



Input to the report on prostitution and violence against women and girls

submitted by Netzwerk Ella¹

Some of the questions asked by the special rapporteurs are addressed below:

1. 28,278 persons in Germany were validly registered according to the Prostitutes Protection Act at the end of 2022. [1] However 200,000 to 400,000 prostitutes are estimated. [2, 3] Most prostitution is therefore already hidden, unregistered and illegal. Often remains invisible in the political discussion, and affected persons hardly find access to officially recognized help and exit offers. Street workers may reach persons in illegal prostitution, yet many are not reached at all. These persons remain hidden to statistics on the reality of prostitution. Various forms of hidden prostitution are covered: OnlyFans, Tinder, MyDirtyHobby, striptease, sex cams, massage parlors, sugar dating, sexual assistance, swingers clubs, commercial BDSM events, apartment brothels. OnlyFans and Tinder in particular are a trap for women and girls as low-threshold entry into sexual exploitation. Some johns actively seek out newcomers, using sexual harassment or coercion to push women and girls into prostitution. Johns looking for students and housemothers for sex at economy rates. Sugar daddies pay money for sexual dates, especially with young women or girls. It is common for johns to demand sex in return for work, food, housing, vacation or even help in an emergency. Since the Covid pandemic, the start of the war in Ukraine and the increasing housing shortage, this problem has become even more acute. One example is the phenomenon of men offering a room or a place to sleep in their private flat – not in exchange for rent, but in exchange for sex. [4] This “hidden” prostitution is openly initiated on classified ad sites on the internet, under the search term “pocket money”, or even on private apartment listings. Fear of having made oneself liable to prosecution through illegal prostitution, shame and dependency on johns and profiteers indicate a high number of unreported cases of hidden prostitution. Social acceptance of buying sex and the political normalization of prostitution as sex work make it impossible to effectively recognize and combat such predicaments and usually leave affected persons without help.

4. Prostitutes are exposed to all of these forms of violence. They are affected more frequently and more severely than other women. [5] At least 110 women have died violently in German prostitution since 2002. [6] Many of these victims were mothers, their desperate children are left behind as orphans, often abroad and without help. Those in favor of prostitution say that only 1% of all prostitutes are victims of violence. But there are more deaths than while serving in the police or armed forces in the same period. Every murdered prostitute is one too much! Prostitution produces deaths and orphans. The longer this accepting attitude towards prostitution continues, the more damage prostitutes suffer, the more lives and families are destroyed. Most violence comes from johns. It is important to consider immanent and inherent forms of violence in prostitution.

Immanent violence: The john wants sex, the prostitute wants payment – this is not a consensus. He buys a Yes because he does not want to accept a No. The payment is a gag for the prostitute and a

¹ Netzwerk Ella is a network of women who were or are in prostitution. It was founded to give women in and after prostitution a platform and a voice. We do not profit from third-party prostitution and do not co-operate with profiteers in the sex industry or their representatives. As an independent organisation of affected women, our network is the voice of those who are not represented by organisations that advocate prostitution and pornography. We demand that prostitution be abolished as a system of sex-based violence, oppression and exploitation that particularly affects women and girls. Homepage: <https://netzwerk-ella.de/>

release for the john. He uses his financial superiority to suppress her unwillingness. Prostitution, also known as “sex work”, is neither sex nor work, but paid rape, abuse and torture.

Inherent violence: The john is not just a customer or buyer, as sex cannot be bought and consumed like a dildo. He buys access to the most intimate parts of another person's body and wants to dispose of this body as he pleases. Either the john pays more so that the prostitute gives in, or he resorts to coercion and violence. Johns commit serious criminal offenses, including murder.

5. Generally, violence is carried out by johns. [7] Almost all johns are male [8], socially well integrated and of all ages and classes. They are our neighbors, colleagues, friends, partners and family members – buying sex is a phenomenon affecting society as a whole. Around 27% of men in Germany have paid for sex at least once. [8] Johns decide to practice their sexuality in prostitution out of inner motivation. Many johns firmly believe that they are entitled to sex with other people, especially women. Johns know that prostitutes do not desire them sexually, but only endure them – for financial reasons or existential hardship. By sexually dominating prostituted women, johns gain an immediate affirmation of their masculinity. Johns demand dangerous and harmful sexual practices. [8, 9] They favor inexperienced, desperate, disadvantaged and defenseless women. Many johns demand sex with underage, pregnant, anorexic and other very vulnerable women. Shared consumption of alcohol or drugs is often expected or forced. Many johns also behave disrespectfully, intrusively and aggressively towards women outside of prostitution. [9] Johns consume, practice and perpetuate sexism and contempt for women.

7. Pornography and prostitution are two sides of the same coin. Commercial pornographic content with real humans is filmed prostitution. Also many porn actresses are also involved in prostitution. Especially Amateur pornography, including sex cams, offers entry into prostitution. The content posted by amateur actresses often includes porn with various male filming partners, most of whom are porn consumers, known as users. Web pages give advice on how users can become filming partners. These filming partners are simply johns who give consent to be filmed. [10] Amateur actresses often also offer sex dates for money. [11] All forms of pornography play a crucial role in prostitution: 55% of German johns consume pornography at least weekly [12] and many porn consumers become johns. First, real women are used in pornographic images, then – in reality at home, in a hotel or brothel. Moreover, prostitution is the place where pornography is copied. Johns get specific fixed ideas from their porn consumption and demand that everything is done exactly like this - they want to experience sex as depicted in pornography. Prostitutes have to adapt their offerings according to these depictions, including physically: permanent make-up, artificial fingernails, breast enlargement, waxing, intimate bleaching, vaginal tightening, labia reduction... Because their bodies must remain competitive and profitable. Many prostitutes were or are also involved in pornography. This “porn world”, which, like prostitution, knows no No, works on the same principle: “He enjoys, she has to deliver”. Its message is omnipresent and always available – pornography is propaganda of sexism, especially heterosexual mainstream videos. Women become in the eyes of consumers and johns generally seen as buyable and inferior to men, not equal.

9. According to the Prostitute Protection Act, prostitution locations must be equipped with an emergency call system. [13] But how is it supposed to work in service boxes, caravans in street prostitution or in brothel flats? If a prostitute succeeds in activating the emergency call when necessary, the violent offence has usually already been committed and the perpetrator is on the run before help arrives. Despite the emergency call system and the presence of security staff, violence against prostitutes cannot be prevented. [14] Security cameras in brothels are set up in a way that johns cannot be seen. This makes it more difficult to identify the perpetrators. Although buying sex without a condom has been a criminal offence for johns since 2017 [15] and buying sex from forced prostitutes since 2021 [16], such actions are rarely or never punished. The Prostitutes Protection Act has failed.

Violence, oppression and exploitation in prostitution were recognized while at the same time, the assumption that prostitution is a service, was not critically scrutinized. The misogynistic structures of sex industry still exist and have even been strengthened: buying sex has been normalized. Supposed voluntariness has ultimately only legitimized violence by johns and sanctions against prostitutes. Brothels, pimps and even human traffickers receive state subsidies. [17] The police and judiciary are powerless. [18] The hardships and suffering of prostitutes are ignored, they are left alone and forgotten. Violent offenses against prostitutes are rarely reported, resulting in more known murders than known attempted murders of prostitutes since 2002. [19] In response to violence, the corresponding statistical recording was abolished so as not to stigmatize “sex work”. The ubiquitous trivialisation of the sex trade defies reality and increases the number of victims of prostitution and sexual exploitation in Germany.

14. No, they are rarely involved and often ignored. Netzwerk Ella, as a survivor organisation of women who have been or are still affected by prostitution, pornography and sexual exploitation, criticizes the lack of inclusion of survivors' organisations in policymaking. As long as buying sex is normalised and legalised, victims of the sex trade are ignored or marginalised. In contrast, “sex workers”, who advocate sex trade and speak for organisations in which brothel keepers and other profiteers are also active, are listened to. Affected women like us do not have government subsidies, strong lobbies or sufficient resources, we work on a voluntary basis. As survivors and affected persons of prostitution and sexual exploitation, we often live in precarious conditions. This results in barriers that make our involvement difficult: lack of funds for travel costs or unpaid leave, lack of language skills or availability of free translation, lack of protection of privacy and identity, lack of psychotherapeutic support. We see an enormous need for political action on a national and international level to enable survivor' organisations to participate better and more broadly in policymaking.

15. In order to prevent and end violence in connection with prostitution, it is essential to prevent prostitution and eliminate its causes. Demand is both, the root and the solution to the problem. As an organisation of affected women and survivors of prostitution and other forms of sexual exploitation, including commercial pornography, Netzwerk Ella calls for prostitution to be abolished as a system of sex-based violence, oppression and exploitation that primarily affects women and girls. [20] Without effectively combating demand, prostitution cannot be abolished. Without the abolition of prostitution, human trafficking and modern slavery cannot be eliminated. We recommend implementing a systemic approach:

1. Help for persons those affected by prostitution or sexual exploitation.

Decriminalization and guaranteed state assistance for affected persons and survivors to leave sex trade. Abolition of any taxes or levies on offering or practicing sexual services. Providing comprehensive programs that enable health rehabilitation, social reintegration and viable alternatives for those affected. Protection and recognition as victims of violence with the right to asylum. Help for family members of affected persons, especially their children.

2. Elimination of all profits from prostitution or sexual exploitation of other people.

Criminalization of all profiteers from prostitution or sexual exploitation of others and confiscation of all their related profits. Prohibition of selling pornography featuring real persons, excluding own pornographic content. Combating all forms of pimping. Prohibition of any state or municipal revenue from prostitution or sexual exploitation.

3. Education about prostitution and sexual exploitation.

Societal education focusing young people about the destructive consequences and significant dangers of prostitution and pornography. Help for young people at risk and their parents. Age-appropriate

education about equality of sexes and sexual self-determination in schools. Support for survivors' organizations providing education.

4. Prevention of prostitution and sexual exploitation.

Combating the demand for prostitution, including the ban on buying sex and punishing johns as soon as they offer payment. Consent to sexual activities in return for payment must be invalid. Combating the demand for pornography featuring real persons. Combating all forms of violence against women and girls. Eliminating sexism, female poverty and disadvantage.

5. Effective work of state services.

Training and further education of all responsible institutions and services. Appropriate contact persons, sufficient female specialists. Involvement of survivor' organisations as experts and advisors in all measures. Ethical guidelines for all employees of state services that explicitly prohibit the purchase of sex and the consumption of commercial pornography featuring real persons.

With best regards,

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Source referencesⁱ

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[2] Deutscher Bundestag: Drucksache 18/9080 (2016), p. 7. <http://dip21.bundestag.de/dip21/btd/18/090/1809080.pdf>, retrieved on 26.01.2024.

[3] TAMPEP: Sex Work in Europe Annex 4 National Reports (2010), p.109, <https://tampep.eu/wp-content/uploads/2017/11/ANNEX-4-National-Reports.pdf>, retrieved on 26.01.2024.

[4] Exemplary two articles from the last three years in which such cases were made public:

1. SPIEGEL online: Room for sex – trial against landlord has begun [translated by authors of this submission]. 01.12.2020. <https://www.spiegel.de/panorama/justiz/muenchen-zimmer-gegen-sex-prozess-gegen-vermieter-hat-begonnen-a-667b30dc-befa-4c8d-b1c3-0bcffc8c7628>, retrieved on 26.01.2024;

2. Berliner Zeitung: Flat for sex: How landlords try to exploit women looking for a flat [translated by authors of this submission]. 08.11.2022. <https://www.berliner-zeitung.de/mensch-metropole/serie-wohnhahnsinn-berlin-wohnung-gegen-sex-wie-vermieter-versuchen-frauen-auf-wohnungssuche-auszunutzen-li.284422>, retrieved on 26.01.2024.

[5] BMFSFJ: Lebenssituation, Sicherheit und Gesundheit von Frauen in Deutschland. Eine repräsentative Untersuchung zu Gewalt gegen Frauen in Deutschland, Teilpopulation 2 – Prostituierte (2004), p. 47: „For example, 68% of the prostitutes surveyed stated that they had been afraid of being seriously or life-threateningly injured in situations of physical violence since the age of 16, and 72% in situations of sexual violence since the age of 16. In the main study, this proportion was significantly lower at 40% for physical violence and 44% for sexual violence.“ [translated by authors of this submission], <https://www.bmfsfj.de/resource/blob/84328/0c83aab6e685eeddc01712109bcb02b0/langfassung-studie-frauen-teil-eins-data.pdf>, retrieved on 26.01.2024.

[6] Schon: Ausverkauft! Prostitution im Spiegel von Wissenschaft und Politik (2021), p. 348-349.

In 2023, at least three women were murdered. The last known victim: name unknown, 31 years old, female. Mannweiler, SWR: Mord in Koblenz: Prostituierte grausam getötet, 30.11.2023: „The seized photos as well as the outward appearance of the tortured victim are disturbing even for experienced investigators and reveal an inhuman cruelty that is shocking and repulsive“ [translated by authors of this submission] <https://www.swr.de/swraktuell/rheinland-pfalz/koblenz/mord-ermittlung-koblenz-rauental-frau-gequelt-100.html>, retrieved on 26.01.2024.

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<https://www.sexcam.chat/ratgeber/sextreffen-mit-camgirls.html>, retrieved on 26.01.2024.
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