



Only Rights Can Stop the Wrongs

NSWP STATEMENT

PROPOSALS TO CRIMINALISE THE PURCHASE OF SEX IN FRANCE

NSWP, the Global Network of Sex Work Projects, condemns the French Socialist Party's (FSP) proposal to criminalise the clients of sex workers.

NSWP exists to uphold and amplify the voice of sex workers globally, and connect regional networks advocating for the rights of sex workers of all genders. We have a growing membership of over 160 sex worker-led organisations in over 60 countries worldwide.

NSWP condemns the proposed legislation currently being debated by lawmakers in France that seeks to criminalise the purchase of sex. Legislators are proposing sanctions, including incremental fines and ultimately up to 6 months in prison for repeat 'offenders'. The proposed legislation has as its basis the controversial 'Swedish Model' which incorrectly purports to 'decriminalise' sex workers whilst criminalising clients. The model attempts to 'end demand' for sexual services which proponents of the Swedish Model argue leads to increased violence against women and human trafficking. We condemn these proposals which are ideologically driven rather than evidence-based and incorrectly views sex work through the prism of 'violence against women' whilst also irresponsibly conflating trafficking with sex work. The consultation process and proposals excluded the voices of current sex workers and the sex worker rights organisations that advocate for a rights-based approach to policy and legislation and we condemn any legal process that purposefully ignores the voices of those most directly affected by the proposed legislation.

Presenting poorly evidenced and biased facts about the lives of sex workers enhances the stereotypes associated with sex work and undermines the agency of the individuals involved. This is a clear and strategic dismissal of

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sex workers' wide-ranging experiences, which stops any informed debate about their lives and choices that positively challenges the stigmatising misconceptions perpetuated by anti-sex work lobbyists.

The Swedish model has significantly reduced the safety and well-being of sex workers in Sweden by pushing sex work further underground in order to avoid detection by law enforcement and distances sex workers from support networks. Sex worker groups in Sweden categorically evidence that the legislative framework has resulted in sex workers being far less likely to report violence and abusive practices. Furthermore, sex work researchers now routinely report the higher levels of stigma that sex workers are subjected to. The Swedish government proclaimed higher levels of stigma of those involved in sex work a 'positive result'. The Swedish Equality Ombudsman wrote, in a report published in October 2010, that they found this 'remarkable'. The higher levels of stigma that sex workers are reporting appear to be at odds with the intentions of passing laws criminalising the purchasers of sex. The absence of a rights-based legal framework for sex workers in Sweden has meant that in cases where rights are violated, sex workers have little or no recourse to justice. By giving stigma a legal stamp in the context of further criminalisation, sex workers are further pushed to the margins of society, in a climate of fear and repression.

The conflation of trafficking with sex work in the proposed legislation is strategically used to silence the voices of sex workers who do not accept this 'victim' status but rather assert their right to work within a legal framework that promotes their right to health and dignity. This common tactic has been used by religious groups, fundamentalists, and some who describe themselves as 'radical feminists', in order to further their aim to 'abolish prostitution' by exploiting public concerns about trafficking, exploitation and violence against women. This approach and many of the resulting anti-trafficking initiatives are used to further violate the rights of migrant sex workers, to enforce stricter border controls and fuels racial profiling by immigration authorities.

There is no conclusive evidence to suggest that legal measures criminalising clients eliminate or significantly reduce sex work. The available evidence suggests instead that such measures increase repression, violence and discrimination against sex workers. Indoor venues, such as massage parlours refuse to keep condoms on the premises since they can be used as evidence of

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sex work. Increased mobility and the displacement of sex workers to hidden venues impedes provision of health and social services to sex workers.

The French proposals for the criminalisation of clients is not a human rights-based response to sex work. NSWP stands in solidarity with sex workers and sex workers' rights organisations in France in opposing these proposals to criminalise the clients of sex workers.



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