

## Women and girls are not for sale: No to the decriminalisation of the sex trade in Norway!

**We, the undersigned, women's and human rights advocates, frontline service providers, and sex trade survivors from around the world, stand up against on the proposed change to legalize the purchase of sexual acts in Norway.**

On 19 December 2022, a Norwegian Law Committee handed over to the Minister of Justice its recommendations regarding "necessary" changes in the Penal Code Chapter 26 – Section 316. *Purchase of sexual services from adults.*

### **The current Section 316 states:**

*A penalty of a fine or imprisonment for a term not exceeding six months or both shall be applied to any person who obtains for himself/herself or another person sexual activity or a sexual act by providing or agreeing on payment, obtains sexual activity or a sexual act on the basis of such payment being agreed on or provided by another person, or in the manner described in a) or b) makes a person perform acts corresponding to sexual activity on himself/herself.*

*If the sexual activity or act occurred in a particularly offensive manner, and the conduct does not fall within the scope of stricter provisions, the penalty is imprisonment for a term not exceeding one year.*

As a result of an opaque process in which no survivors, frontline organizations or women's organizations have been contacted by the Committee, the Committee issued a recommendation to the government of Norway **to repeal this article** and to legalize the purchase of sexual acts.

In addition, if the Committee did not, in theory, recommend the modification of **Section 315. Controlling and facilitating prostitution** (in other words, **pimping**), the legalization of the purchase of sexual acts will inevitably open the door to the legalization of the sex trade. In other words, if buying a sexual act is legalized, then the facilitation of the buying of sexual acts should also be legalized.

This modification would have a disastrous impact on the situation of the most marginalized women and girls in our country, and on the equality between women and men in our society.

### ***Prostitution is Neither "Sex" Nor "Work": It is a Profitable System of Sexual Exploitation***

Prostitution is one of the most brutal forms of male violence against women. There is no "free" and "forced" prostitution: the sexual act obtained by sex buyers in prostitution is always coerced. Either by the physical coercion of pimps and traffickers who control the sex trade, or by the socioeconomic coercion that pushes and traps the most vulnerable women and girls into this exploitative system.

According to reports, people in prostitution in Norway are almost all economically and socially disenfranchised and they are all at great risk of violence, sexual and psychological violence, rape, dehumanization. The majority of women in prostitution in Norway today are from the poorest countries of Eastern Europe. If the government repeals the ban on the purchase of sexual acts, it will send a very harmful message to society: that the commodification and objectification of women and girls is legally acceptable.

### ***Norway would suffer the disastrous impact observed in countries where the sex trade has been decriminalized and legalized***

When a government decriminalizes or legalizes the sex trade, it no longer controls it. The modification requested by the Committee would only benefit exploiters in all forms of the sex trade, from street prostitution to brothels in private homes. In all countries that have fully decriminalized and legalized the prostitution system, the same consequences have emerged:

- Germany, the Netherlands, and New Zealand, for example, have become **hotspots for sex tourism and human trafficking**. Germany has become known as "The Brothel of Europe"<sup>1</sup>
- **The scale of the sex trade has exploded**: In legalized Germany, the sex trade generates between 12 and 18 billion euros, compared to 3 billion euros in France, which has adopted the Equality Model.<sup>2</sup>

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<sup>1</sup> <https://www.bbc.com/news/world-europe-26261221>

<sup>2</sup> [https://www.fact-s.fr/#gallery\\_5-26](https://www.fact-s.fr/#gallery_5-26)

- Legalization and decriminalization have provided a **legal façade used by international trafficking networks**, as described among others by **Manfred Paulus**, a German police officer in charge of the fight against human trafficking for 30 years in Ulm, and now a European Union expert.<sup>3</sup>

- **Male demand for the purchase of sexual acts has exploded, normalizing the objectification of women's bodies.**

In Spain, where prostitution is tolerated and the sex trade is valued at 14 billion Euros, it has become normal for young men to go to a brothel to celebrate a birthday or an accomplishment<sup>4</sup>, and 40% of men admit to having paid for sex at least once in their lives.<sup>5</sup> In Germany, 1 million men go to brothels every day.<sup>6</sup>

These are facts that the Committee has not taken into consideration.

Is Norway also willing to become a sex tourism hotspot in Scandinavia and a global destination for sex trafficking?

***The Committee's recommendations fail to understand the essential role of the demand in the existence of the prostitution and sexual exploitation systems***

Without the sex buyers' money, the multi-billion-dollar global sex trade would not exist. The sex trade is a market whose success depends on the economic equation of supply, demand and the incentive for profit. Exploiters in the sex trade (brothel owners, pimps, "escort" services, pornographers, online sexual exploitation platforms) operate in order to meet the demand by procuring (pimping and sex trafficking) the most vulnerable people, especially women and children, to sex buyers.

***Endorsing the Committee's recommendations would result in a violation of fundamental Human Rights Principles and Norway's Obligations under International Law regarding prostitution and trafficking for the purpose of sexual exploitation***

If Norway legalizes or decriminalizes the purchase of sexual acts (sex buyers), thus in effect legalizing the sex trade, it will without question fail in fulfilling its goal to ensure "Protection, Safety and Justice" and "Combat Gender-based Violence and Femicide."

This modification would significantly curtail Norway's stated commitments to fundamental human rights principles and international law. Norway has ratified the [UN Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others](#), which states in its preamble that *prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person*. It has also ratified the [CEDAW Convention](#), and the [Palermo Protocol](#), which obligates Norway to address the demand that fosters trafficking for purposes of the exploitation of prostitution. On 15 December 2022, Norway also voted in the UN General Assembly for the [Resolution 77/194](#), that *calls upon Governments to intensify their efforts to prevent and address, with the view of eliminating, the demand that fosters trafficking of women and girls*.

We urge Norway to take a firm grip on its current legislation, a law that upholds equality between women and men and human rights. It also serves as an effective tool to change a cultural paradigm that views women as second-class citizens and commodities to be bought, sold, and violated at the will of exploiters and sex buyers. It is time to fully implement and develop this progressive legislation, not to go back to sexist policies from another age.

Stand with us, who are fighting to abolish prostitution everywhere and against pimps and sex buyers.



The Women's Front



ROSA



Norwegian Union of Municipal and General Employees

FAGFORBUNDET



The Norwegian Women's Lobby

<sup>3</sup> <https://ressourcesprostitution.wordpress.com/2014/09/03/prostitution-and-human-trafficking-cannot-be-separated-interview-withmanfred-paulus/>

<sup>4</sup> <https://eldiariosolidario.com/prostitucion-jovenes-espana>

<sup>5</sup> <https://www.epe.es/es/igualdad/20220123/cuatro-espanoles-admite-haber-sido-13139177>

<sup>6</sup> <https://business.time.com/2013/06/18/germany-has-become-the-cut-rate-prostitution-capital-of-the-world/>