Basic information

2022/2139(INI) INI - Own-initiative procedure	Procedure completed
Regulation of prostitution in the EU: its cross-border implications and impact on gender equality and women's rights **Subject** 4.10.04 Gender equality 4.10.09 Women condition and rights	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	FEMM Women's Rights and Gender Equality	NOICHL Maria (S&D)	26/09/2022
		Shadow rapporteur SCHNEIDER Christine (EPP) MELCHIOR Karen (Renew) VANA Monika (Greens/EFA) DE LA PISA CARRIÓN Margarita (ECR) PEREIRA Sandra (The Left)	

European Commission	**Commission DG**	**Commissioner**
	Justice and Consumers	DALLI Helena

Key events

Date	Event	Reference	Summary
15/09/2022	Committee referral announced in Parliament		
27/06/2023	Vote in committee		
30/08/2023	Committee report tabled for plenary	A9-0240/2023	Summary
13/09/2023	Debate in Parliament		
14/09/2023	Decision by Parliament	T9-0328/2023	Summary
14/09/2023	Results of vote in Parliament		
14/09/2023	End of procedure in Parliament		

Technical information	
Procedure reference	2022/2139(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	FEMM/9/09650

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE740.605	10/01/2023	
Amendments tabled in committee		PE742.470	09/02/2023	
Committee report tabled for plenary, single reading		A9-0240/2023	30/08/2023	Summary
Text adopted by Parliament, single reading		T9-0328/2023	14/09/2023	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2023)618	17/01/2024	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency

Name	Role	Committee	Date	Interest representatives
SCHNEIDER Christine	Shadow rapporteur	FEMM	13/06/2023	Coalition for the Abolition of Prostitution (CAP International)
SCHNEIDER Christine	Shadow rapporteur	FEMM	13/06/2023	InteDinHora (notyourwhore) Swedish Women's Lobby
NOICHL Maria	Rapporteur	FEMM	27/02/2023	SPÖ
NOICHL Maria	Rapporteur	FEMM	13/12/2022	Isala asbl
NOICHL Maria	Rapporteur	FEMM	30/11/2022	• John Cotton Richmond, Ambassador-at-large on Combatting Human Trafficking • Jacob Flardh, Secretary General of Child10 and Chair of the Swedish Platform against Human Trafficking • Ioana Bauer, Board member of eLiberare and co-chair of the Romanian Specialized Platform against Human
VANA Monika	Shadow rapporteur	FEMM	23/11/2022	European Sex Workers Rights Alliance

NOICHL Maria	Rapporteur	FEMM	17/11/2022	Héma Sibi, advocacy coordinator at CAP International
NOICHL Maria	Rapporteur	FEMM	15/11/2022	STINA- Sex Trafficking Intervention Alliance
NOICHL Maria	Rapporteur	FEMM	25/10/2022	European Sex Workers Rights Alliance's
NOICHL Maria	Rapporteur	FEMM	19/10/2022	European Women's Lobby
VANA Monika	Shadow rapporteur	FEMM	06/09/2022	European Sex Workers Rights Alliance

Other Members

Transparency		
Name	**Date**	**Interest representatives**
MACMANUS Chris	07/09/2023	COALITION POUR L'ABOLITION DE LA PROSTITUTION Ruhama
FRITZON Heléne	10/01/2023	OSCE

Regulation of prostitution in the EU: its cross-border implications and impact on gender equality and women's rights

2022/2139(INI) - 25/08/2023 - Committee report tabled for plenary, single reading

The Committee on Women's Rights and Gender Equality adopted the own-initiative report by Maria NOICHL (S&D, DE) on the regulation of prostitution in the EU: its cross-border implications and impact on gender equality and women's rights.

The report states that prostitution, its exploitation, and human trafficking for the purpose of sexual exploitation are forms of **gender-based violence**, and thus a violation of women's rights and human dignity, representing a cross-border problem. Therefore, the report called for a **Europe-wide approach** to tackle prostitution by decriminalising people in prostitution and supporting those who want to leave it, while targeting sex buyers and exploitative third parties such as pimping. There is also a for a common approach to and understanding of force, coercion, the exploitation of vulnerability, abuse of power and inequalities in existing prostitution laws and regulations in various EU Member States.

Comparison between Member States

Members underlined the greater the asymmetry between national prostitution legislation within the EU, given that the prostitution markets and its actors operate across borders, the more victims of trafficking for sexual exploitation there are. Moreover, the report underlined that the difference between Member States' regulations on prostitution create a fertile operating ground for organised crime groups and individuals. Member States are called on to introduce effective measures to reduce the demand for prostitution and therefore trafficking in human beings, sexual exploitation and the operating of organised criminal groups.

Lack of comparable data

Members regretted the lack of reliable, accurate data comparable across countries related to prostitution, sexual exploitation, violence in prostitution and the impact of exit programmes. They highlighted the urgent need to further improve and better coordinate cross-border cooperation in this area.

Different approaches

The report noted that in countries like Austria, Germany and the Netherlands, authorities have come to the conclusion that it would be most beneficial for the rights of people in prostitution to create a legal framework **legalising all facets of prostitution**, while other countries such as Sweden, France, Spain and Ireland have instead decided to protect the rights of women in prostitution by opting to **decriminalise** people in prostitution while criminalising buyers, by applying the '**Nordic/Equality model**' approach.

Impact on women in prostitution

Members condemned the reality of coercion, manipulation, violence and exploitation in prostitution and pointed out that the lack of language skills of women and minors, as well as their vulnerabilities and precarious conditions, are exploited to make them enter and stay in prostitution.

Demand

Prostitution and trafficking for sexual exploitation exist because there is a demand for it. Demand reduction is a key instrument for the prevention and reduction of human trafficking. Therefore, Members believe that this should be developed further in the revision of the EU Anti-Trafficking Directive. Members also stressed the importance of discouraging demand in a way that does not harm or create negative repercussions for those in prostitution. The report noted that the decriminalisation of pimping and of the purchase of sex increases demand, empowers the demand side and normalises sex buying.

Cross-border impact

Members condemned the highly sexist, racist and marginalising nature of the system of prostitution, given that, on average, **70 %** of the individuals in prostitution in the EU are migrant women, reflecting the social and economic differences in the EU and worldwide. Moreover, the majority of sex trafficking flows within the Union involve EU citizens and 53 % of the victims of trafficking for sexual exploitation within the Union have EU citizenship.

Role of the Member States

Member States should ensure that women in prostitution have equal access to justice, healthcare, housing, employment and public services and enjoy equal protection under the law. They should also take action in the areas of prevention, decriminalisation of people and especially women in prostitution, demand reduction, punishment of clients, destigmatisation and the elimination of stereotypes, and to ensure sufficiently financed, easily accessible, **high-quality exit programmes and pathways out**.

Member States are called on to ensure that it is punishable as a criminal offence to:

- solicit, accept or obtain a sexual act from a person in exchange for remuneration, the promise of remuneration, the provision of a benefit in kind or the promise of such a benefit;

- exploit the prostitution of another person even with the consent of that person.

Regulation of prostitution in the EU: its cross-border implications and impact on gender equality and women’s rights

2022/2139(INI) - 14/09/2023 - Text adopted by Parliament, single reading

The European Parliament adopted, by 234 votes to 175, with 122 abstentions, a resolution on the regulation of prostitution in the EU: its cross-border implications and impact on gender equality and women’s rights.

Comparison between Member States

Parliament noted that approaches to address prostitution **vary across the EU** and different laws have different effects on women in prostitution, their rights, their ability to access healthcare, social services and the justice system, women’s rights in general, gender equality, demand, trafficking, societal attitudes and neighbouring Member States.

In countries like Austria, Germany and the Netherlands, authorities have come to the conclusion that it would be most beneficial for the rights of people in prostitution to create a legal framework legalising all facets of prostitution, while other countries such as Sweden, France, Spain and Ireland have instead decided to protect the rights of women in prostitution by opting to decriminalise people in prostitution while criminalising buyers, by applying the ‘Nordic/Equality model’ approach.

The resolution highlighted that the greater the **asymmetry between national prostitution legislation** within the EU, given that the prostitution markets and its actors operate across borders, the more victims of trafficking for sexual exploitation there are. Member States are called upon to put in place effective measures to reduce the demand for prostitution and, consequently, trafficking in human beings, sexual exploitation and the operations of organised criminal groups. Members stressed the urgent need to improve and better coordinate cross-border cooperation with regard to the collection and **exchange of reliable and accurate data**, comparable between countries, on prostitution, sexual exploitation, violence in prostitution and the results of exit programmes.

Impact on women in prostitution

Members condemned the reality of coercion, manipulation, violence and exploitation in prostitution and pointed out that the lack of language skills of women and minors, as well as their vulnerabilities and precarious conditions, are exploited to make them enter and stay in prostitution.

Moreover, the deterioration of the social and economic situation as a result of the COVID-19 pandemic has increased all forms of abuse and violence against women, including sexual exploitation, which violates their human rights.

Members warned that this will be further aggravated by the current energy and cost-of-living crisis, with many women in vulnerable situations being driven into poverty and social exclusion. They called for the introduction of efficient policies that **eliminate poverty and improve social protection**, as well as the establishment of inclusive policies that support women’s empowerment and economic independence, along with measures that condemn those who exploit them.

Demand

Prostitution and trafficking for sexual exploitation exist because there is a demand for it. **Demand reduction** is a key instrument for the prevention and reduction of human trafficking. Therefore, Members believe that this should be developed further in the revision of the EU Anti-Trafficking Directive.

Members also stressed the importance of discouraging demand in a way that does not harm or create negative repercussions for those in prostitution. The resolution noted that the decriminalisation of pimping and of the purchase of sex increases demand, empowers the demand side and normalises sex buying.

Member States are called on to take urgent measures to **tackle online advertisement** and contact facilitation that directly or indirectly encourage prostitution or seek to attract buyers in order to prevent the exploitation of the prostitution of others also online, including the prostitution of students, in particular of young women, and the sexual exploitation of minors by wealthier and more influential men, also known as 'sugar daddyism'.

Cross-border impact

On average, 70% of people in prostitution in the EU are migrant women, reflecting social and economic differences within the EU and worldwide. Members condemned the highly sexist, racist and marginalising nature of the prostitution system. Furthermore, the majority of sex trafficking flows within the EU involve EU citizens and 53% of victims of trafficking for sexual exploitation within the EU have EU citizenship.

Members called for measures at EU and Member State level to effectively tackle the cross-border implications of prostitution and for Member States and the Commission to coordinate a pan-European approach by collecting comprehensive data which could form the basis of a study analysing the different measures at Member State level with a focus on banning the purchase of people in prostitution, and for the various measures taken at Member State level to be analysed. For its part, the Commission should draw up European **guidelines** guaranteeing the fundamental rights of prostitutes. While the regulation of prostitution remains the responsibility of the Member States, people in prostitution should be able to benefit from the rights enshrined in the Charter.

Role of the Member States

Member States should ensure that women in prostitution have **equal access to justice, healthcare, housing, employment and public services** and enjoy equal protection under the law. They should also take action in the areas of prevention, decriminalisation of people and especially women in prostitution, demand reduction, punishment of clients, destigmatisation and the elimination of stereotypes, and to ensure sufficiently financed, easily accessible, high-quality exit programmes and pathways out.

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Comparison between Member States

Members underlined the greater the asymmetry between national prostitution legislation within the EU, given that the prostitution markets and its actors operate across borders, the more victims of trafficking for sexual exploitation there are. Moreover, the report underlined that the difference between Member States' regulations on prostitution create a fertile operating ground for organised crime groups and individuals. Member States are called on to introduce effective measures to reduce the demand for prostitution and therefore trafficking in human beings, sexual exploitation and the operating of organised criminal groups.

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