



Trafficking in human beings and sexual exploitation: Preliminary research on the reduction of the demand

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A vast amount of scholars, experts, NGOs and legislators worldwide concur that there is a direct link between prostitution, human trafficking and sexual exploitation of women.¹ In the EU, the issue has been tackled from several angles by the Member States. However, despite numerous reports, action plans and international conferences on combating human trafficking and sexual exploitation, the sex trade and organized criminal rings continue to flourish. Reducing the demand for “sexual services” is a new battlefield that some international organizations and states are cautiously exploring. This paper plans to contribute to the debate on the efficiency of the existing demand-focused policies and on the forms that the reduction of the demand could take.

International Instruments and Reduction of Demand

Reducing the demand for sexual services is recommended in various degrees by intergovernmental organizations, though not often with concrete measures and policies for its implementation.

¹ Raymond, G. J., Prostitution on Demand: Legalizing the buyers as sexual consumers. Coalition against Trafficking in Women. *Violence Against Women*, Vol. 10 No. 10, (October 2004) 1156-1186. *see* <http://action.web.ca/home/catw/readingroom.shtml?x=71055>

United Nations

In 2000 the United Nations adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children which recognized that the exploitation of prostitution and human trafficking cannot be separated and that the demand for sexual services is one of the root sources of the phenomenon. In this regard, it is worth mentioning that Article 9 (5) of the Protocol requires the States Parties to “adopt or strengthen measures to discourage the demand that fosters exploitation of persons, particularly women and children, leading to increased trafficking.”²

Council of Europe

The Council of Europe *Convention on Action Against Trafficking in Human Beings* and its Explanatory Report (Warsaw, 16.V.2005) also focuses on the reduction of demand³, particularly in the sex trade. Section 6 of the CoE Convention - *Measures to discourage demand* – states:

“ To discourage the demand that fosters all forms of sexual exploitation of persons, especially women and children, that leads to trafficking, each Party shall adopt or strengthen legislative, administrative, educational, social, cultural, or other measures including: a) research on best practices, methods, and strategies; b) raising awareness of the responsibility and important role of media and civil society in identifying the demand as one of the root causes of trafficking in human beings; c) target information campaigns involving, as appropriate, inter alia, public authorities and policy makers; and d) preventative measures, including educational programs for boys and girls during their schooling, which stress the unacceptable nature of discrimination based on sex, and its disastrous consequences, the importance of gender equality and the dignity and integrity of every human being.”

By dedicating a separate freestanding article on demand, the Council of Europe sought to “underline the importance of tackling demand in order to prevent and combat the traffic itself.”

² United Nations. Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations conventions against transnational organized crime. (December 2000). 1-71. *see* 41-53 at <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

³Council of Europe Convention on action against trafficking in human beings and its explanatory report (Warsaw,16.V.2005). Article 6 (chapter 2)- Measure to discourage demand. *See* http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Convntn/CETS197_en.asp#P222_15185

European Parliament

On 24 October 2006, MEP Edit Bauer (Committee on Civil Liberties, Justice and Home Affairs) released the **Report on trafficking in human beings** drafted with MEP Maria Carlshamre (Committee on Women's Rights and Gender Equality).

The demand side is not ignored. The report stresses that “the sex industry is based on the principle of supply and demand” and that “the 2003 IOM report recognizes that growing consumer demand is undoubtedly one of the factors contributing to the phenomenon of forced labour in the sex industry”, (See p 7 of the report).

It also states that “the European Commission should evaluate and disseminate best practices for reducing demand in the Member States for services provided by persons trafficked for the purposes of labor or sexual exploitation or any other purpose” (See p 11). The report also underlines “the importance for EU institutions and Member States to promote gender-specific prevention strategies as a key element in combating trafficking in women and girls, apply gender-equality principles and eliminate the demand for all forms of exploitation, including sexual exploitation and the exploitation of domestic labour.”

In the “Explanatory statement”, the report stresses that “According to some experts the main drive of trafficking is the demand. Market demand - particularly from sex-buyers - creates strong profit incentives for traffickers, boosting the growth of trafficking in human beings. The US State Department Report⁴ stresses, that where prostitution flourishes, so does an environment that fuels trafficking in persons.” (See p 17)

In the “Measures at the level of Member States and at the EU level”, it is clearly stated that “Member States should take the necessary steps to actively target and prosecute those who knowingly use the services of victims of trafficking, in order to reduce the demand for trafficked persons.” (See p 24)

In its Opinion, the Committee on Women’s Rights and Gender Equality quotes the 2004 US Department of State report⁵ which states that “where prostitution has been legalised or tolerated, there is an increase in demand and that legalisation of prostitution opens markets for criminal enterprises.”

Despite these strong remarks, the Recommendations to the Council remain very weak: “There is an urgent need for prevention and Member States should also focus on demand and provide information through education campaigns, making the public, and in particular customers/clients, aware of the problem.” (See p 35).

⁴ Trafficking in Persons Report, June 2005, US State Department

⁵ US Department of State (2004),

http://www.humantrafficking.org/countries/eap/united_states/news/2005_05/tip_factsheet_response.html

More than four years later, it can be said that the vague recommendations of the report have been inefficient. Sexual exploitation is flourishing more than ever in Europe.

On 10 February 2010, the European Parliament adopted a **Resolution of on preventing trafficking in human beings**.⁶ However, the resolution fails to clearly tackle the demand issue, unlike the UN Protocol and the Council of Europe Convention. The content of the European Parliament resolution on trafficking in human beings includes only vague language as far as demand is concerned. The word “demand” only appears four times in the resolution and not even once in direct connection with sexual exploitation. Paragraph Q of the resolution states that “more research must be done on how trafficking takes place, who commits it, how demand drives the supply of services from victims and who falls victim to it and why, and on ways to discourage demand.” Paragraph S states that “if the demand from potential buyers of the services and products supplied by victims of trafficking is reduced, thereby also reducing profits from trafficking in human beings, the supply of such services and goods by victims will in turn decrease.”

Statistics on Male Demand for Prostitution

Accurately measuring and assessing the perverseness of demand in the sex trade is highly challenging. Research attempting to assess the scope of male demand for prostitution is very limited. Acquiring actual statistics to gain an understanding of just how many men worldwide purchase sex is virtually impossible. Mainly, research estimates are based on male self-reporting, and empirical data are developed on limited study samples sizes. Moreover, eliciting reliable and truthful self-reporting information from male study participants can be highly problematic due to the stigma and covert nature of the act of purchasing sexual services. It is important to note that another significant factor regarding the deficit in research and statistics is that up to now the focus has been mainly placed on the so-called “supply,” the victims of sexual exploitation, while the perpetrators, or male demand, have remained invisible and without scrutiny.⁷

Despite the fact that statistics on the male demand for prostitution are limited, it has been widely documented that the sexual exploitation of women through the global prostitution and human trafficking sex trade generates an estimated 34 billion USD annually.⁸ Clearly, the multibillion dollar sex trade industry can only be produced and sustained from monies spent by men who procure sex, the demand. These enormous figures suggest that the worldwide

⁶ European Parliament. European Parliament Resolution on Preventing Trafficking in Human Beings. (10 February 2010). See <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2010-0021+0+DOC+XML+V0//EN&language=EN>

⁷ Durchslag, R. & Goswami, S. Deconstructing the demand for prostitution: preliminary insights from interviews with Chicago men who purchase sex. *Chicago Alliance Against Sexual Exploitation*. (May 2008). 1-24 see http://www.chicagohomeless.org/files/images/Deconstructing_the_Demand_For_Prostitution.pdf; Raymond (2004). See footnote 1.

⁸ United Nations Office on Drugs and Crime (UNODC). Trafficking in persons: global patterns. (April 2006). 1-124. See http://www.unodc.org/pdf/traffickinginpersons_report_2006ver2.pdf

demand and amount of men who exploit women through prostitution is immeasurable. Therefore, it should be taken into consideration that published reports containing empirical data on the approximation of the number of male sex purchasers are considerably underestimated.

Demand in Some European Countries

In several European countries, some studies suggest the number of males who purchase prostitution ranges between about 10-20 percent. A 2009 United Kingdom Report, *Tackling the demand for prostitution: a rapid evidence assessment of the published evidence literature*, from the University of Huddersfield reviewed a variety of **UK** studies on prostitution to ascertain the frequency of male demand for prostitution in the UK.⁹ One 2006 study estimated that between 2.2 and 10.6 million UK men purchase sexual services.¹⁰ A second study estimated that in the UK, 64 million commercial sex transactions take place annually.¹¹ Farley, Bindel and Golding (2009) conducted a study, *Men who buy sex: who they buy and what they know*, that sampled 103 UK male sex purchasers. Farley et al. (2009) found that of the 96% of UK men who purchased sex from indoor facilities, many admitted they were aware of pimping, trafficking and other coercive control over the prostituted women they purchased in massage parlors, brothels, and escort agencies. Fifty-five percent of the UK male participants believed that a majority of women in prostitution were lured, tricked or trafficked. However, this belief did not deter them from purchasing sex from victimized women.¹²

In **Italy** it has been reported that 1 out of 6, or 17%, of Italian men are prostitution purchasers. This figure translates into an estimated 9 million men using 50,000 women for prostitution. In addition, German reports suggest that 18% of males in **Germany** purchase sex regularly.¹³

Demand in Some Asian Countries

Reported statistics on demand in **Asia** tend to far exceed that of Europe. This can perhaps be attributed to differing societal attitudes towards prostitution and women from men in Asian countries, or a decreased stigma associated with the male purchase of sexual services.

⁹ Wilcox, A., Christmann, K., Rogerson, M., and Birch, P. University of Huddersfield Tackling the demand for prostitution: a rapid evidence assessment of the published evidence literature. *University of Huddersfield and Home Office*. (December 2009) 1-56. See <http://www.homeoffice.gov.uk/rds/pdfs09/horr27c.pdf>

¹⁰ Kinnell, H. Clients of female sex works: men or monsters? (2006) Chapter 9 in *Sex work now*. Cambell, R. and O'Neill, M. (Eds). Willan. Cited in Wilcox et al., (December 2009). See footnote 9.

¹¹ Kinnell, H. (2006). Cited in Wilcox et al. (December 2009). See endnote 9.

¹² Farley, M., Bindel, J. & Golding, J., M. Men who buy sex: who they buy and what they know. *EAVES, London and Prostitution Research and Education, San Fransico*. (December 2009) 1-32.

See http://www.eaves4women.co.uk/Documents/Recent_Reports/Men%20Who%20Buy%20Sex.pdf

¹³ Raymond, G. J., (October 2004). see endnote 1.

Brown (2000) reports in **Thailand** that a US Agency for National Development study found that 75% of Thai men purchase sex. Similar numbers are found in **Cambodia**, as an estimated 60% to 70% of Cambodian men are reported to procure women for sexual services.¹⁴

The high demand from **Korean** males to purchase sexual service and participate in the sex tourism industry has also been documented. The Korean Times reported (2005), in 2004, the number of Koreans who traveled to Cambodia was 12.7 percent or 128,423, the largest number in the total tourist population visiting Cambodia. These large numbers have been attributed to the increasing demand and number of Korean men participating in the sexual tourism trade. In addition, the Korean Times reported (2005) an increasing number of Korean men travel to the Philippines to procure sex and the **Philippine** government has urged the Korean government to take firm action against sexual tourism and soliciting prostitution, particularly buying sex from children. This increase in Korean tourism to Cambodia may significantly contribute to the boosting sex trade industry and human trafficking in Cambodia.¹⁵

Legalization of Prostitution and Demand

The increase in demand for prostitution in countries that have legalized prostitution such as the Netherlands and Australia has been widely documented. Since the legalization of prostitution in Victoria (Australia), demand for prostitution has involved some 60,000 male prostitution buyers spending 7 million dollars each week, in a population of only 3.5 million.¹⁶ **Australia** has experienced a massive expansion of the sex trade industry, which has facilitated and accommodated demand since legalization.¹⁷ According to Amanda Kloer¹⁸, "Today, only 10% of the prostitution industry operates in Australia's legal brothels; the other 90% takes place in underground, illegal sex markets thick with forced prostitution and human trafficking victims." After the 1995 legalization of prostitution in New South Wales, brothels tripled in number by 1999 and expanded in size. It is reported that these large numbers are indicative of the enormous demand and mainstream nature of the sex trade which has occurred since the legalization of prostitution in Australia.¹⁹

In the **Netherlands**, the 2000 legalization of prostitution has reportedly increased demand to such a level that the sex trade has more than tripled in size and as of 2002 it became a 1 billion dollar per year industry.²⁰ In 2004, a commission found organized crime's control of

¹⁴ Brown, L. (2000). *Sex slaves: The trafficking of women in Asia*. London: Virago. Cited in Raymond, J. G., (October 2004). *See* endnote 1.

¹⁵ Ah-young, C. More Koreans Buy Sex Abroad. *The Korea Times* (October 31, 2005). Retrieved from Human trafficking.org. *see* <http://www.humantrafficking.org/updates/265ki>

¹⁶ Raymond, J. G. (2004). *see* endnote 1.

¹⁷ Joe-Cannon, I. Primer on the male demand for prostitution. *Coalition Against Trafficking in Women*. (2006) 1-22. *see* <http://action.web.ca/home/catw/attach/PRIMER.pdf>

¹⁸ "Legal prostitution in Australia, a failure », 18 August 2009.

See: http://humantrafficking.change.org/blog/view/legal_prostitution_in_australia_a_failure

¹⁹ Raymond G. J., (2004). *see* endnote 1.

²⁰ Hughes, D. M. Demand: the driving force of human trafficking. *The human rights challenge of globalization in Asian-pacific-US: the trafficking in persons, especially women and children*, Globalization Research Center,

prostitution had only increased since legalization.²¹ Over the past decade demand for prostitution in the Netherlands' legalized liberal forum has created a mecca for criminal enterprises and traffickers to financially flourish. City officials in Amsterdam have had to close huge sections of its red-light district due to infiltration by organized crime.²² In 2008, the city proposed initiatives to reduce the number of sex window brothels from 482 to 243.²³ The Mayor, Job Cohen, stated "We've realized this is no longer about small-scale entrepreneurs, but that big crime organizations are involved here in trafficking women, drugs, killings and other criminal activities."²⁴

The demand in **Germany** has also increased dramatically since legalization and produces similar billion dollar annual profits. The legalization and promotion of prostitution by the Netherlands, Germany and Australian governments has created a haven for human traffickers, who operate undetected and are able to remain hidden and secure enormous profits within the legalized prostitution industry.²⁵ It is estimated that 70%-80% of the prostituted women in the Netherlands, Australia and Germany are trafficked human beings.²⁶

Sweden's Demand-Focused Policy

Sweden has tried to reduce the demand of sexual services not only with a set of prevention measures as recommended by the UN, the CoE or the EU (information, education and communication campaigns) but also by criminalizing the consumers of prostitution.

The Swedish Law

In 1999 Sweden enacted an unprecedented law criminalizing the sex trade, allowing for the prosecution male purchasers of sexual services as well as those who financially profit from or facilitate sexual exploitation.²⁷ Sweden's innovative sex purchase law, known as the Swedish Model, recognizes prostituted women as sexually exploited victims and therefore does not prosecute them. This is in contrast to the United States, which has criminalized every aspect of

University of Hawaii at Manoa and the east-west center, Hawaii Convention center, Honolulu. University of Rhode Island . (13-15 November 2002) University of Rhode Island. see http://www.icasa.org/docs/the_demand.pdf

²¹ Casciani, B., Prostitution: International answers. *BBC News*. (16 July 2004). See http://news.bbc.co.uk/2/hi/uk_news/3900361.stm

²² Perrin, B. Legalizing sex trade isn't the answer. *The Edmonton Journal*. UBC, Faculty of Law Vancouver. (1 December 2006). see <http://www.edmontonjournal.com/news/Legalizing+trade+answer/2535661/story.html>

²³ Amsterdam to cut brothels by half. *BBC News*. (6 December 2008). See <http://news.bbc.co.uk/2/hi/europe/7769199.stm>

²⁴ Simons, M. Amsterdam Tries Upscale Fix for Red-Light District Crime. *The New York Times*. (24 February 2008). see http://www.nytimes.com/2008/02/24/world/europe/24amsterdam.html?_r=2

²⁵ Hughes, D. M. (2004). see endnote 19.

²⁶ Raymond, J. G. (2004). see endnote 1; Hughes, D. M. (2004). see endnote 19.

²⁷ Ekberg, G. The Swedish law that prohibits the purchase of sexual services: best practices for prevention of prostitution and trafficking in human beings. *Violence Against Women*. Vol 10 No 10 (October 2004). 1187-1218 see <http://action.web.ca/home/catw/attach/Ekberg.pdf>

the act of prostitution but places law enforcement's focus mainly on penalizing prostituted women.

The 1999 Swedish Code of Statutes (SFS 1998:408) states that, "a person who obtains casual sexual relations in exchange for payment shall be sentenced - unless the act is punishable under the Swedish Penal Code – for a purchase of sexual services to a fine or imprisonment for at most six months. Attempt to purchase sexual services is punishable under Chapter 23 of the Swedish Penal Code."²⁸

In addition to legally penalizing the purchasers of prostitution, Chapter 6 (section 8) of the Swedish penal code also includes those who facilitate or profit from the exploitation of women in prostitution such as pimps, brothel owners and individuals who knowingly hold the right to use of premises for casual sexual relations for payment.²⁹

Impact of the Swedish Model

Although official statistics that detail the impact of the Swedish Model are expected for release sometime in 2010, the Swedish government, anti-trafficking activists and many NGOs have reported on the general success and positive impact of the law.³⁰ During a relatively short period after the law came into effect in 1999, street prostitution in Sweden declined dramatically by 70-80 percent.³¹ Prostitution in indoor facilities such as clubs, brothels and hotels also experienced a dramatic decrease and has been reduced by 50 percent.³² Polling data indicates that 80% of the Swedish public is in favor of Sweden's criminalization of the purchase of sex.³³ In addition, it has been reported that the number of prostitutes in Sweden has decreased by more than 50% since the law came into effect.³⁴ For instance, there is an estimated 1 prostitute per 3,400 people in Sweden compared to 1 per 700 people in the UK, where prostitution is decriminalized.³⁵

Sweden's commitment to ending sexual exploitation and human trafficking is also reflected in the resources and programs that are dedicated to providing assistance to exploited prostituted women and victims of human trafficking. The law permits for the provision of services to victims of prostitution and trafficking in human beings, and provides women with access to shelters, counseling, education, and job training.³⁶ It has been reported that 60% of

²⁸ Government offices of Sweden. Legislation on the purchase of sexual services. (January 1999). See <http://www.regeringen.se/sb/d/4096/a/119861>

²⁹ Government offices of Sweden. (January 1999). *see* endnote 23.

³⁰ Raymond, J. G. (2004). *See* endnote 1; Joe-Cannon, I. (2006). *see* endnote 16; Hughes, D. M. (2004). *see* endnote 19; and Ekberg, G. (2004). *See* endnote 22.

³¹ Joe-Cannon, I. (2006). *See* endnote 16 .

³² Hughs, D. M. (2004). *See* endnote 19 .

³³ Hughes, D. M. (2004). *See* endnote 19; and Ekberg, G. (2004). *see* endnote 22.

³⁴ Joe-Cannon, I. (2006). *See* endnote 16 .

³⁵ Hubbard, P. (2002b) 'Maintaining family values? Cleansing the streets of sex advertising.' (2002) *Area* 34(4) pp 353–60. Cited in Cited in Wilcox et al. (December 2009) *see* endnote 9.

³⁶ Ekberg, G. (2004). *See* endnote 22.

the women who contact the various organizations and programs put in place to assist victims successfully exit the sex trade industry.³⁷ The demand, or number of men who purchase sex in Sweden, has reportable been reduced by 80% due to the law's criminal consequences.³⁸ This reduction suggests that the law's aim of attacking the male demand for prostitution with punitive measures is an effective strategy that produces significant results. In a 2003-2004 report to the Swedish government by the National Rapporteur for Trafficking in Women at the National Criminal Investigation Department it was reported that the law has had direct effects in limiting human trafficking for the purpose of sexual exploitation in Sweden.³⁹ Swedish authorities maintain through eavesdropping on human trafficking rings that Sweden is considered bad business because of its tough stance.⁴⁰ It is clear that implementing criminal sanctions against men who purchase sex, serves as a deterrent, thus decreasing the demand for prostitution and creating an unattractive and unprofitable environment for human traffickers. In addition, Sweden's sex purchase law sends a powerful message to society that the demand that fosters sexual exploitation and violence against women will no longer be tolerated.

Legalization or Criminalization? Pros and Cons

The countries that have legalized prostitution argue that regulation provides prostituted people protection from disease and violence, prevent the involvement of organized crime, and help reduce sex trafficking.⁴¹ However, sex trafficking continues to flourish in these countries.

The University of London conducted a comprehensive analysis of outcomes of prostitution policies in other countries (2004). The study concluded that the states under review that had legalized or regulated prostitution showed dramatic increases in the involvement of organized crime in the sex industry, an explosion in the number of foreign women and girls trafficked into the region in excess of 50-90 percent, increased child sexual exploitation, and indications of increased violence against women.⁴²

In a viewpoint entitled "To criminalize prostitutes or not" and circulated by email in 2008 by wunrn.com⁴³, Marjan Wijers, President of the Expert Group on Trafficking in Human Beings at the European Commission, criticizes the US policy of criminalizing prostitutes, but admits that the liberal policy of her country "has not succeeded in weeding out criminality in the sex industry". She stresses that "For the Dutch law it is not important whether or not a woman worked as a prostitute before, consented to work in prostitution or wants to continue

³⁷ Raymond, J. G. (2004). See endnote 1.

³⁸ De Santis, M. Opposing prostitution as a form of male violence: the Swedish Model. *Women's Justice Center, Santa Rosa, California*. (June-July 2005). see <http://www.peaceworkmagazine.org/pwork/0506/050616.htm>

³⁹Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2002). 'Mensenhandel - Eerste rapportage van de Nationaal Rapporteur'. The Hague: BNRM. Cited in Ekberg, G. (2004). See endnote 22.

⁴⁰ Ritter, K. Sweden prostitution law attracts world interest *USA Today*. (March 2008). See http://www.usatoday.com/news/world/2008-03-16-sweden-prostitution_N.htm

⁴¹ Simons, M. (24 February, 2008). See endnote 24.

⁴² De Santis (June-July 2005). See endnote 34.

⁴³ Date : 20 November 2008.

to do so under self controlled circumstances: all women deserve protection against trafficking, against rape, against violence and against abuse.”

In the debate about the dynamics of supply and demand, some stress that by regulating or legalizing prostitution and the sex industry, the state expects to collect tax revenue from it, and contributes, at least passively, to the demand for victims. The immoral attitude of the state is also central in this debate.

Supporters of the legalization argue that the criminalizing of clients in Sweden has just reduced the number of known human trafficking cases and the visibility of prostitution. They also say that sexual exploitation may have been eradicated in Sweden but the traffickers and exploiters have moved their illegal activities to other European countries.

In 2009, Norway was the second European country to criminalize the purchase of sexual services.

The debate on the reduction of demand through the prosecution of the clients is dramatically polarized, perhaps more on philosophical and political grounds than on the basis of statistical data and sociological survey.

Conclusion

In the past decade, human trafficking for sexual exploitation has continued to increase every year and has now reached epidemic proportions.

In practice, the trafficking prevention efforts have not actually prioritized the discouraging of demand. To date, interventions aiming to reduce the profits of traffickers by suppressing the demand of the end-user have been few. Instead, prevention efforts have largely been characterized by a soft approach: information, education and communication campaigns targeting the poor countries of origin of the trafficking victims. Whether this unilateral approach is successful is doubtful given that there has been no decline in the numbers of trafficked women for sexual exploitation.

A new and complementary approach is certainly needed, shifting the focus from source countries to destination countries where men consume sexual services of trafficked women. Considering that the phenomenon is dramatically expanding worldwide and that the debate between the advocates of legalization, the soft educational approach and criminalization is in a stalemate, it has become urgent to encourage and finance comparative studies of the competing policies by independent non-governmental research institutes and to assess their efficiency.

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