



ECPAT International

**Does the legalisation of
prostitution increase the sex
trafficking of women and
children?**

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Presentation Outline



- Introduction: The challenges & debates;
- Philosophical, empirical and political arguments;
- The links to trafficking and CSEC;
- Other legal approaches that protect the rights of all those engaged in prostitution;
- Conclusion;
- References.

Does the legalisation of prostitution increase the sex trafficking of women and children?

The challenges & debates



- Lack of reliable data over the scale & scope of human trafficking;
- Lack of empirical evidence vs. emotive debate;
- Prostitution as legitimate work vs. prostitution as a form of gender violence.

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Philosophical arguments



A 'sovereign and independent human being able to decide freely' to work in the sex industry

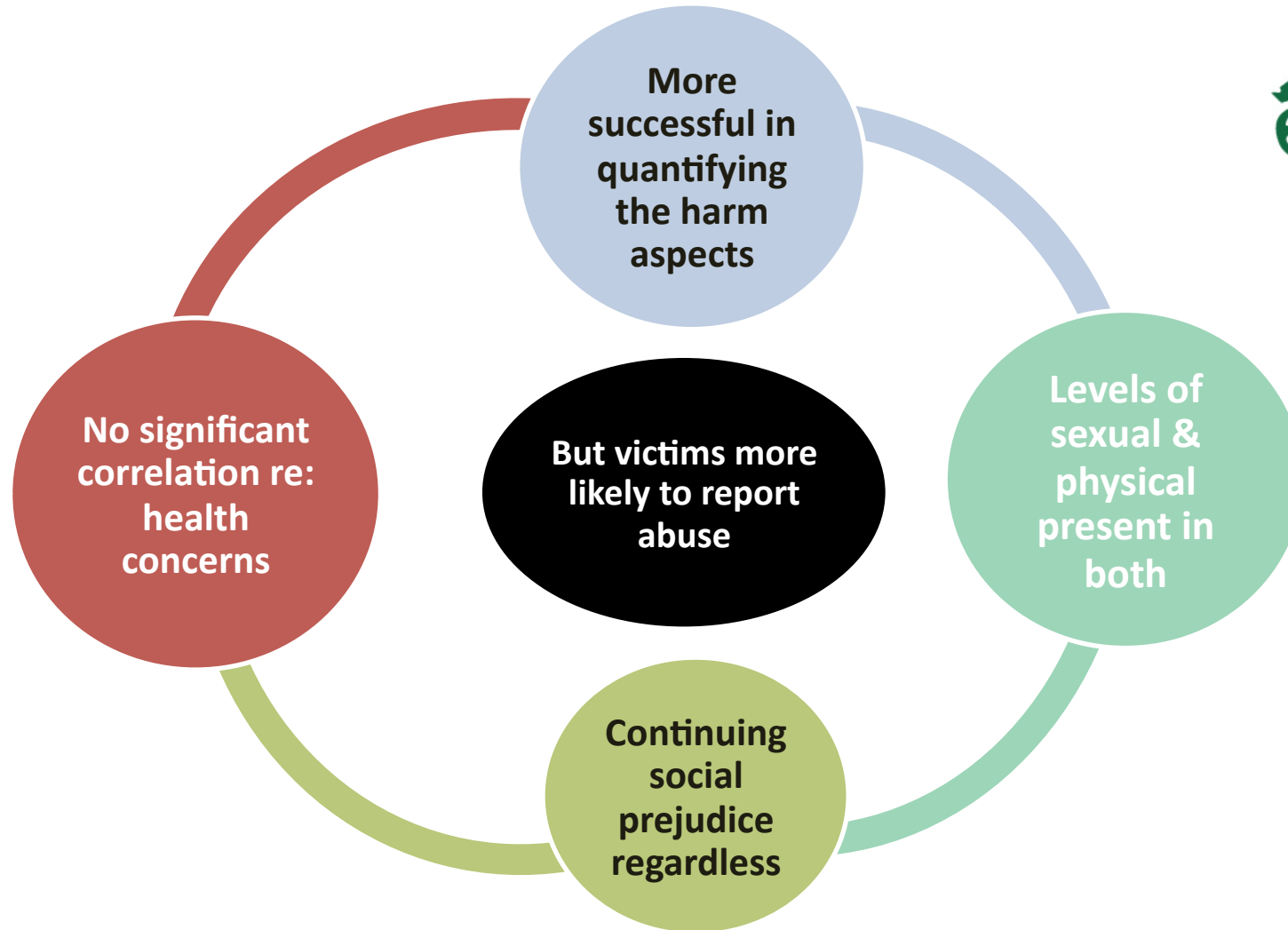
Criminalisation contributes to stigmatisation and violence

'voluntary' prostitution seen as consent to violation and therefore an act of oppression

Those selling sex are subjected to unsafe, exploitative and dangerous environments

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Empirical research context



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Political analysis



- Employment rights vs. legitimacy of prostitution as a career;
- Legal age of work and age of consent;
- Varied contexts difficult to control & regulate;
- Reluctance to register as sex workers;
- Legalisation can limit corruption, exploitation and improve police relations.

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Legal prostitution & links to CSEC (1)



Unreliable estimates, lack of studies
and problematic legal & policy
definitions

Prostitution grows once legalised;
substitution effect away from
trafficking but scale increases

Increase in trafficking more
dominant than substitution effect;
child prostitution prevalent in adult
commercial sex sector

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Legal prostitution & links to CSEC (2)



- Majority of children involved in commercial sex sector are adolescents;
- Adolescents can obtain false documentation to secure employment;
- No clear line between adult and child prostitution;
- Research shows a low age of entry into prostitution.

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Legislative approaches: challenges



- Little consensus of most effective legal response;
- Huge variation in approaches making comparison difficult;
- Lack of coherence and consistency in enforcement;
- Minimal empirical research and validity problems.

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The Swedish Model



Prostitution is violence against women



To combat sex trafficking, reduce demand



Number of women involved in prostitution has dramatically dropped

Does the legalisation of prostitution increase the sex trafficking of women and children?

Conclusion



- Both sides have compelling moral arguments;
- Unreliable data affects clear conclusions;
- Legalisation offers avenues for recourse to justice;
- Those adults ‘voluntarily’ engaged in prostitution often have no other viable options;
- Sex trafficking is least prevalent where prostitution is illegal and the law enforced accordingly;
- Sex trafficking increases where prostitution is legalised;
- Middle ground: criminalise demand side, decriminalise adult prostitution.

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THANK YOU



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