

**Addendum 1: Memorandum submitted by Equality Now to Senators Vanessa Grazziotin and Marinor Brito on December 21, 2011**

**MEMORANDUM**

TO: Senadora Vanessa Grazziotin  
FROM: Equality Now  
RE: Combating sex tourism and sex trafficking  
DATE: 21 December 2011

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**Introduction**

Equality Now is an international women's rights organization that has, among other things, worked on the issues of sex trafficking and sex tourism for the past twenty years. As a legal advocacy organization we have pushed for the enactment and/or reform of laws on trafficking so that they better protect victims and punish those responsible for their exploitation. For example, we actively campaigned for the passage of a United Nations Protocol as well as U.S. legislation on human trafficking, both of which were adopted in 2000, and are currently working with a partner in India to amend the anti-trafficking law to protect women and children in the sex trade. We also work for better implementation of laws so that the protections in these laws become a reality for some of the most vulnerable victims in the world. We were one of the first international human rights organizations to highlight the issue of sex tourism, and to work on ensuring that laws are used to punish those promoting sex tourism. In 2003, Equality Now helped shut down the Hawaii-based sex tour operator Video Travel and supported the enactment of a Hawaii state law prohibiting the activities of sex tour operators. In doing our work we partner with grassroots organizations around the world that work on such issues at a national level, mainly working with survivors of trafficking and sex tourism. We also work with legislators and government officials, as appropriate, to provide accurate information for effective legislation.

Based on our many years of experience in this field around the world, we would like to share information on methods that we believe have been productive in curbing sex trafficking and sex tourism around the world, with the hope that it is helpful in your work leading the Comissão Parlamentar de Inquérito do Tráfico Internacional de Pessoas and pushing for legislative change.

## **What is sex tourism?**

Sex tourism, which offers men the opportunity to travel for the purpose of buying sex with vulnerable women and girls around the world, fuels the demand for sex trafficking and exploitation. Some men travel specifically on “sex tours” while others travel for legitimate purposes (e.g. business or tourism) but take advantage of their anonymity abroad and, frequently, socio-economic disparities in the places they visit to exploit women and girls. While countries such as Thailand and the Philippines have long been top sex tourism destinations, countries in Central and South America – including Brazil – are quickly becoming the new “top” destinations for men to travel to in order to exploit local women and girls. In 2004, the U.N. Special Rapporteur on the sale of children, child prostitution and child pornography stated that “Sex tourism is one of the most widespread forms of CSEC [commercial sexual exploitation of children] in Brazil.”<sup>1</sup>

## **What legal climate encourages sex tourism?**

Sex tourists often choose to travel to a country with less restrictive or unenforced laws on trafficking and commercial sex. Places with legalized prostitution, such as Amsterdam in the Netherlands, can become notorious sex tourism destinations as men know that they can buy sex largely with impunity.<sup>2</sup> Encouraged by legalized prostitution, the commercial sex industry expands and the demand for commercial sex grows and, as a result, these places can experience increased sex trafficking and commercial sexual exploitation of foreign as well as local women and girls.<sup>3</sup> In addition, organized crime often infiltrates and entrenches itself in the growing illegal (and legal) commercial sex industry.<sup>4</sup>

## **How do we combat sex tourism and sex trafficking?**

Individuals fall prey to traffickers for a multitude of reasons including poverty, gender discrimination and violence, and lack of employment opportunities. While addressing these issues is crucial to combating trafficking and exploitation, a number of countries have decreased trafficking and sex tourism by focusing on the demand for commercial sex - whether from foreign sex tourists or local sex buyers. In fact, the U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and girls, to which Brazil is a party, explicitly calls on states to “adopt or strengthen

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<sup>1</sup> Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Juan Miguel Petit, to the Commission on Human Rights, Sixtieth Session, 3 February 2004.

<sup>2</sup> “Amsterdam’s prostitutes targeted by Dutch tax officials,” BBC News, 20 March 2011 (noting that since prostitution was legalized in 2000, Amsterdam “has become synonymous with rowdy stag-parties and sex tourists.”)

<sup>3</sup> See e.g. Nomi Levenkron, *The Legalization of Prostitution: Myth and Reality*, The Hotline for Migrant Workers, 2007, pgs 61-3, (noting the increase in the illegal prostitution sector and in the numbers of sex trafficking victims), see also “Amsterdam buys brothels in red light clean up,” AFP, 20 September 2007 (reporting that the mayor of Amsterdam decided to close 1/3 of the “prostitute windows” in the red light district because of an increase in trafficking and exploitation since legalization in 2000)

<sup>4</sup> “Licensing law to tighten screws on brothel chiefs,” The Sydney Morning Herald, 11 October 2011 (noting that after prostitution was decriminalized “pimps and brothel operators were empowered and enriched” and “organised crime infiltrated the brothel and massage parlour industry.”)

legislative or other measures...to discourage the demand that fosters all forms of exploitation of persons, especially women and girls” (Article 9(5)).

Several countries have tackled the demand for commercial sex by criminalizing those who contribute to demand and exploit human beings in the sex trade, including traffickers, procurers, pimps and “buyers” of commercial sex. For example, in 1999 the Swedish government passed a law targeting those who purchase sexual services, as the government believed that to achieve true gender equality one must reject the idea that women and children are commodities that can be bought, sold and sexually exploited by men. This law protects those who are exploited in the commercial sex trade by ensuring that those who sell sex are not criminalized. In a recent evaluation of this law, an independent commission found that since the introduction of the law, street prostitution had halved (while increasing dramatically in Sweden’s neighbors<sup>5</sup>), the number of foreign women in street prostitution had not increased (as has happened, again, in Sweden’s neighbors), and Sweden has become an undesirable destination for human traffickers.<sup>6</sup> Similar laws have subsequently been adopted by several other countries, including Norway and Iceland, keen to replicate Sweden’s success and to underscore the importance of gender equality in their countries.

## **Conclusion**

Combating the demand for commercial sex that makes sex trafficking, including child sex tourism, such a profitable venture and lucrative crime is increasingly being used by countries as an effective method to prevent further exploitation and abuse and to save vulnerable women and children from this horrific human rights abuse. This focus also promotes gender equality as it challenges the increasingly normalized sex trade which treats women’s and girls’ bodies as commodities.

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<sup>5</sup> Neither Norway nor Denmark had adopted effective measures to combat the demand for commercial sexual services until 2009, when Norway adopted a law banning the purchase of sexual services.

<sup>6</sup> Swedish Ministry of Justice, *English summary of the Evaluation of the ban on purchase of sexual services (1999-2008)*, 2 July 2010. It should be noted that the report acknowledges the limitations in trying to determine the prevalence of illegal activities (such as trafficking and the purchase of sexual services), but even with these limitations, it is confident in the statements listed above.