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Keywords

Europe, migration, women, prostitution, sex work, Amnesty International, prostitution, law, policy, violence against women, refugees, sexual violence, human rights

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WOMEN, MIGRATION, AND PROSTITUTION IN EUROPE: NOT A SEX WORK STORY

Anna Zobnina

The European Network of Migrant Women

KEYWORDS

Women, migration, Europe, sex work, sex trade, decriminalized prostitution, violence, Amnesty International, European law, prostitution policy, trafficking, sexual exploitation, refugee crisis, migrant women, refugee women, violence against women, sexual violence, human rights, women's rights

SINCE THE ONSET of the most recent humanitarian crisis, nearly one million refugees have been granted asylum in Europe. According to the United Nations High Commission for Refugees (UNHCR) in 2016, over 360,000 refugees arrived on the European shores looking for shelter (UNHCR, 2017). Of this number, at least 115,000 are women and girls, including unaccompanied minor females. What some describe as a “refugee crisis” is, in many ways, a feminist phenomenon: women and their families choosing life, liberty, and well-being, as opposed to death, oppression, and destitution.

However, Europe has never been a safe place for women, particularly for those who are alone, poor, and without documents. The refugee camps, dominated by men, managed by military personnel, and unequipped with sex-segregated spaces or basic hygiene units for women, quickly became highly masculinized environments where sexual violence and intimidation of women proliferate. Frequently women disappear from the refugee centers. As the members of our network - the refugee women themselves who provide services in the camps - report, female asylum seekers are legitimately afraid to take showers in the mixed-sex facilities. They fear being sexually harassed, and when the strangers posing as humanitarian workers offer to help them use bathrooms at a secure location outside the camp, the women never come back.

Unless a missing woman has been officially identified, it is impossible to know whether she was transported elsewhere, has managed to escape, or is dead. What we—the European Network of Migrant Women—know is that the women from our communities regularly end up in situations of exploitation, with forced marriage, domestic servitude, and prostitution being the most severe forms. This exploitation comes on top of sexual trauma, post-traumatic stress disorder (PTSD), prolonged material deprivation, and social isolation which predicate migrant women's vulnerability in the first place.

To understand this, one does not need to consult the police; you just need to walk the streets of Madrid, Berlin, or Brussels. Brussels, the capital of Europe, where the European Network of Migrant Women's (ENOMW) head office is

located, is one of the many European cities where prostitution is legalized. If you walk from its “European quarter”—the luxurious area hosting the international clientele of the “high-class escorts”—towards Molenbeek—the infamous “terrorist quarter,” where impoverished and ethnically segregated migrants live—you will pass the Alhambra district. There you will notice the men, hurrying down the streets, their faces down. They avoid eye contact so as not to betray the reason they frequent Alhambra—to access the women in prostitution.

Many of these women are from the Europe’s ex-colonies—what is often called the *Third World*—or they come from the poorest regions of Europe itself. The women from Russia, like myself, are also in abundance. While the Latin American, African, and South East Asian women are easy to spot on the streets, the Eastern European women are difficult to reach, as their “managers” enforce strict surveillance and keep the women away from public spaces.

We are supposed to call these women Europe’s *sex workers*, but most of them will be surprised with this Western and neo-liberal description of what they do. That’s because most migrant women *survive* prostitution the way you survive famine, natural disaster, or war. They do not *work* in it. Many of these women hold education qualifications and skills that they want to use in what the European Union (EU) calls *skilled economies*, but the EU’s restrictive labor laws and the ethnic and sex discrimination against the women do not allow them to get these jobs.

The sex trade, therefore, is not an uncommon place to find the migrant women in Europe. While some of them are identified as victims of trafficking or sexual exploitation, most are not. On and off streets—in strip-clubs, saunas, massage parlors, hotels, and private flats—there are female migrants who do not satisfy the officially accepted trafficking criteria and are not entitled to any support.

In 2015, the European Commission (EC) reported that out of 30,000 registered trafficking victims in the EU in only three years between 2010 and 2012, nearly 70 percent were victims of sexual exploitation, with women and underage girls making up 95 percent of this number. Over 60 percent of the victims were trafficked internally from countries like Romania, Bulgaria, and Poland. Victims from outside the EU commonly came from Nigeria, Brazil, China, Vietnam, and Russia. These are the official numbers obtained through official institutions. The trafficking definitions are notoriously difficult to apply, and front-line service providers know that the trafficking indicators can hardly account for the range of cases they come across so entrenched are the practices of exploitation, prostitution, and trafficking.

The big human rights organizations, including Amnesty International, know this too. Yet in May 2016, Amnesty released its international policy supporting the decriminalization of prostitution (Amnesty International, 2016a). The policy advocates for brothel keepers, pimps, and sex buyers to become free actors in a free market called “sex work.” Amnesty claims to base its decriminalization policy on “extensive worldwide consultation,” but it did not consult human rights groups - such as ours - who would have opposed this recommendation (Amnesty International, 2016b). This policy document features a lot of idiomatic expressions, such as the *consensual exchange between adults*, and has at its heart, a charitable argument—the protection of the rights of the most vulnerable people, in particular, the rights of migrant women.

Amnesty is not the only organization concerned with the rights of migrants. Increasingly groups promoting “sex work” are taking on the role of “carers.” Sex Worker Open University in London and the International Committee on Rights of

Sex Workers-Europe (ICRSE) in Amsterdam are among them. The latter is trying to make its way through the European institutions and platforms in Brussels to be recognized as “*a respected partner in the European political arena and national legislatures and effectively advocate for the human and labour rights of sex workers*” (International Committee on Rights of Sex Workers-Europe, 2016).

According to Amnesty, what will protect the “*labour rights of sex workers*” is guaranteeing, in the law, the rights of the European males to be sexually serviced on a commercial basis, without fear of prosecution. Amnesty carefully states that their policy applies only to “consenting adults.” Amnesty is against the prostitution of minors, which it calls rape. What Amnesty omits is that once a refugee girl is groomed into prostitution, it is unlikely she will have material and psychological resources to escape and denounce her exploiters. It is much more likely she will be conditioned into accepting “sex work”—the label the sex-industry has assigned to her. “Sex work” will become an inescapable part of her survival in Europe. In reality, the neat line that Amnesty’s policy draws between consenting adults and exploited minors does not exist. What exists is the trajectory of a vulnerable individual in which sexual abuse becomes normalized and sexual violence is consented to.

Amnesty’s invitation to the most vulnerable women to consent to the violence and abuse of prostitution has only become possible because many professionals have enabled it. It has become a truism, repeated by academics and NGOs, that prostitution is a form of employment. With the sex trade called the *oldest profession*, it is now, not only a politically correct, but an obligatory view to say that *prostitution is a job* if you care about human rights.

Amnesty and their allies also reassure everyone that prostitution is a *choice*. Admittedly, not the first choice for those who have other choices, but for the most marginalized, most disadvantaged groups of women, it is proposed to be a viable way out of poverty. In line with this proposition, Kenneth Roth, the executive director of Human Rights Watch, in 2015, stated that “All want to end poverty, but in meantime why deny poor women the option of voluntary sex work?” (Roth, 2015).

It has also become widely accepted by the human rights sector that what damages women in prostitution is *stigma*. Even though we all know that it is the trauma associated with suspending your sexual autonomy that occurs in any act of prostitution that harms, and it is the violent male client that kills.

If you search among the migrant women for a “sex worker” who was killed by stigma, you will never find one. What you will find is the sex buyer who murdered her, the sex-industry that created the environment for this to happen, and the human rights advocates, such as Amnesty, who turned a blind eye to the harm.

Women come to Europe out of dire economic need and, in growing numbers, fear for their lives. If you leave your research desk and speak with the migrant women—the Arab women, the African women, the Indian women, the women from Philippines, China, and Russia—the chance of finding a woman who describes prostitution as “work” is extremely low. This is because the concept “sex work” does not exist in the cultures we come from. Just as much of other neo-liberal vocabulary, it was imported to the rest of world by the Western capitalist economies, often channeled through humanitarian aid, harm reduction, and AIDS prevention programs.

One such capitalist economy in Europe is Germany where men's sexual satisfaction, just like dental care, can be openly purchased. Germany's regulatory model of prostitution is derived from the decriminalization of the sex trade in its entirety, followed by the implementation of some regulations. In this open market environment, the sex buyers and pimps are not recognized as either perpetrators or exploiters. In the period between 6 October and 11 November 2016, four women in prostitution in Germany were murdered (Sex Industry Kills, 2016). They were murdered in private sex clubs, brothel-apartments and what the Germans euphemistically call "love mobiles," i.e. caravans in a remote unprotected location of a city, "managed" by pimps and visited by sex buyers. At least three of the victims were identified as migrant women (from the Dominican Republic and Hungary), and all four are suspected to have been killed by their male "clients."

Given the overwhelming evidence that the full decriminalization of the sex trade does not protect anyone except sex buyers and pimps, one is inclined to conclude that Amnesty, in composing its policy, found the political analysis of sexist, racist, and class discrimination that sustains prostitution too challenging to undertake. They might, indeed, as the survivor of the sex trade Rachel Moran suggested, suffer from a "white male syndrome" (Moran, 2015). But the question that begs the answer is this: do they also not know what sex is? It is unlikely that all Amnesty board members are celibates; surely, at least some of them have had sex, and if so, they would know that sex happens when both parties want it. When one doesn't want sex, it is called *unwanted sexual experience*, for which, the legal terms are sexual harassment, sexual abuse, and rape.

This sexual violence is what prostitution is, and it makes no difference if she "consents." Consent, according to the European law, *must be given voluntarily as the result of the person's free will assessed in the context of the surrounding circumstances* (Council of Europe, 2011). Consent should not be a result of male sexual entitlement, a part of patriarchal norms.

An unwanted sexual act does not become an acceptable experience because the sex industry says so. There is no moral principle that makes it *tolerable* because you happen to be poor, unemployed, undocumented, fleeing war or an abusive partner. It is true that the migrant women in Europe are limited in their labor rights. It is also true we suffer from racism, exclusion, xenophobia, and Eurocentrism. And although both Amnesty and any sex work committee can try to contest it, it does not make us less human. Just like the men in Europe, the migrant women have their sexual desires, sexual bodies, and sexual rights. Those rights are autonomous and belong to no one—least of all to the men who do not—or pretend not to—understand what sex is about.

The legal leeway that Amnesty and the like-minded human rights defenders offer to the men who confuse sex with their privilege to obtain sexual gratification is a cognitive hocus-pocus and is, in fact, unlawful. Unless they forgot that Europe abolished slavery two centuries ago, there is no legal instrument that translates one person's economic and legal disadvantage into another person's privilege to have sex with her.

With the best of our intentions to help the migrants, some people may not realize that conceding to Amnesty's policy is detrimental to the migrant and refugee women. Decriminalizing prostitution normalizes the already deeply entrenched sex, ethnic, and class inequalities in the European societies that the women already suffer from disproportionately. It increases the legal barriers to dignified employment that most female migrants already face, leaving them de-skilled and robbed

of economic opportunities. What is worse, it takes away what even the poorest and the most disadvantaged migrant women carry with them as they embark on dangerous journeys to Europe—our belief that a life free from violence is possible and our determination to fight for it.

AUTHOR BIOGRAPHY

Anna Zobnina is the chair of the European Network of Migrant Women (ENOMW) and a selected expert with the European Institute of Gender Equality (EIGE). She was born in St. Petersburg, Russia. Zobnina has over ten years of experience in the area of intersectional feminist analysis of violence and discrimination against women, with a special focus on migrant women, sexual exploitation, and care economy. She previously worked as a research analyst with the Mediterranean Institute of Gender Studies (MIGS). In ENOMW, she is working on capacity building for migrant women's organizations and strengthening their inclusion in European Union decision-making across such areas as access to labor and justice, civic participation, and sexual and reproductive health and rights.

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