



"La Voix des Femmes" asbl



Belgian Presidency of the Council of the EU: Belgium's approach to prostitution promotes a system of sexual exploitation and violates the rights of the most vulnerable women and girls.

In the context of the Belgian Presidency of the Council of the European Union (EU), which began on 1 January, we, feminist and grassroots associations working alongside women, survivors of prostitution and representatives of civil society, wish to express our deep concern about the policy adopted by Belgium on the issue of prostitution. **We note with alarm the effects of such approach on the protection of the rights of people in situations of prostitution and victims of sexual exploitation, as well as its long-term impact on society.**

Belgium has long been recognised as a favoured destination for cross-border sex buyers, characterised by its tolerance towards brothels throughout the country. This permissive approach is partly due to the substantial profits these establishments generate for their owners, contributing to the tax revenues of the municipalities in which they are located. For example, in the windows on Rue d'Aerschot (Brussels' red-light district), each prostituted person pays around €250 per day to the owners, making a rent of €7,500 per woman per month. The first 150 sex buyers of the month cover only the woman's right to be in the window. "Mega-brothels" like the so-called Villa Tinto in Antwerp generate up to €200,000 in turnover each month. The majority of women in these places are foreigners, mostly of Romanian or Bulgarian origin. Various networks fuel the demand through these establishments; for instance, a trafficking network in Brussels' Quartier Nord recently placed young Nigerian and Ghanaian women, including several minors, in the windows of brothels.

In addition to this acknowledged tolerance for the exploitation of others in prostitution, there is another reality: **the absence of measures and policies aimed at the real protection of all victims of prostitution.** On March 18, 2022, the Belgian Federal Parliament adopted a reform of the Penal Code amending provisions related to sexual offences, including those related to prostitution. Previously, the Belgian Penal Code generally prohibited and penalised pimping, except for "real estate pimping," which had been exempt from sanctions since 1995. Now, pimping will be allowed, but with two exceptions: "except in cases provided for by law" and in cases where there is "an abnormal economic advantage or any other abnormal advantage."

This vague definition and framework threatens individuals at the forefront of prostitution. **These major exceptions create a legal facade behind which exploiters can conceal their activities, effectively preventing any fight against pimping.**

With the new definition of pimping, some forms of it are no longer penalised, contrary to international law. They become lucrative and legal activities; some pimps profiting from the exploitation of prostitution victims now have the status of businessmen. **It is evident that the new legislation has already begun to create a pull on the prostitution "market";** for example, the frontline association isala, which supports prostituted persons in Belgium, has received several calls from "entrepreneurs" wanting to create apps facilitating the contact between sex buyers and prostituted women. On specialised websites for prostitution advertisements, ads for "massage centres" and other structures are multiplying. These ads are managed by operators and present women as commodities, even offering promotions on certain types of sexual services.

For society, the message is dangerous but unequivocal: prostitution is now a "normal activity," a "market like any other."

Belgian territory thus becomes conducive to the criminal profits of pimps and traffickers who invest to maximise their profits, at the expense of the most marginalised women and girls exploited in the prostitution system. It is foreseeable that the new legislation will lead to an increase in prostitution and trafficking for sexual exploitation, as demonstrated, notably, by the example of Germany.¹

On the ground, for those affected, the new legislation brings neither status nor additional protection, contrary to statements following the reform.

Belgium's geographical location makes it a real hub for sexual exploitation, serving as a destination, origin, and transit centre. Migrant individuals in prostitution mainly come from Eastern Europe (Bulgaria, Romania, Albania, often from ethnic minorities in their home countries, such as the Turkish-speaking population of Bulgaria) but also from Africa (Nigeria, Morocco...) Central/South America (Ecuador...) and Asia. These foreign women and girls, fleeing difficult living conditions in their home countries, are exploited by networks or individuals (husband, "boyfriend," "friend"...) and remain in clandestinely and precariousness. Indeed, they are in an irregular administrative situation, meaning they do not have residency permits. Often, they do not speak French or Dutch fluently—sometimes, they are not even fully literate in their native language. In this context, how can one consider "*sex work (to be) an economic activity for adults who have chosen it*", as the Belgian Minister of Justice in charge of the file at the time, Vincent Van Quickenborne, declared?

For Pascale Rouges, Belgian survivor of prostitution: *"By changing its Penal Code, Belgium has opened the Pandora's box of legalisation of prostitution and pimping by paving the way for employment contracts for prostituted persons. This type of contract will allow pimps to become "entrepreneurs" and therefore never again have to answer to the laws prohibiting pimping but will give almost no additional rights to the people exploited and even less protection. In fact, knowing the methods of coercion used by pimps (withholding identity papers and passports, drugs, beatings, threats against individuals and families, etc.) to force*

¹ Germany saw a 30% increase in the number of prostituted persons following the 2002 law legalising prostitution. 95% of people in prostitution come from abroad, mainly from the poorest regions of Eastern Europe. Now considered "the brothel of Europe", it is estimated that 1.2 million men buy sex there every day.

these women and girls into prostitution, it is logical that they should use the same methods to force them to sign these contracts so that they are legally protected from prosecution. With these changes, Belgium is not a pioneer in terms of protecting prostituted persons, rather, it regresses by further hindering them in their hopes of escaping it!"

Since Belgium offers no concrete alternatives (financial and structural support, regularisation, exit routes from prostitution) for these individuals, the opportunity is left for pimps and other "operators" to seize their vulnerability while taking advantage of a legal environment favourable to exploitation.

While the [European Parliament Resolution](#) of September 14, 2023, aiming to establish common guidelines for EU Member States on prostitution, asserts that prostitution is neither a form of work nor an individual choice but a system of violence based on multiple patterns of discrimination², calling for the criminalisation of all forms of pimping³ and urging a reduction in demand⁴, Belgium takes the opposite path by encouraging the liberalisation of the "sex market," with already detrimental consequences for victims of prostitution and sexual exploitation.

We therefore call on EU Member States not to be inspired by Belgium's approach to prostitution but rather to draw inspiration from that adopted by Sweden, Norway, Iceland, Ireland & Northern Ireland, France, and Canada—an approach recently [praised by the UN Special Rapporteur on Violence against Women and Girls and recommended by the European Parliament](#). This approach allows for advancing equality between women and men and protecting the most marginalised women, as a survivor of prostitution aptly states: *"The question is not why it is so difficult to get out, but above all, why it is so easy to get in."*

isala asbl - www.isalaasbl.be

Oasis Belgium - <https://oasisbe.com/>

Le Collectif des Femmes - <https://www.collectifdesfemmes.be/>

La Voix des Femmes - <https://lavoixdesfemmes.org/>

Femmes en milieu rural ASBL - <https://acrf.be>

² "Prostitution is not an individual act whereby a person rents out their body for money, but rather an organised system for profit that is inherently violent, discriminatory and deeply inhumane and which operates like a business and creates a market where pimps plan and act to secure and grow their markets and where sex buyers play a key role in incentivizing them. (...)"

³ "The EU Parliament calls on Member States to ensure that procuring, hiring or enticing another person for the purposes of prostitution, as well as obtaining any profit from the prostitution of another person, are punishable as criminal offences."

⁴ "The Parliament calls on Member States 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 benefit."