

February 15, 2021

Dear Nordic Model Now! and signatories,

We're writing in response to your letter dated today about our panel event 'Taking the trafficking out of sex work', in which you express your concerns about Freedom United's lack of understanding of the realities of the sex industry.

We know that the question of how to tackle sex trafficking piques passionate debates, as illustrated by your letter and signatories' comments. We do take issue with a number of points made, however this response focuses on highlighting the evidence we have gathered that points to the best policy response to ending trafficking for sexual exploitation.

We believe that equating prostitution, or sex work, to commercial sexual exploitation as set out in your letter and positioning it as inherently violent against women obfuscates the distinction between an informed transaction between consenting adults engaging in sexual activities and the coercion, threat and manipulation that is present in commercial sexual exploitation or sex trafficking. Negating that crucial difference risks undermining trafficking prevention strategies and identifying and protecting trafficking survivors.

UNAIDS points out, "The legal status of sex work is a critical factor defining the extent and patterns of human rights violations, including violence against sex workers. Where sex work is criminalized, violence against sex workers is often not reported or monitored, and legal protection is seldom offered to victims of such violence... The criminalization of sex work creates environments in which the repercussions against the perpetrators of violence vary from negligible to non-existent."¹

UNODC Global Report on Trafficking in Persons report 2020 that found over 50% of the 49,032 detected victims reported had been trafficked for sexual exploitation.² As such, our webinar explored policy responses that prevent sex trafficking, rather than penalising perpetrators after the event. We know that sex workers are extremely stigmatized & seen as criminalized communities in large parts of the world, so less likely to seek help or cooperate with authorities.

Emily Kenway put it like this: "Decriminalization provides resilience and rights to the sex sector, making it less permeable to traffickers, and allows sex worker-led organisations to partner with government-led anti-trafficking work. A useful example comes from South

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<https://www.unaids.org/en/resources/presscentre/pressreleaseandstatementarchive/2019/december/decision-northern-territory-australia-decriminalize-sex-work#:~:text=%E2%80%9CThe%20decriminalization%20of%20sex%20work,than%20the%20general%20adult%20population.>

² https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf

Africa, where the sex worker-led organisation Sisonke helped identify 38 girls and young women in Durban who had been trafficked and forced into selling sex.”³

Leading human rights organizations, Amnesty International and Human Rights Watch, advocate for full decriminalization of sex work and the need to establish clear legal distinctions between consensual sex work and crimes like human trafficking and sexual exploitation of children.

Human Rights Watch points to weaknesses in the “Nordic model”, noting that the “Nordic model actually has a devastating impact on people who sell sex to earn a living. Because its goal is to end sex work, it makes it harder for sex workers to find safe places to work, unionize, work together and support and protect one another, advocate for their rights, or even open a bank account for their business. It stigmatizes and marginalizes sex workers and leaves them vulnerable to violence and abuse by police as their work and their clients are still criminalized.”⁴

Evidence collected by sex workers’ rights organizations, human rights advocates and academics has proved that sex workers are more vulnerable to violence under this model and some can only report violent attacks by risking deportation. Eviction and the risk of homelessness is also a major concern for women under the sex purchase ban model.

Looking at the evidence from Northern Ireland, where the purchase of sex became a criminal offense in 2015 under the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act, a study conducted by Queen’s University Belfast and commissioned by the Department of Justice found that the ban had “minimal to no effect” on demand for paid sex, the number of sex workers, or levels of human trafficking for human exploitation.

We did invite speakers who support the Nordic Model and speakers with lived experience, some of whom have signed your letter, however our invitation was only taken up by one. You may have observed that we were thoughtful about the space we made for that speaker to present her views in favour of the Nordic Model at both the top and the end of the webinar. In addition, we pulled together answers to questions asked during the event that we were unable to respond to during, representing a broad range of policy responses.

We work to give our supporters the opportunity to hear different sides to debates, in this case our community had expressed an interest in learning about decriminalization as a response to preventing sex trafficking. You can find both this letter, and yours to us on our website [here](#) for our supporters to read.

Let’s end modern slavery together.

Joanna Ewart-James, Executive Director

³ <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/getting-anti-trafficking-advocates-board-decriminalised-sex-work/>

⁴ <https://www.hrw.org/news/2019/08/07/why-sex-work-should-be-decriminalized>