

Global Letter Condemning Proposed Legislation to Decriminalize the Sex Trade in Victoria, Australia

To The Honorable Daniel Andrews MP, Premier of Victoria, and the Leader of the Victorian Labor Party:

We, the undersigned, are survivors of sex trafficking, prostitution, and pornography; we are women's and human rights advocates, and frontline service providers, from around the world. We are joined by hundreds of our respective national and international members and partners, including survivors, who represent groups and networks fighting for equality and for the rights of women and girls, children, immigrants, and LGBTQ+ populations.

We are expressing our collective horror that the Government of Victoria is proposing a law that would decriminalize the sex trade as a solution to the reported disastrous failures of your legalized system of prostitution.

Reports indicate that the current legislative deliberations related to the decriminalization of the sex trade are occurring within a web of public disinformation and misinformation, lack of transparency, and with indifference to democratic processes, human rights, and the rule of law.

The Failure of Victoria's Prostitution Control Act 1994 Cannot Be Solved with Decriminalization

Victoria's *Prostitution Control Act 1994* (since 2010 known as the *Sex Work Act 1994*) was meant to regulate brothels, control prostitution, bring it "above ground," implement workplace rights and protections, and improve the situation for women. You report that it miserably failed on every point and more.

In the last twenty-seven years, legalization expanded the sex trade in Victoria instead of its goal of managing it: for every registered brothel there are over five unlicensed "massage parlors" (at 90 legal versus 500 illegal brothels in Melbourne alone). Sex trafficking is presumed with the presence of foreign women, mostly from Asia and the Pacific Islands, sold in brothels, especially unlicensed "massage parlours," with impunity.ⁱ

Your official reports describe how and why legalization failed in Melbourne. You say that people in prostitution experience violence, persistent discrimination, and stigma in the community; that they are unable to make choices about their lives, compounded by their safety and welfare chronically at risk.ⁱⁱ

Prostitution is in fact a system of complex exploitation for the profit of brothel owners and other exploiters enriched by sex buyers. Solving your failures of legalization with a worse form of it—decriminalization—will exponentially increase the stated harms and violations.

In November 2019 your Victorian Labor Government announced it would conduct a reviewⁱⁱⁱ into decriminalization of the sex trade. Victoria now calls for prostitution to flourish beyond state-registered brothels and to operate on the streets, in private apartments, and in small owner-operated businesses.

The decriminalization efforts are led by Victorian MP Fiona Patten. News accounts indicate that MP Patten's longstanding partner, Robbie Swan,^{iv} is a well-known lobbyist for the pornography industry and founded Eros,^v a leading "adult industry" membership association. It would therefore appear that the sex trade itself, showcasing significant financial interests in decriminalization, is the architect of your legislation.

You cannot control the sex trade, a multi-billion-dollar global illegal enterprise, through decriminalization, Mr. Premier – it controls you.

Prostitution is Not Work, is Not Sex, and is Not Inevitable

To quote our abolitionist partners in Victoria, “The premise that prostitution is inevitable is based on two interrelated ‘deep core [Australian] beliefs’: that men have a right to sex and that (most) women are willing participants in prostitution, making it a victimless crime.”

You must challenge the core belief that the Government has a right to set apart and aside a class of women, primarily of color and deemed unworthy of equality, for the sex trade. You must address the harmful cultural practice of bestowing men a customary right to purchase sexual acts with human beings who would never, but for myriad forms of coercion and an absence of choice, engage in sexual acts with them.

To address the sex trade in earnest, the Government of Victoria must confront Australia’s colonialist-settler history, which created its ethos of prostitution as a “necessary evil,” and later as “work.”

Prostitution was never inevitable; it was invented.

Australia’s Historical Promotion of Prostitution

The sexual exploitation, rape, and torture of Indigenous women by colonialists was widespread in 18th century Australia. The penal colony organized a dedicated prostitution system precisely so that Australian men could enjoy a state-sanctioned entitlement to sexual access to these women in brothels and elsewhere. When Aboriginal women could no longer satisfy the male demand for prostitution, Australia organized the sex trafficking of female convicts from England to meet that demand.

There is one straight line from that history to your Government’s plan to decriminalize the sex trade. Colonizers promoted sexualized racist stereotypes depicting Indigenous women as sex objects. Today, women from China, Thailand, Korea, The Philippines, and the Pacific Islands are vastly overrepresented in your legal and illegal commercial sex establishments. Your government legitimizes sex buyers’ racialized sexual access to these individuals, spinning the tale that prostitution is as desirous to them as it was to the Indigenous women you exploited centuries ago.

The women in your legal and illegal brothels are under the control of third-party exploiters. Their journeys into prostitution include histories of childhood sexual violence, poverty, state residential homes, displacement, intergenerational abuse, and systemic inequalities, all vulnerabilities that lead to sexual exploitation. And regardless of prostituted persons’ race, sex, gender or ethnicity, sex buyers reduce them to commodities for sale.

Society avoids addressing these abuses by weaving narratives of “consent,” which even if rarely true, is irrelevant under the law and human rights principles in situations of exploitation or sexual violence.

Australia is not alone among nations in it prolonging a history of sexual exploitation and degradation of Indigenous and other women – every continent that was invaded by foreigners, especially European colonialists, share similar chronicles of systemic dehumanization, genocide, and human trafficking.

However, instead of endorsing this shameful legacy, you can fix your failed 1994 prostitution law with ease by enacting progressive legislation that will protect people in prostitution and keep the sex trade profiteers at bay.

The Human Rights-Based Solution to your Failed 1994 Prostitution Law

In 1999, in its quest to realize gender equality and upholding human rights for all, the Government of Sweden passed a progressive law that ***solely*** decriminalizes people bought and sold in prostitution, provides them with services, including exit strategies, while holding sex buyers and other perpetrators accountable. Known as the Swedish then Nordic Model, seven countries^{vi} have followed Sweden's vision for a world without sexual exploitation, thus now known as the Equality Model. On the other hand, no country has followed the failed decriminalization framework of New Zealand.

Around the world, commercial sexual exploitation, online and off, has exponentially increased during the COVID-19 pandemic. Deregulating prostitution in the middle of a global health crisis will bring a catastrophic expansion of the sex trade in Victoria that will further destroy lives for the untold profits of a few with no recourse to justice.

You have time to uphold the rule of law, Mr. Premier, and address with compassion the unremitting dehumanization on which the sex trade thrives. Please join the growing number of jurisdictions worldwide that strive toward a society that values equality for all and reject the sex trade as a partner.

SIGNED,

https://docs.google.com/forms/d/1x3M7qKg9tteFLC24bXc83S3Nz3_FPoVtDOh6RVwqKlg/edit

August 26, 2021

Adriana	Garcia	Espacio Alternativo Arte Itinerante	Argentina
Agnes	Szaloki	The Women For Women Together Against Violence Association	Hungary
Akiko	Endo		Japan
Alain	Piot	Femmes pour le dire, Femmes pour Agir	France
Alexandra	Silva	Portuguese Platform for Women's Rights	Portugal
Alexandra	Carrière	Zéromacho	France
Alice	Collet	Planning Familial	France
Alicia	Martinez	Comité de América Latina y El Caribe para la Defensa de los Derechos de la Mujeres	Argentina
Alicia	García	Araba Abolizionista	Spain
Ally-Marie	Diamond	Wahine Toa Rising	New Zealand
Alyssa	Ahrabare	European Network of Migrant Women	Belgium
Ana	Coucello	Aliança Para a Democracia Paritária	Portugal
Ana	López Rodríguez		Spain
Ana	Navega		Portugal
Ana Sofia	Fernandes	Portuguese Platform for Women's Rights	Portugal

Analía	Vitale	Women's Human Right Campaign - Argentina	Argentina
Andrés	Florián		Colombia
Anna	McCormack	IWD Brisbane Meanjin	Australia
Anna	Zobnina	European Network of Migrant Women	Europe
Anna	Borg	University of Malta	Malta
Annemarie	Schoß	Terre Des Femmes - Menschenrechte für die Frau e.V.	Germany
Annick	Boisset	Zéromacho	France
Aoi	Ikemoto		Japan
Arrate	Núñez Oribe	Araba Abolizionista	Spain
Audrin	Bermúdez Zea		Colombia
Autumn	Burris	Survivors for Solutions	USA
B J	Star	National Organization for Women West Pinellas	USA
Benoit	Agache	Zéromacho	France
Bernard	BOSC	Réseau Féministe "Ruptures"	France
Blondiau	Charles-Emmanuel		Belgique
Borbála	Juhász	Hungarian Women's Lobby	Hungary
Brigitte	Polonovski	European Centre of the International Council of Women	Europe
C.N.	Mallet	End Demand Switzerland	Switzerland
Catherine	Morin Le Sech	CQFD lesbiennes Féministes	France
Caitlin	Roper	Collective Shout	Australia
Caroline	Norma	Royal Melbourne Institute of Technology	Australia
Caroline	Sander	Herzwerk	Austria
Catherine	Goldmann	Fondation Scelles	France
Celia	Debono	Comité de América Latina y El Caribe para la Defensa de los Derechos de la Mujeres	Argentina
Cherie	Jimenez	EVA Center	USA
Chiara	Carpita	Resistenza Femminista	Italy
Christian	Masson	Zéromacho	France
Claire	Millan		France
Claire	Desaint	Femmes pour le Dire, Femmes pour Agir	France
Claire	Quidet	Mouvement du Nid	France
Claude	Beauné	Zéromacho	France
Corinne	Guyonnet	Psychologue et Sexologue	France
Cristián	Eduardo	Survivor Leader, New Yorkers for the Equality Model	USA
Cristina	Ercoli	Mujeres por la Solidaridad	Argentina
Danielle	Bousquet	Fédération Nationale des Centres D'information Sur Les Droits des Femmes et des Familles	France

Dawn	Hawkins	National Center on Sexual Exploitation	USA
Denis	Laquaz	Zéromacho	France
Diana	Flores	Fin de la Esclavitud A.C.	Mexico
Dianne	Post		USA
Drisha	Fernandes		Colombia
Elisabeth	Rupp	Perla Association	Switzerland
Elisabeth	Charriau	Zéromacho	France
Elsa Cola Arena	Elsa Cola Arena	Feminista abolicionista independiente	Argentina
Elsi	San Martin	Convocatoria Abolicionista Federal	Argentina
Esther	Fouchier	Forum Femme Mediterranee	France
Fátima Raquel	Castillo	Comité de América Latina y El Caribe para la Defensa de los Derechos de la Mujeres	Argentina
Francois	Nogues		France
Fred	Robert	Zéromacho	France
Frédéric	Boisard	Fondation Scelles	France
Gabriela	Marchi	CAFe	Argentina
Ghada	Jabbour	KAFA (enough) Violence & Exploitation	Lebanon
Gloria	Steinem	Author and Feminist Activist	USA
Graciela	Tejero Coni	Museo de la Mujer	Argentina
Graciela	Collantes	Asociación de Mujeres Argentinas por los Derechos Humanos	Argentina
Guy	Setruk		France United Kingdom
Haley	McNamara	International Centre on Sexual Exploitation	United Kingdom
Helen	Pringle	Nordic Model Information Network	Australia
Héma	Sibi	CAP International	France
Hiroshi	Nakasatomi	Anti-Pornography and Prostitution Group	Japan
Huguette	Klein	Réussir l'Égalité Femmes-Hommes	France
Iara	Gonzalez	Accion Feminista Argentina	Argentina
Iliana	Balabanova	Bulgarian Women's Lobby	Bulgaria
Ingeborg	Kraus	Trauma and Prostitution	Germany
Iro	Michael	Association for the Prevention and Handling of Violence in the Family	Cyprus
Isabel	Canning		Portugal
Isabel	Soria	Fundación Volviendo a Casa	Argentina
Jane	Manning	Women's Equal Justice Project	USA
Jean-Marc	Jouannet	Du Côté Des Femmes Cergy	France
Jeanne	Sarson	Persons Against Non-State Torture	Canada

Jessica	Megarry	University of Melbourne	Australia
Jocelyne	Adriant-Mebtoul	Femmes du Monde et Réciproquement	France
Jocelyne	Adriant-Mebtoul	La Coordination Française pour le Lobby Européen des Femmes	France
Josiane	Vasseur		France
Judith	Trinquart	Mémoire Traumatique et Victimologie	France
Judy Harris	Kluger	Sanctuary for Families	USA
Jungsook	Kim	International Council of Women (ICW-CIF)	Republic of Korea
Justine	Cassar	Radical Girlss	France
Katalin	Gyulai	The Women For Women Together Against Violence Association	Hungary
Kathy	Edwards		Australia
Laure	Caille	Libres Mariannes	France
Leonor E. G.	Núñez	Asamblea Permanente por los Derechos Humanos-La Matanza	Argentina
Liliam	Altuntas	Resistenza Femminista	Italy
Lilian	Halls	Initiative Feministe EuroMed	France
Liliana	Forero	Iniciativa ProEquidad	Colombia
Liliana	Duhart		Argentina
Liliana	Loyola	Asociación Civil Generar	Argentina
Linda	MacDonald	Persons Against Non-State Torture	Canada
Linda-Joy	Warwick	Prostitution Education And Collective Experience	Australia
Linne	Smith	Lift Up the Vulnerable	USA
Lola	González Rodriguez	Mujeres por la Igualdad Bierzo y Laciana	Spain
Loren	Laszlo	Women For Women Together Against Violence Association	Hungary
Lori	Cohen	ECPAT-USA	USA
Lorraine	Spiteri		Malta
Louise	Marcotte	Concertation des Luttes Contre l'exploitation Sexuelle	Canada
Lucia	Mazarrasa	Forum Feminista de Madrid	Spain
Lynda	Dearlove	Women@thewell	United Kingdom
Lynn	Shaw	Lynn's Warriors	USA
M. Cristina	Rodrigues	Member of Parliament	Portugal
Malin	Roux Johansson	RealStars	Sweden
Marc	Anglaret	Collectif des Droits des Femmes 66	France
Marcela	DAngelo		Argentina
Margarita Ines	Bellotti	Asociación de Trabajo y Estudio sobre la Mujer, 25 de Noviembre	Argentina
Margie	Nottle		Australia

Maria	Binetti	Women's Human Rights Campaign - Argentina	Argentina
Maria	Cillis	Museo de la Mujer	Argentina
Maria	Romero	Mars-Sajo Mujeres y Niñez Rural	Colombia
María	Ramos	Campaña Abolicionista - CABA	Argentina
Maria Conceição	Mendes	O Ninho	Portugal
María Gabriela	van Marrewijk	Federation International des Femmes de Carrieres Juridiques	Argentina
María José	Partera González	Asociación Muricana de Apoyo a la Infancia Maltratada	Spain
Maria Rosa	Etcheber	Convocatoria Abolicionista Federal	Argentina
Mariana	Frontera		Argentina
Marie Claude	Bertrand	Conseil National des Femmes Françaises CIF-ICW - ICW	France
Marie- Christine	Gries	Soroptimist International	France
Marie- Hélène	Franjou	Amicale du Nid	France
Marie- Josèphe	Devillers	International Coalition for the Abolition of Surrogate Motherhood	France
Marta	Ortiz Diaz	Asociación Española de Mujeres Profesionales de los Medios de Comunicación	Spain
Martine	Nicoulaud		France
Mary	Sullivan	Coalition Against Trafficking in Women - Australia	Australia
Mayra	Hernández	Back Home	Mexico
Melina	Cretton	Red Federal de Mujeres Abolicionista	Argentina
Mercedes	Pagnutti Bonoris		Argentina
Meryl	Pinque	Activist	France
Micaela	Luminari Diaz	Proyecto Sur	Argentina
Michèle	Vianès	Regards De Femmes	France
Mirta	Iglesias	Comité de América Latina y El Caribe para la Defensa de los Derechos de la Mujeres	Argentina
Mirta	Fiorucci		Argentina
Monica Janet	Arcila Grisales	Nuestra Señora de la Caridad del Buen Pastor	Colombia
Monique	Dental	Réseau Féministe "Ruptures"	France
Nela	Pamukovic	Women's Network of Croatia	Croatia
Olivier	Manceron	Femmes pour le Dire, Femmes pour Agir	France
Patricia	Chaumet	Zéromacho	France
Patricia	Ponce Pascuale	Haurralde Foundation for Women's Rights	Spain
Patricia	Suarez		Honduras
Pierre-Yves	Ginet	Femmes Ici et Ailleurs	France

Pilar	Fontevedra	Plataforma Ciudadana de Astorga por la Igualdad y contra la Violencia	Spain
Piroska	Juhász	The Women For Women Together Against Violence Association	Hungary
Polona	Kovac	Society Ključ- Centre for Fight Against Trafficking in Human Beings	Slovenia
Rachel	Moran	SPACE International	Ireland
Renate	Klein	Spinifex Press	Australia
Rocio	Rivero	Fundación El Buen Pastor	Colombia
Romain	Sabathier	Zéromacho	France
Rosa	Berg	Activist	Malta
Rosa Maria	Fernández Sansa	Plataforma Catalana de Suport al Lobby Europeu de Dones	Spain
Roxana	Contreras	Centro de Atención Integral a Niñez, Adolescencia y Familia	Argentina
Ruby	Till	Associazione Iroko Onlus	Italy
Ruth	Breslin	Sexual Exploitation Research Project	Ireland
Sabine	Kallauch	KAVOD	Austria
Sabrinna	Valisce	Prostitution Education And Collective Experience	Australia
Sandra	Benfica	Democratic Woman's Movement	Portugal
Sandrine	Goldschmidt	Femmes en résistance	France
Sara	Vicente Collado	Ehuleak-CIMTM Navarra	Spain
Sara	Hernández Venencio	Asociación Adimhe	Spain
Sarah	Benson	Women's Aid Ireland	Ireland
Seiya	Morita	Anti-Pornography and Prostitution Research Group	Japan
Serge	Flaconneche		France
Séverine	Denis		France
Sheila	Jeffreys	Women's Human Rights Campaign	Australia/UK
Simon	Didier	Zéromacho	France
Simone	Watson	Nordic Model Australia Coalition	Australia
Sofía	Ricci		Argentina
Sonja	Lokar		Slovenia
Sorcha	Buchan		Australia
Stella Maris	Vuillermet		Argentina
Stephanie	Davis	Coalition Against Trafficking in Women	USA
Susan	Hawthorne	Spinifex Press	Australia
Susana	Pereira	Mulher Seculo XXI	Portugal
Susana	Martínez Novo	Comisión para la Investigación de Malos Tratos a Mujeres	Spain
Susana	Chiarotti	Instituto de Género, Derecho y Desarrollo	Argentina

Taina	Bien-Aimé	Coalition Against Trafficking In Women Intl	USA
Tatiana	Celis	Fundación Vida Nueva	Colombia
Tegan	Larin	Coalition Against Trafficking in Women - Australia	Australia
Teresa	Forliti		USA
Valentina	Cruz	Campaña Argentina por el Reconocimiento de los Derechos de las Mujeres en Base al Sexo	Argentina
Valeria	Dubovik	Museo de la Mujer	Argentina
Véronique	Perrais Philippe	Sortir du Silence	France
Vicenta	Monge García	Forum De Política Feminista	Spain
Virgínia	Ferreira	Associação Portuguesa de Estudos sobre as Mulheres	Portugal
Viviana	Olchansky	University of Buenos Aires	Argentina
Viviane	Teitelbaum	Observatoire Féministe des Violences Faites aux Femmes	Belgium
Wendy	Francis	Australian Christian Lobby	Australia
Yagmur	Uygarkizi	Radical Girlsss	France
Yasmeen	Hassan	Equality Now	USA
Yasmin	Vafa	Rights4Girls	USA
Yolanda	Krockenberger		Australia
Yseline	Fourtic-Dutarde	Assemblée des Femmes	France
Yukino	Yamamoto	Anti-Pornography and Prostitution Research Group	Japan
Yves	Scelles	Fondation Scelles	France
Zandra	Kanakaris	1000 Möjligheter	Sweden
Zoila	Paredes	Comisión Pastoral de Derechos Humanos	Argentina

ⁱⁱ The 2021 United States Trafficking in Persons Report indicates that Australia’s “trafficking convictions remain low and that even when convicted in rare instances, the lenient sentences “weaken deterrence and may undercut broader efforts to fight trafficking. The government also did not adequately screen vulnerable groups traffickers may target.”, U.S. Department of State, *2021 Trafficking in Persons Report: Australia*, Office to Monitor and Combat Trafficking in Persons, <https://www.state.gov/reports/2021-trafficking-in-persons-report/australia/>

ⁱⁱ Premier of Victoria, The Hon Daniel Andrews, ‘Review into Decriminalisation of Sex Work,’ 26 November 2019, <https://www.premier.vic.gov.au/review-into-decriminalisation-of-sex-work-0>

ⁱⁱⁱ Premier of Victoria, The Hon Daniel Andrews, ‘Review into Decriminalisation of Sex Work,’ 26 November 2019, <https://www.premier.vic.gov.au/review-into-decriminalisation-of-sex-work-0>

^{iv} “An Enduring Relationship – Politics, Porn, Fiona and Robbie,” *Joy*, 21 May 2015, <https://joy.org.au/wordforword/2015/05/an-enduring-relationship-politics-porn-fiona-and-robbie/>, Katie Lalor (with Ginger Gorman), “Pornography, Sex and Censorship,” *ABC Local*, 23 May, 2012, <https://www.abc.net.au/local/stories/2012/05/23/3509073.htm>

^v <https://www.eros.org.au/about/the-eros-association/>

^{vi} Iceland (2008); Norway (2009); Canada (2014); Northern Ireland (2014); France (2016); Republic of Ireland (2017); and Israel (2018)