**CEDAW Concept Note on its elaboration of a General Recommendation on Trafficking in Women and Girls in the Context of Global Migration.**

*Oral Submission**by Belinda Brooks-Gordon*

Recently I chaired a policy group for a UK political party. They asked us to take evidence, and produce policy on sex work fit for an open, tolerant, society, to protect trafficked people. We found a diverse range of people in transactional sex; from cisgender women, and men having sex with men, to transgender people at stages of transition.

Internet access and smartphones have changed work beyond recognition with tech-savvy women promoting services on multiple platforms. We found people in sex work to supplement other income, saving for a deposit on a house, paying off debts, or education fees. There was a link - that ANY criminalization gives authorities an excuse to harass women, men, and transgender workers.

Repressive policies, and infantilisation make sex workers vulnerable to extortion, and distort policing practice. When we criminalize, we stigmatize, and fail to give people a chance to do something else. Paradoxically, laws that criminalize entrench a lifestyle they aim to change. It’s harder to report a crime for fear of becoming known to police. Or of not being believed, or not heard as a credible witness. That’s why criminalization of workers and their clients, with the naïve aim of ‘ending demand’ is dangerous.

Clients are a diverse group: consider the young man with Duchen’s muscular dystrophy paying for the first non-medical touch; widowed men; or war veterans whose lives have been destroyed, paying for company. Consider women in spa hotels paying for full massage with a ‘happy ending’. There’s nothing wrong with consenting adults having sex – no philosophical difference between paid sex and other sex adults have: casual sex, swinger sex, gay sex, unmarried sex.

We need support for people leaving sex work to help them create safer and healthier lives. We need to strengthen law enforcement on any harassing, non-consenting behaviours.  We need resources currently used to over-police consenting adults spent on protecting children, and the vulnerable, against traffickers.

During 25yrs I’ve researched sex work policy as an academic, the harm reduction evidence is overwhelming. Failed experiments that try, and fail, to prohibit so-called ‘demand’ turn sex worker safety into a commodity.[[1]](#endnote-1) Women’s safety isn’t a commodity – it is a right. Sex workers don’t want pity, they just want their rights.

There are examples of safe laws across the world. Evaluations of New Zealand show decriminalization made things much safer, preventing young people answering enticing adverts and falling into, or being duped into, sex work.

In harassment cases in employment tribunals in NZ, a sex worker brought a case against a brothel owner who’d called her names.[[2]](#endnote-2) The NZ law gave her stronger employment rights than most women. So there are good examples of safe laws from decriminalized nation states.

Removing stigma and restoring rights allows people to play a full part in society without fear. Otherwise, if we allow rights to be eroded at the margins, and allow others to have less rights than ourselves. We end up with few rights and no freedoms. We need a respectful partnership between sex workers, their clients, and law enforcement, to assist anti-trafficking efforts. So that in considering human rights we can do what is RIGHT.

1. Brooks-Gordon, Belinda (2016) [The sex conundrum.](http://eprints.bbk.ac.uk/17963/)*Liberator* (381), pp. 18-19. [↑](#endnote-ref-1)
2. Brooks-Gordon, B.M. (2018) ‘Into the Light: A Model of Justice for Workers’ Rights in the Shadow and ‘Gig’ Economy’. In *Realising Justice for Sex Workers*. Edited by Sharron A. FitzGerald & Kathryn McGarry. London. Rowman Littlefield. <https://www.rowmaninternational.com/buy-books/product-details/?productId=3-156-0a032586-bf72-428c-a717-d8340fb5096a> [↑](#endnote-ref-2)