bodies to carry out regular assessments of the impact of their prostitution regulations on trafficking in human beings;

12.4. as regards awareness raising, information and training:

12.4.1. increase awareness through the media and school education, particularly among children and young people, with regard to respectful, gender-equal and violence-free sexuality;

12.4.2. raise awareness of the link between prostitution and human trafficking by means of information campaigns targeting the general public, civil society and education institutions;

12.4.3. step up training programmes on prostitution and trafficking for law-enforcement officials, the judiciary, social workers and public health professionals.