



Humanum

Issues in Family, Culture & Science

Issue 4

Prostituted People are the Walking Dead: So Why Does Amnesty International Advocate for the Sex Industry?

ELEANOR K. GAETAN

Few public policy issues have been as quickly and as universally acknowledged as the criminal phenomenon of human trafficking. Twenty years ago, there was no international legal definition of the problem. Then in 2000, the United Nations (UN) and the United States (US) adopted, respectively, a comprehensive convention and a landmark law against sexual exploitation, forced labor, and contemporary slavery. Harrowing accounts of abuse reported by faith-based and feminist organizations were the main motivation compelling these new rules in both the UN and the US.

An insane twist has entered the politics of human trafficking, though: Despite massive education on its harm and criminality, prostitution, which openly commodifies women, is today promoted by organizations such as Amnesty International, Human Rights Watch, and other groups within the United Nations System. The emergence of a lobby to normalize and legalize the buying and selling of human beings—the basic transaction at work in prostitution—demonstrates how the Left's obsession with sexual libertinism (its ultimate yardstick of personal freedom) rationalizes the denial of human dignity to others, including the poor,

homeless, displaced, addicted, coerced, vulnerable majority who comprise the greater part of prostituted people.

Background

It's important to remember what historical event compelled the identification of human trafficking as a major issue requiring remedy. With the collapse of Communism, advocates witnessed a pipeline of poor people, **mostly women**, lured mainly to Western Europe and the Middle East under false pretenses. They were promised jobs as caregivers or waitresses, for example, but once they were abroad, their passports were typically confiscated, and a new reality presented: Be prostituted in the commercial sex industry, that is, raped for profit, or we will harm you and your family back home. This was no idle threat since local recruiters typically knew each victim's personal story.

Plying on ignorance, naïveté, and wishful thinking, criminal networks liquidated young women from villages in countries such as Moldova and Ukraine to satisfy (male) demand for female flesh in Amsterdam, Vienna, Munich, and Istanbul, to name a few cities where the sex trade continues to flourish. What fueled sex trafficking was a basic Econ 101 supply problem: Where prostitution was tolerated and normalized, local women were generally unwilling to be sold for sexual access, creating a pull factor for a foreign supply of poor, vulnerable bodies from the East.

UN Approves Comprehensive Anti-trafficking Protocol

In the 1990s, the phenomenon of human trafficking was brought to the attention of numerous UN offices including the UN Office of Drugs and Crime (UNODC), the International Labor Organization (ILO), and the UN International Children's Emergency Fund (UNICEF). In 2000, the UNODC adopted the **Palermo Protocol**, whose cumbersome title is the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*, supplementing the Convention on Transnational Organized Crime. It describes human trafficking as including sexual exploitation, forced labor, slavery, servitude, and the removal of organs. Importantly, the protocol recognizes the "abuse of vulnerability" as constituting human trafficking—meaning that anyone who uses a person's poverty or lack of housing or drug addiction as leverage to coerce that person into commercial sex acts is committing the crime of human trafficking.

The Palermo Protocol wasn't the first international law pertaining to the physical vulnerability of women and girls, linking human trafficking and prostitution as two versions of the same crime. In 1949, the UN General Assembly approved the *Convention for the Suppression of the Trafficking in Persons and of the Exploitation of the Prostitution of Others*. In its **preamble**, the resolution identified the core problem with these offenses: sexual exploitation is "incompatible with the dignity and worth of the human person." Article 1 explicitly states that consent of the person selling her body is irrelevant considering this violation of human dignity.

The Palermo Protocol updated the 1949 insight by conceptualizing the government's role in confronting human trafficking. It offered "three Ps" as an appropriate action model: protecting

victims, prosecuting criminals, and preventing the crime. By late December 2003, 117 countries had signed the international instrument; it **entered into force 90 days later**.

US Passes Tough Anti-trafficking Law

While debate unfolded over human trafficking at the UN, the US Congress considered **bipartisan legislation** to confront the trafficking of human beings. Senator Sam Brownback (R-KS) and Senator Paul Wellstone (D-MN) were the main sponsors of the Trafficking Victims Protection Act (**TVPA**) of 2000. Its focus was originally on sex trafficking, with labor trafficking added as a later consideration. The law was enacted in October 2000.

The TVPA includes the same “three P” model adopted by the UN. It also asserted US leadership by creating a new office at the U.S. State Department dedicated to eradicating human trafficking worldwide. One of the tools used by this office is an annual report which ranks each country’s efforts to confront the problem.

Sweden vs. the Netherlands: Clashing Models

Meanwhile, two European countries adopted diametrically opposite solutions to the increasingly obvious problem of sexual exploitation and human trafficking in the commercial sex industry, which kept growing throughout the 1990s, in part, swelling with the entry of women from Eastern Europe.

In 2000, a new regulatory regime legalizing the sex trade came into force in the Netherlands, legitimizing Amsterdam’s infamous Red Light District, De Wallen, which soon became an international destination for sex tourism. A ban on brothels was lifted. Prostituting women were identified as “**independent entrepreneurs**” required to register with the police, pay income tax, and submit to regular medical exams in order to be certified as disease-free. The stated purpose of the new approach was to eliminate exploitation by regulating prostitution like any industry, displacing organized crime, improving “working conditions,” and removing stigma that prevented women from reporting abuse to law enforcement.

Sweden, on the other hand, looked at the system of prostitution and made several **distinctly different assumptions**: Swedish policy makers saw prostitution as premised on inherent physical vulnerability and a power differential. Since the vast majority of sellers are women and the buyers are men, Swedish lawmakers also concluded that the nation’s goal of equality between men and women would be undermined by normalizing or legalizing prostitution.

Sweden’s *Law that Prohibits the Purchase of Sexual Services* became effective in January 1999. It criminalizes purchasing sex, owning or operating brothels, and facilitating prostitution. The Swedish law decriminalizes the act of prostituting oneself, concluding that if the law eliminates demand, supply will disappear. The law was based on extensive research, including interviews with prostituted persons who are frequently victims of childhood neglect and sexual abuse. Researchers also found that prostitution typically requires psychological disassociation to cope with the trauma of being repeatedly violated, mainly by strangers.

Cecilie Høigård, a leading Swedish criminologist who helped conceptualize the path-breaking law, **explained** what her team found through interviews with prostituted women:

They told us what it was like to use their bodies and vaginas as rental apartments for unknown men to invade, and how this made it necessary to separate their body from their self.

The women had numerous strategies to maintain this separation. To be agents in their own lives they showed great ingenuity and vigor within the little space for maneuver they had. However, over time it became more difficult for them to maintain the separation between their body and self. After the punter was done, it became increasingly difficult to bring the self back. Eventually the women came to feel worthless, dirty and disgusting.

These stories were very similar to accounts we'd heard from victims of other sexual violence, such as incest, rape and domestic violence.

The Nordic Model Works

Twenty years later, the results of this fascinating side-by-side prostitution experiment are clear. In the Netherlands, the sex industry exploded (both legal and illegal markets), human trafficking is rampant, and organized crime dominates the recruitment pipeline. Seeing that the experiment was not working, just eight years after it passed, Dutch officials began searching for ways to shrink the Red Light zone as the only way to eliminate exploitation. Fed up with the **disastrous policy** of legalization, citizens began to protest prostitution openly.

In Sweden, on the other hand, human trafficking has decreased significantly. In 2015, police investigated over ten times more sex trafficking cases in the Netherlands compared to Sweden: 623 versus 58 cases. In Germany, where prostitution is legal, pimps or sex buyers murdered **70 women** in 2015; no one in prostitution was killed in Sweden that year.

As Sweden discovered, the only effective way to prevent sex trafficking is to criminalize the demand for commercial sex, thereby shrinking the market for vulnerable bodies. Other countries started adopting this public policy approach, known as the Nordic Model. In 2008, Iceland became the first country to follow Sweden. Since, seven more countries have criminalized the demand for prostitution (while directing law enforcement *not* to arrest the people, mainly women, selling their bodies): Norway (2009), Northern Ireland (2014), Canada (2014), France (2016), Ireland (2017) and, **most recently**, on December 31, 2018, Israel.

Data in. Model tested. Spread effect begins. Tolerance and normalization of prostitution can be consigned to the dustbin of history because it violates human dignity and manipulates the vulnerability of people experiencing some form of duress. Right? Wrong. A new factor emerged in the early 2010s, an ideologically-driven defense of the commercial sex industry that can only be described as a “post-truth” response to the Nordic Model and its momentum.

Amnesty International Endorses Sex Trade

On May 26, 2016, Amnesty International announced a **new policy** to advance the “human rights of sex workers,” calling on governments worldwide to decriminalize the commercial sex industry, including activities that facilitate prostitution: pimping, brothel owning, and paying for sex. According to the organization’s **press release**, “We are outlining how governments can best protect people engaged in sex work from violence and discrimination.”

Although the organization claims the purpose of adopting the policy is to protect “sex workers,” the main beneficiaries are “the men—the consumers and organizers of sex who will benefit the most,” explains attorney Darren Geist in a **devastating critique**, “Amnesty International’s Empty Promises: Decriminalization, Prostituted Women, and Sex Trafficking.” He continues:

Amnesty’s proposal would establish the legal right of men to buy or rent women’s bodies for sexual acts, and the legal right of men to sell or rent women’s bodies to other men for sexual acts.

In fact, this will be the primary effect of Amnesty’s proposal, for the vast majority of the people in the sex industry are the consumers, the johns.

Geist and others, including **Irish activist Rachel Moran**, author of the most trenchant exploitation memoir, *Paid For: My Journey Through Prostitution*, and **Taina Bien-Aimé**, executive director of the Coalition Against Trafficking in Women (CATW), point to myriad gaps in the logic and research employed by Amnesty International for its misguided position, which was **first leaked** to British journalist Julie Bindel in 2014.

First, Amnesty’s position paper highlights law enforcement brutality against prostituted people as a major reason for supporting decriminalization—a designation which effectively amounts to the legalization of the sex trade without regulation. This focus completely ignores the most prevalent forms of violence committed by pimps and sex buyers. For example, in a landmark **nine-country study** published in the *Journal of Trauma Practice*, Dr. Melissa Farley and her team interviewed 854 prostituted women. They found the sex trade to be multi-traumatic: 63% of participants had been raped, 68% met the criteria for Post-Traumatic Stress Disorder (PTSD), 71% had been physically assaulted, 75% had been homeless, and 89% said they wanted to escape but had no other options for survival.

Numerous other studies find high incidence of illness, injury, and psychological harm associated with prostitution and sex trafficking. Among those in prostitution, 65% have tried to commit suicide once and 38% have attempted suicide more than one time. In research on health consequences of sex trafficking in the US, a study published in the *Annals of Health Law* found that pimps frequently force prostituted women into **unwanted abortions**—55% of the women and girls interviewed by the researchers had been forced to abort a baby at least once while being trafficked, making them vulnerable to health complications including infection, besides psychological and spiritual trauma.

Calling such misery “sex work” is a gross misrepresentation of reality, especially grotesque because it sanitizes the harm and serves to lure more people into “the Life,” as survivors refer to the sex trade.

Throughout its documentation and discussion, Amnesty International assumes that prostitution is separate and easily distinguished from sex trafficking, but the two are intrinsically related. Every victim of sex trafficking is coerced into the commercial sex trade; to eliminate one, you have to target both forms of exploitation. In late 2002, George W. Bush signed a national presidential security directive (**NSPD 22**) that states:

[T]he United States Government opposes prostitution and any related activities, including pimping, pandering, or maintaining brothels, as contributing to the phenomenon of trafficking in persons. These activities are inherently harmful and dehumanizing. The United States Government’s position is that these activities should not be regulated as a legitimate form of work for any human being.

As well, legions of exited survivors testify that sexual abuse, especially in childhood, grooms a person for the commercial sex trade by causing them to denigrate their own bodies and associate sex acts with pain and humiliation. This factor evokes a second set of research results ignored by Amnesty International: the high correlation between childhood trauma and abuse, entry into prostitution, and the weak systems for detecting or assisting child victims of sex trafficking. A **2000 study** published in *Women and Criminal Justice* found that 98% of prostitution survivors reported being emotionally abused as children, 90% were abused physically, 85% were incest victims, and 60% were sexually abused as children. As Darren Geist cogently summarizes, “Amnesty’s recommendations would only make worse a prostitution industry already defined by physical and sexual violence.”

Under federal law, all minors who are trading commercial sex are considered victims of sex trafficking, by definition. A nearly **500-page study** funded by the Department of Justice in 2011, *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States*, concludes that among the highest national priorities should be reducing the demand for commercial sex by educating those buying sex about the harm they are causing—harm to vulnerable young women and men, commodified instead of being cherished. But the Amnesty

endorsement of decriminalization would, instead, expand the market for vulnerable human beings: Several macro-economic assessments, including a rigorous academic study in which the London School of Economics participated, conclude that in countries where commercial sex is legalized, the market expands and **sex trafficking increases**.

Finally, Amnesty claimed its policy was developed based on research it conducted through its national chapters. However, a **detailed paper** examining this research found it to be highly flawed, misleading, and non-conforming to standard, neutral procedures for conducting social science research.

But...Why?

So much evidence can be arrayed *against* Amnesty International's support for the wholesale decriminalization of the buying and selling of bodies for sexual access, that one's mind rushes to the question: But why? Was it bad thinking or bad faith that led this once highly respected human rights trailblazer down a perverse path, in a direction sure to ruin lives as it damages bodies? At least two explanations can be quickly discerned: funding from one of the world's best known globalists, George Soros, and an ideology that sanctifies sexual expression as the highest form of self-realization. These two major factors, combined with a distinct medical enabling environment, an approach known as "harm reduction," developed as part of the protocol for confronting the HIV/AIDS epidemic, go some distance in explaining Amnesty International's dangerous and cynical mistake.

It needs to be pointed out that Amnesty International is *not* the only transnational organization dedicated to human rights that has taken this pro-legalization position. Human Rights Watch (HRW) is another group that quickly expressed support for Amnesty on this. In fact, while Amnesty's decision was in the headlines in 2015, HRW president Ken Roth tweeted, "All want to end poverty, but in meantime, why deny women the option of sex work?" A stance that, again, ignores the multiple forms of physical, emotional, and spiritual harm prostitution causes. As Julie Bindel, author of *The Pimping of Prostitution: Abolishing the Sex Work Myth*, has pointed out, Roth's attitude is analogous to saying, "If a poor person wants to sell her kidney for cash, it's her choice, so let her," rather than outlawing exploitation and searching for alternative sources of income or aid.

What Amnesty International and Human Rights Watch have in common is George Soros, the billionaire arbitrage artist whose non-profit entity, the Open Society Foundation (OSF), both funded Amnesty and **openly applauded** its "sex work" policy position. In "Decriminalization of Prostitution: The Soros Effect," **Jody Raphael** provides a detailed analysis of Soros' support for this extremist "free market" policy, which ignores physical vulnerability and human dignity in favor of a business model in which all things, including human beings, are turned into items for sale. OSF considers the defense of sex work to be a top funding priority and as one of the world's largest philanthropies, that's saying a lot.

Raphael confirms OSF is a major Amnesty backer, providing over \$2 million in 2015, the year Amnesty pressed hardest to get national chapters to approve decriminalization at a meeting in Dublin. (It's worth noting: Sweden, France, and Israel—three Nordic Model countries—were

among the strongest opponents of this policy.) What she points out most valuably, though, is how Soros' money, through OSF, creates various levels of advocacy which all reinforce the same message which is then amplified internationally, especially through entities associated with the UN.

Harm Reduction Ignores Exploitation

Amnesty International **considers itself** one of an increasing number of organizations “calling for decriminalization of consensual sex work in order to protect human rights and public health,” that is, normalizing a soulless system of torture by absolving exploiters of any crime. It enlists as support for its worldview UN-affiliated entities such as the Global Commission on HIV and the Law, UNAIDS, the UN Special Rapporteur on the Right to Health, and UN Women, all of which chose the harm reduction model of public health in their HIV/AIDS prevention work. The mantra of that model is “Do Not Judge”—that is, do not judge the existence of market-based sexual transactions *and* don't even look at the human beings destroyed by the commodification underway. On the ground, that means that US Government programs centered on condom distribution require “non-judgmental” deals cut with brothel owners. In brothels in India, for example, sex trafficked minors might be in plain sight, but the harm reduction paradigm will generally ignore their presence in favor of fulfilling the condom distribution plan. What this approach ignores are the multiple risks of illness and injury to the sexually exploited and thoroughly commodified persons being sold.

The “do not judge” harm reduction paradigm has been implemented worldwide by Western governments and charities, with the US and European Union in the lead, working independently as well as through the United Nations. The US government has spent some \$80 *billion* **implementing this paradigm** in the last 15 years—marrying two ideologies: intemperate capitalism willing to sell anything, to anyone, for a price, and the libertine rejection of any limits on sexual expression, and valuing of sexual deviance as a form of freedom. In this marketplace, the vulnerable body is the walking dead.

Eleanor Kennelly Gaetan, Ph.D. is senior legislative advisor for the Coalition Against Trafficking in Women. She spent five years at the U.S. State Department's Office to Monitor and Combat Trafficking in Persons, managing legislation and editing the annual TIP report. Her Ph.D. is from University of Maryland; more importantly, she has five children.

www.humanumreview.com