Over the past decades Europe has gone through some major changes, geographically as well as politically. With those changes we’ve also been experiencing a lot of changes in the laws regulating the sex industry. The Mapping Project was an attempt to look at the legal situation in the different European countries from a practical point of view rather than a theoretical one. Focusing on implementation instead of just describing the legislation. Trying to answer some of the questions that a sex worker would have if choosing to work in one of the European countries, and giving a general idea of the political climate towards sex work.

The following model was used for all countries:

1. **Background**
2. **Sex Work**
   - a. Outdoors
   - b. Indoors
   - c. Striptease and live sex shows
   - d. Other sex work
   - e. Male sex work
3. **Migration**
   - a. Migrant sex workers
   - b. Protection of victims of trafficking
4. **Managers and Clients**
   - a. Pimping law
   - b. Clients
5. **Other Laws Affecting the Rights of Sex Workers**
6. **Health and Rights**
   - a. Health
   - b. Rights organisations
   - c. Unions
7. **Recent Trends and Future Conditions**
   - a. Recent trends and political approach towards sex work
   - b. The future: What might happen?

The project was displayed on the walls in the main conference hall, and information was added by conference participants throughout the conference. The goal was for The Mapping Project to be a tool for sex workers to use in their daily lives as well as in political work. And that the information should be updated on a regular basis through contacts with sex workers in each country, as the practice of the legislation changes much more frequently than the laws themselves. For example, can police action towards street-workers sometimes intensify due to political pressure? It’s important for sex-work activists to know about these changes, as sex workers’ human rights are as negatively affected by the implementation of the laws as by the laws in a theoretical context.

...continued on p. 62.

PHOTO: Quentin Deltour (Espace P)

It was quite a sight to see!

PHOTO: Pye Jacobsson (credit: A. Sorfleet)
As an example, I’ve chosen Belgium to illustrate the work that was done prior to, and during, the conference.

Belgium

1. Background
Selling and buying sexual services is not illegal in Belgium.

Legal minimum age for sex work: 18. (Legal age of consent for sex: 16.)

Lately prostitution has become a focus of debate on the national and local agendas. Several law proposals have been submitted to the Belgian Parliament and Senate: Either to penalise the client, taking the “Swedish model” as an example, or to regulate prostitution according to the Dutch model. Some bigger cities have developed strategies in view of getting control over prostitution activities as well as first steps towards regulating prostitution. In 2001, in the city of Antwerp, a new “security system” was started in the district with window prostitution. About half the windows closed when new standards for security, hygiene and other things where established. The working conditions for the sex workers improved and got safer.

Antwerp’s mayor has said that he thinks that sex workers should be treated as professionals.

2. Sex Work
   a. Outdoors
      In theory, soliciting is illegal, which should affect street prostitution. In reality, Belgium uses a “zoning model”: each municipality has the right to choose where and when prostitution is acceptable. Working outside the areas or hours allowed can lead to a fine.
   b. Indoors
      Prostitution in a brothel may be restricted to certain areas. As a rule, these restrictions are strictly enforced in the entire country, but may vary from municipality to municipality. Women who work outside these restricted areas are committing a crime and may be fined. It is legal to work as a prostitute in a studio or an apartment. But it is illegal — and can be penalised as a crime — to rent an apartment to a prostitute.

      There are very strict restrictions when it comes to advertising sexual services, but the law is only enforced occasionally.
   c. Striptease and live sex shows
      Striptease and live sex shows are legal.
   d. Other sex work
      Telephone sex is always illegal, since it is “offered by means of any modes of telecommunication.” It’s mostly tolerated but, judicially, it remains a crime.
   e. Male sex work
      The same laws apply. There are all kinds of male sex work. From high-class escorts to street prostitutes. Usually in public prostitution areas, male prostitution is separate from female prostitution.

3. Migration
   a. Migrant sex workers
      There is no such thing as a work permit for employed prostitutes, because although working as a prostitute in itself is not illegal, employing a prostitute is a crime.

      Working as a dancer is legal if the woman has an adequate work permit or her residence status allows her to work without a work permit. In theory, a woman may obtain a work permit as a cabaret artist, but since 1992 this work permit has not been issued.

      If the woman is not an EU national, working in prostitution/sex work might lead to a loss of the residence permit or work permit, and even to expulsion, since this kind of work is considered to contravene public morality. The

Our parade of sex workers filled the street.  
PHOTO: Quentin Deltour (Espace P)
reverse also applies: Women coming from EU member states have the right to work within the EU on a self-employment basis as a prostitute/sex worker.

b. Protection of victims
Victims of trafficking in women have special rights and are entitled to special support services. There is a “reflection period” of 45 days when the sex worker can make up her or his mind if she wants to give a statement to the police. One of the main conditions is that she break with her environment of exploitation and accept the assistance of a specialised centre.

After she has made a report/statement, the supposed victim will receive a declaration of arrival ("aankomstverklaring") for three months, and after one extension of this declaration of arrival an inscription in the register of foreigners (BIVR), which is valid for six months. With both these documents, she is allowed to work with a permit for a maximum 12 months, renewed for a maximum 12 months at a time.

The document will be extended as long as the conditions (cooperation with the judicial authorities and no contact with the environment of exploitation) are fulfilled and as long as the investigation is going on.

When the judicial investigation is finished and the case is going to court, a victim of trafficking in human beings has the right to be represented by a lawyer. Once the perpetrators are convicted there is a possibility that the victim can stay for an undefined period.

If the prosecution service closes the investigation—for instance, because they cannot find the suspects, lack of proof etc.—the apparent victim will receive no more documents and has to leave the country.

4. Managers and Clients
   a. Pimping law
   The pimp law criminalises a person who is living, totally or partially, on the earnings from prostitution by another person, as well as someone who is keeping a house or letting accommodation for prostitution (exploitation). How these laws are interpreted depends, however, on each police district.

b. Clients
   [Not known]

5. Other Laws
   a. Other laws affecting the rights of sex workers
   No income is without taxation. But only a small minority of self-employed sex workers do pay taxes, because sex workers have to pay high taxes and cannot reduce them because professional expenses are not recognised.

6. Health and Rights
   a. Health
   There are several different projects and health clinics which offer free and anonymous STI and HIV check-ups to sex workers. Some of the health facilities also provide free, anonymous Hepatitis B vaccinations.

   Belgium has a special health regulation for people without papers.

   Urgent medical help can always be obtained and is covered by a public social help fund (OCMW/CPAS), even for persons who are illegally in the country.

   b. Rights organisations
   [Espace P (Brussels) offers advocacy for sex workers, CAW-Mozaïek ADZON works with male sex workers, and Vzw Pasop (Ghent) provides outreach to sex workers.]

   c. Unions
   No labour rights, as sex work is not considered a profession.

...continued on p. 64.
7. Recent Trends and Future Conditions

a. Recent trends and political approaches towards sex workers

The current Prime Minister has announced that he wants the social exclusion of sex workers to stop. The more open mentality towards sex work has led to investments in the industry from “normal” business people. One example, also from Antwerp, is the Erotic Centre that is newly built, with alarms and security locks opened by fingerprints.

The women only pay for the shifts they actually choose to work. If they are ill they don’t have to work; it’s enough that they bring a medical certificate from their doctor. The owner of the Erotic Centre was planning to build student apartments at first, then realised that it was the wrong area for students, as it was in the red light district.

b. The future: What might happen?

The police in Antwerp want to start punishing the clients of streetworkers with fines.

♥ Pye Jacobsson is a sex worker activist with the National Organization for Sex and Erotic Work (ROSEA). She lives in Stockholm, Sweden.