

EUROPEAN WOMEN'S
LOBBY
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Joint Statement of the *Bündnis Nordisches Modell*, *CAP International* and the *European Women's Lobby*

21.11.2023

A paradigm shift is emerging in Germany

The CDU/CSU parliamentary group positions in favor of the Equality Model and the Federal Chancellor condemns the purchase of sexual acts

On 7 November 2023, the CDU/CSU parliamentary group in the German Bundestag adopted a position paper calling for the introduction of the Equality Model. The parliamentary group calls for a three-pillar model to take more decisive action against human trafficking and prostitution. A week later, Federal Chancellor Olaf Scholz also expressed his position on the criminalisation of the purchase of sexual acts and made it clear that the demand must be pushed back. The events in Germany are not only the result of a paradigm shift after 20 years of wrongheaded prostitution legislation in Germany, but are also representative of an abolitionist dynamic that can be observed throughout Europe.

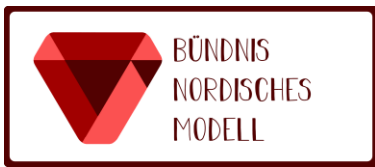
In a paper named "Ending inhumane conditions in prostitution - penalising the purchase of sex"¹, the CDU/CSU called for the adoption of a three-pillar model on prostitution. The first pillar includes prevention through education, as well as the provision of support and exit services for prostituted persons. The second pillar provides decriminalization of prostituted persons, the criminalisation of the purchase of sexual acts and all forms of pimping including the running of a brothel. A third pillar calls for the creation of specialised police units, the training of professionals in dealing with trauma-sensitive approaches, strict prosecution and criminal enforcement.

Furthermore, the CDU/CSU's position paper states that the current legislation on prostitution in Germany is not appropriate for tackling violence and crime within the prostitution system. The parliamentary group recognises the serious consequences of prostitution for those affected as well as for society as a whole and declares: "It is incompatible to demand equality while at the same time accepting the women as a commodity for sale."

On 15 November, Chancellor Olaf Scholz responded to a question from MP Dorothee Bär (CSU) about his position on the criminalisation of the purchase of sexual acts. The Chancellor stressed that "prostitution is terrible and those who are in this field have a difficult life, very often linked to abuse, acts of violence and criminal structures. Therefore, we have to do everything to push this back. [...] We must indeed do a lot to reduce prostitution and to not accept the purchase of sexual acts [...] as a normality, but as something that is not right." The Chancellor added with emphasis: "I think it is unacceptable for men to buy women. That is something that has always outraged me morally."²

¹ <https://www.cducusu.de/sites/default/files/2023-11/Positionspapier%20Sexkauf%20bestrafen.pdf>

² <https://www.zdf.de/nachrichten/politik/olaf-scholz-sexkaufverbot-prostitution-100.html>



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*The Bündnis Nordisches Modell, CAP International and the European Women's Lobby strongly welcome the paper and the proposed measures by the CDU/CSU as well as the Chancellor's latest statements. These developments are part of an abolitionist dynamic that can be observed throughout Europe: Since Sweden was the first country to introduce the elements of the Equality Model in 1999, numerous other countries such as Norway, Iceland, Northern Ireland, France and Ireland have followed. The Equality Model is also in force in Canada and Israel. These countries can demonstrate significant successes in the fight against human trafficking and exploitation.*³

In September 2023, the European Parliament reiterated and strengthened its Abolitionist position by adopting the Noichl-Resolution, which calls on all member states to implement all the elements of the Equality Model.⁴ The resolution was initiated by the German Social Democrat Maria Noichl and ultimately received a cross-party majority.

In Germany, the CDU/CSU is the first parliamentary group that has unanimously agreed on new legislation in German prostitution policy. However, there is an increasing number of voices in several parties for a change in legislation – especially within the Social Democrats. Back in 2019, the Social Democrats of the federal state Baden-Württemberg already called for the introduction of the Equality Model in Germany. We hope that soon the entire Social Democratic Party will follow this movement, which is a step in the direction of equality between women and men and social justice.

The implementation of the Equality Model is consistent with international treaties and standards to advance women's rights and fight trafficking for the purpose of sexual exploitation, in particular with Article 6 of the CEDAW Convention, General Recommendation 38 of the CEDAW Committee, Article 9(5) of the Palermo Protocol and the UN Resolution of December 15, 2022.

In October this year, the United Nations Special Rapporteur on violence against women and girls, Reem Alsalem, underlined in a statement on the French Abolitionist Law⁵ that the States have an obligation to address the demand that fosters human trafficking and exploitation. She explicitly referred to the successes that have been achieved in France through the implementation of the Equality Model and concluded that there are empirical findings that prove that the decriminalisation of purchase of sexual acts worsens the situation of prostituted persons and fundamentally violates human rights.

³ **Norway**: Rasmussen; Strøm; Sverdrup und Wøien Hansen (2014): Evaluering av forbudet mot kjøp av seksuelle tjenester.

Sweden: Förbud mot köp av sexuell tjänst. En utvärdering 1999-2008 SOU 2010:49 <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2010/07/sou-201049/>

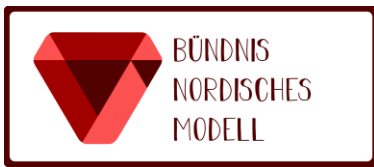
France: Gervais et al (2020): Evaluation de la loi du 13 avril 2016 visant à renforcer la lutte contre le système prostitutionnel et à accompagner les personnes prostituées. <https://www.interieur.gouv.fr/Publications/Rapports-de-l-IGA/Rapports-recents/Evaluation-de-la-loi-du-13-avril-2016-visant-a-renforcer-la-lutte-contre-le-systeme-prostitutionnel-et-a-accompagner-les-personnes-prostituees>

Ireland: Shifting the Burden of Criminality: An Analysis of the Irish Sex Trade in the Context of Prostitution Law Reform: https://www.ucd.ie/geary/static/serp/Shifting_the_Burden_Report.pdf

Overview: Di Nicola (2021): The differing EU Member States' regulations on prostitution and their cross-border implications on women's rights. [https://www.europarl.europa.eu/thinktank/de/document/IPOL_STU\(2021\)695394](https://www.europarl.europa.eu/thinktank/de/document/IPOL_STU(2021)695394)

⁴ European Parliament: Report on the regulation of prostitution in the EU: its cross-border implications and impact on gender equality and women's rights. P9_TA(2023)0328, 14.09.2023.

⁵ United Nations Special Rapporteur on violence against women and girls: Statement French Law 2016-444 - Strengthening the Fight Against the Prostitution System and Providing Support for Prostituted Persons in France, 27.10.23. <https://www.ohchr.org/en/special-procedures/sr-violence-against-women>



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The OSCE has also been explaining for years that criminalising the demand for prostitution is an effective tool for combating human trafficking.⁶ Regarding Germany, the OSCE has stated last year that the legislation does not offer sufficient protection to vulnerable persons in prostitution and thus also undermine efforts to combat human trafficking.⁷

The position taken by the CDU/CSU parliamentary group is therefore an important step towards a women's rights-oriented legislation on prostitution and is excellent progress in the fight against human trafficking for sexual exploitation. But this can only be a first step. It is high time that all political parties listen to grassroots and survivors' organisations, and open their eyes to the realities of the sexist, racist and class-based system of prostitution.

Bündnis Nordisches Modell

The *Bündnis Nordisches Modell* is nationwide active and unites over 45 associations, networks and initiatives as well as numerous individuals from civil society and survivors of prostitution, advocating for a change in prostitution policy in Germany.

<https://www.buendnis-nordischesmodell.de/> info@xn--bndnis-nordischesmodell-cpc.de

Coalition for the Abolition of Prostitution – CAP International

CAP International is a coalition made of 35 grassroots and survivors-led organisations in 28 countries, united around a common objective: the abolition of the systems of prostitution and trafficking in human beings for the purpose of sexual exploitation.

<https://www.cap-international.org/> jonathan@cap-international.org

European Women's Lobby

The European Women's Lobby (EWL) brings together the women's movement in Europe to influence the general public and European Institutions in support of women's human rights and equality between women and men. It is the largest European umbrella network of women's associations representing a total of more than 2000 organisations in 32 countries.

<https://womenlobby.org/?lang=en> fafara@womenlobby.org

⁶ OSCE 2021: Discouraging the demand that fosters trafficking for the purpose of sexual exploitation. <https://www.osce.org/cthb/489388>

⁷ OSCE 2022: Opinion on Acts of Germany on Prostitution Trafficking in Human Beings.

<https://onedrive.live.com/?authkey=%21AK1ZUWyxT0oDjDU&id=27813F762ED6DE5F%21132&cid=27813F762ED6DE5F&parId=root&parQt=sharedby&parCid=UnAuth&o=OneUp>