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SERIES A

DOCUMENT A 2-52/89/PART A

REPORT

drawn up on behalf of the Committee on Women's Rights
on the exploitation of prostitution and the traffic in
human beings

Rapporteur : Mrs C. LLORCA VILAPLANA

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Adopted pursuant to Rule 37 of the Rules of Procedure

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- A : MOTION FOR A RESOLUTION -

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PE 126.474/fin./Part A

A Series: Reports - B series: Motions for Resolutions, Oral Questions.

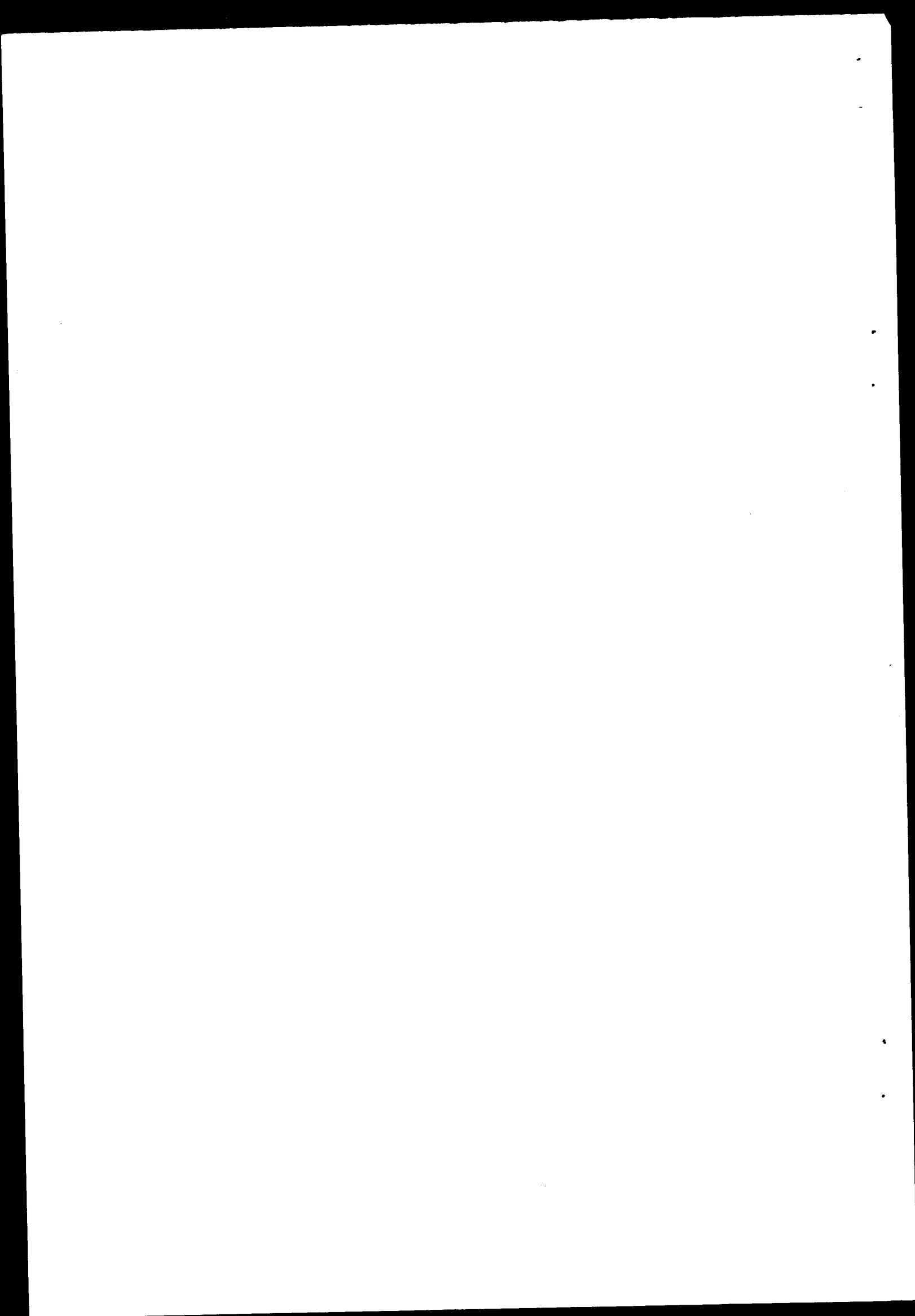
- C Series: Documents received from other Institutions (e.g. Consultations)

***** = Consultation procedure requiring a single reading

****II** = Cooperation procedure (second reading) which requires the votes of the majority of the Members of Parliament

****I** = Cooperation procedure (first reading)

******* = Parliamentary assent which requires the votes of the majority of the current Members of Parliament



At its sitting of 8 February 1988 the European Parliament referred the motion for a resolution by Mrs d'Ancona, pursuant to Rule 63 (formerly Rule 47) of the Rules of Procedure, to the Committee on Women's Rights as the committee responsible and to the Committee on Legal Affairs and Citizens' Rights and the Committee on Development and Cooperation for their opinions.

At its meeting of 23 February 1988 the Committee on Women's Rights decided to draw up a report on the basis of the motion for a resolution. On 26 April 1988 it appointed Mrs Llorca Vilaplana rapporteur.

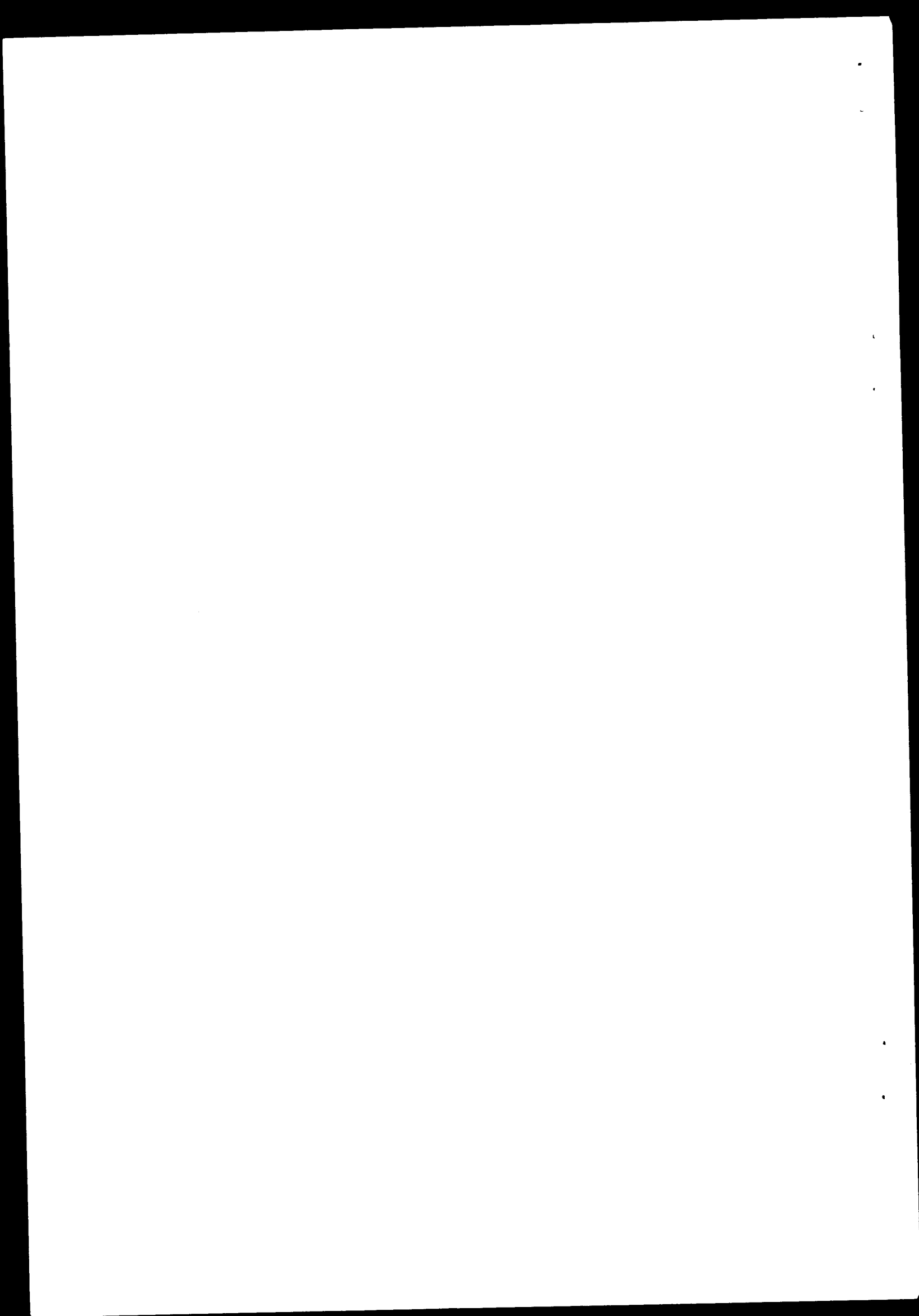
At its sitting of 15 December 1988 the European Parliament delegated the power of decision to the Committee on Women's Rights, pursuant to Rule 37 of the Rules of Procedure.

At its meetings of 30 December 1988 and 31 January 1989, the Committee on Women's Rights considered the draft report. At its meeting of 29 March 1989, it adopted the motion for a resolution as a whole by 14 votes to 8, with no abstentions.

The following took part in the vote : d'Ancona, Chairman; Llorca Vilaplana, rapporteur; Giannakou, Vice-Chairman; Lenz, Garcia Arias, Pantazi, Schmidbauer, Cassanmagnago Cerretti, Daly, Maij-Weggen, Guermeur, van Dijk, Gadioux, Wawrzik, Pordea, Balfe (for Quin), Amberg (for Salisch), Cassidy (for Pearce), Gutierrez Diaz (for Cinciari Rodano), Del Duca (for De Backer-Van Ocken), Arbeloa (for Pintasilgo) and Clinton (for Fontaine).

The Committee on Legal Affairs and Citizens' Rights and the Committee on Development and Cooperation will not be delivering opinions.

The report was tabled with Sessional Services on 31 March 1989 for inclusion on the agenda for the next part-session, pursuant to Rule 37(6) of the Rules of Procedure.



The Committee on Women's Rights, to which the power of decision has been delegated by the European Parliament pursuant to Rule 37 of the Rules of Procedure, has adopted the following text :

A

MOTION FOR A RESOLUTION

on the exploitation of prostitution and the traffic in human beings

The European Parliament,

- having regard to the motion for a resolution, pursuant to Rule 63 of the Rules of Procedure, by Mrs d'ANCONA (Doc. B 2-1542/87),
 - having regard to the report by Mrs d'ANCONA on violence against women (Doc. A 2-44/86)(1) and to Annex II of the working document on which the report is based (PE 95.816/Ann.II),
 - having regard to its resolution of 11 June 1986 on violence against women(2),
 - having regard to the UN Convention of 1949 for the suppression of the traffic in persons and the UN Convention of 1979 on the elimination of all forms of discrimination against women,
 - having regard to the Nairobi Strategies,
 - having regard to the Report of the Economic and Social Council of the UN (E/1983/7, 17 March 1983) on the suppression of the traffic in persons and of the exploitation of the prostitution of others,
 - having delegated the power of decision to the Committee on Women's Rights, pursuant to Rule 37 of the Rules of Procedure,
 - having regard to the report of the Committee on Women's Rights (Doc. A 2-52/89),
- A. whereas prostitution and the traffic in human beings are, in the terms of the 1949 Convention for the suppression of the traffic in persons, incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community,
- B. whereas the practice of prostitution involves the violation of certain fundamental rights and freedoms, especially the rights to privacy, liberty and the integrity of the human person,
- C. whereas the Universal Declaration of Human Rights recognized the rights of all human beings to security of person, not to be held in slavery or servitude and not to be subjected to torture or degrading treatment,

(1) OJ No. C 176, 14.7.1986

(2) OJ No. C 176, 14.7.1986, p.73

- D. whereas the Council of Europe Convention on Human Rights recognizes that everyone has the right to liberty and security of person, respect for private life, freedom of movement, freedom in the choice of residence, etc;
- E. whereas, in practice, some prostitutes do not engage in prostitution of their own will but rather for reasons of necessity or because they are forced to do so by a third party,
- F. convinced that some of the women who engage in prostitution would cease to do so if they had access to employment, culture, education and social rehabilitation,
- G. whereas many women who become victims of trafficking run the risk of being rejected by their families, of being unable to find work, of becoming social outcasts and being victimized,
- H. whereas many of the people, particularly foreign women, who engage in prostitution are subjected to continual ill-treatment, humiliation, threats and economic exploitation,
- I. having regard, also, to the difficulties which these people face in attempting to give up prostitution without endangering their own personal safety,
- J. whereas it is still very difficult for women who are victims of trafficking and forced into prostitution to complain to the police, because of language difficulties, isolation and menaces from those who exploit them,
- K. whereas enforced prostitution is one of the most primitive forms of exploitation and violence directed against human beings, particularly women,
- L. welcoming the developments in certain Member States where increasing attention to the problem of traffic in women has led to the more vigorous prosecution of traffickers,
- M. whereas the commercial society which is now engaged in the exploitation of pornography affecting young people (through video films, magazines, and pornographic telephone messages) presents a seriously perverted image of women and encourages general connivance in the evil of prostitution,
- N. deploring the fact that the enforced employment of minors for the purposes of prostitution or pornography also appears to be increasing,
- O. recalling that a growing number of children are subjected to the above practices and to violence, that for many of them prostitution is the only means of survival and that, in the industrialized countries, child prostitution is being organized for the purposes of pornography and sexual tourism,
- P. concluding that the traffic in human beings exists for the purpose of prostitution and exploitation of persons for the benefit of a third party and implies a whole series of limitations on the rights and freedoms of the human persons, and that this practice is therefore one of the most degrading forms of slavery to which individuals can be subjected,

1. Considers that a genuine common policy must be adopted by all the Member States in order to combat prostitution and eliminate the traffic in persons;
2. Stresses that such a common policy must have the aim of repressing those who engage in the exploitation of human beings, entice them into prostitution and reduce their freedom of action, and the additional social aim of providing health care and employment opportunities for the victims of prostitution with a view to bringing about their social rehabilitation;
3. Considers, in addition, that the momentum for a policy for the prevention of prostitution must be provided by a change in the attitude of men, women, the media and social institutions in general, which will make it possible to discard the stereotype of woman as a mere object of sexual pleasure;
4. Draws attention to the responsibility and the role of the media in any policy for the prevention of the exploitation of prostitutes, especially with regard to the publication of advertisements or any other type of publicity for activities involving prostitution or any of its manifestations;
5. Believes that one of the most effective instruments for combating and preventing the prostitution of women, particularly foreign women, would be a genuine policy for the provision of employment, education, vocational training and equal opportunities for women;
6. Takes the view that measures to combat and prevent prostitution should also be taken in the countries from which trafficking is organized and that the EC can make a contribution to this, e.g. by supporting women's information projects or employment projects in these countries;
7. Considers, in addition, that there is a need to ensure that persons, and especially women, of rural origin are integrated into urban life, through suitable training and employment measures, so as to overcome the insecurity which they may feel due to their lack of economic status or of a suitable professional qualification;
8. Calls, accordingly, for the adoption of the following legal measures :
 - 8.1. for those Member States which have not yet done so to accede to the UN Convention of 1949 for the suppression of traffic in persons and of the exploitation of others;
 - 8.2. and for all the Member States :
 - (a) to introduce legal penalties (or strengthen the existing penalties) for the offences of incitement to prostitution, exploitation of prostitution, corruption and prostitution of minors and traffic in persons for the purpose of prostitution, to widen the definition of the categories of person responsible for the above offences so as to cover both natural and legal persons, and to adopt such provisions of Community legislation as are most favourable to the victims;
 - (b) to put penalties for those engaged in the traffic of women, where accompanied by mistreatment, threats, and violence, on the same level as penalties for the slave trade;

- (c) to do everything possible to enable the victims of trafficking in women to escape from their degrading circumstances by :
- guaranteeing that they can lodge a complaint without needing to fear immediate deportation;
 - supplying translation facilities for dealings with the police and judiciary;
 - providing temporary accommodation in safe surroundings;
- (d) to reinforce, in addition, all the other legal provisions and regulations which may contribute directly or indirectly to combating the exploitation of prostitution and the traffic in persons, paying particular attention to :
- the control and surveillance of establishments in which prostitution is believed to take place and of other businesses and undertakings which are believed to be fronts for traffic in persons;
 - the need to combat pornography and other obscene publications involving minors, particularly on videos, some of which are also broadcast on television;
 - the control of televised broadcasts and advertising, which are bereft of any cultural content, have an alienating effect and make violence and pornography the 'norm', with disastrous consequences for society (in the form of sex crimes and child abuse);
- (e) to repatriate victims who are nationals of other countries, should they so desire, or, in the case of minors, should they be claimed by their parents or other duly identified relatives, provided the latter can guarantee that the victims will not be exploited in their own country;
- (f) in the above case, to adopt the necessary measures, within the terms of their national legislation, with a view to ensuring the safety and material welfare of the victims, on a provisional basis and where they have no resources of their own, while they are awaiting repatriation;
- (g) to legalize, wherever possible, and in the interests of social justice, the residence situation of the victims of international traffic in persons within their national territory, especially where no relatives claim them or where there is evidence that repatriation could endanger their personal safety or that they might become victims of exploitation once again;
- (h) to create a special division of their national police force, to be staffed by women if possible, with the function of receiving the victims' complaints and making the initial arrangements for their protection;

9. Calls likewise on the Member States, in cooperation with those non-governmental associations which have recognized experience in this area, to adopt the following social measures :
 - 9.1. to introduce measures for social rehabilitation aimed specifically at prostitutes, to be included in their national, regional and municipal employment programmes, to support self-help groups and organizations opposed to traffic in women and to promote international exchanges;
 - 9.2. to set up special shelters for the victims of prostitution or international traffic, with the host government taking responsibility for their education, training and social rehabilitation, and special attention being paid to victims who are minors;
 - 9.3. in those Member States where there is a free or state-subsidized social service network, to provide free health care to women engaging in prostitution, especially in the area of the prevention, control and medical treatment of sexually transmitted diseases;
 - 9.4. to organize campaigns aimed at denouncing the agencies and enterprises which act as fronts for the exploitation of prostitution and the traffic in persons, and increasing public awareness of their true nature;
10. Calls, accordingly, on the Council of Ministers of the Community to undertake a detailed study of the exploitation of prostitution and the traffic in women and persons in general, using the same criteria as the Trevi Group in the question of terrorism and drug trafficking, with a view to coordinating all the national policies on the matter and consequently defining common measures;
11. Instructs its President to forward this resolution to the Commission, the Council, the governments of the Member States and the UN.

