**Submission to the Parliamentary Multi-Party Women’s Caucus on the South African Law Reform Commission Report Project 107 – Adult Prostitution**

**and request for**

**Oral Submission at the Summit on 5 March 2018**

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**THIS IS WHAT WE WANT AS THE LAW**

* We want to be empowered
* It was not our choice to be involved in prostitution
* We need Police to protect us from violence, against men and arrest sex buyers
* We don’t want to be sold
* Women and girls bodies must be fully respected
* We need to be supported from exiting prostitution
* We need to change our behavior
* Our rights must not be violated
* We need prostitution to come to an end
* We don’t want our children to follow up our foot steps
* We need to be recognized as human beings
* We need to help the Nation to reduce the spread of HIV/AIDS and any other sexual Transmitted Diseases
* We don’t need criminal records
* We want to be respected
* We need to be treated equal
* We need to build future for our girls
* We want our voices to be heard
* We don’t want decriminalization of prostitution

This chapter of prostitution has to be closed and come to an end. There must be a solution of punishing the buyers and those who support prostitution because no buyer no prostitution. Prostitution must fall and dignity must rise. This is not a work and will never be a work. We don’t need new recruitments of prostitution. Prostitution is very risky and we have lost our loved ones.

**Appendix**

KWANELE

Survivors of Prostitution Manifesto

Inaugural Dialogue

Melville, Johannesburg, South Africa

May 2017

We, the survivors of prostitution gathered at this dialogue from 14 – 20 May 2017 in Melville, Johannesburg declare that prostitution is men’s violence against women.

We are gathered as predominantly black, poor and disadvantaged women who live in South Africa.

Women in prostitution do not wake up one day and “choose” to be prostituted. Prostitution is chosen for us by our colonial past and apartheid, persistent inequalities, poverty, past sexual and physical abuse, the pimps who take advantage of our vulnerabilities and the men who buy us in prostitution.

Prostitution is an embodiment of violence and sexual exploitation, becoming one of the worst forms of women's inequality and a violation of basic human rights.

Many women in prostitution have been severely injured or murdered by their pimps and the men who buy us.

Many suffer ill-health and mental trauma, unwanted pregnancies, cervical and throat cancer as well as HPV, HIV and other sexually transmitted infections.

We have been dehumanised, humiliated and stripped of our dignity.

Physical violence, rape and degradation are often inflicted on us by men who buy us, pimps, recruiters, and police. The public either judges us as “whores” or thinks we make a lot of money.

The conditions of women in prostitution are worsened by laws and policies that treat us as criminals, as the scum of society. On the other hand, buyers, pimps, managers and sex trade and brothel owners are not made accountable. Our conditions are worsened by the lack of political will to implement laws prohibiting the buying of sex, pimping, brothels, and other prostitution enterprises.

Most women are drawn into prostitution at a young age, some as young as 13 years old. Victims of prostitution have almost no resources to help them exit. There is currently no government psycho-social support or economic empowerment programmes to provide alternatives for women in prostitution.

Women in prostitution dream of a life free from oppression, patriarchy and economic inequalities. A life where we have access to a wider array of dignified and decent employment options, where we can participate as citizens, and where we can exercise our rights as human beings, not as “sex workers.”

The South African Constitution and the international human rights law, grant women's fundamental human rights such as to dignity, equality, integrity, freedom from oppression and exploitation and security of the person.

Section 12. (1) of the Bill of Rights states that:-

“Everyone has the right to freedom and security of the person, which includes the right:-

(c) To be free from all forms of violence from either public or private sources.”

(e) Not to be treated or punished in a cruel, inhuman or degrading way.”

We, survivors of the sex trade declare that: -

1. Prostitution must be eliminated. Thus, it should not be legalized or promoted.
2. Prostituted women need services to help them create a future outside of prostitution, including legal and fiscal amnesty, financial assistance, job training, employment, housing, health services, legal advocacy, residency permits, and cultural mediators and language training for victims of prostitution.
3. Women in prostitution need governments to punish traffickers, pimps and men who buy women for prostitution and to provide safety and security from those who would harm them.
4. The Law Enforcement Agents and the Police should stop harassing, exploiting, arresting and deporting migrant prostituted persons but should rather offer support and protection.
5. The Law Enforcement Agents and Police should arrest the perpetrators of prostitution.
6. Any form of police harassment of women in prostitution, including prostituted migrant women should come to an END.
7. The current law that criminalises prostitution targets the bought, sold and exploited. It further victimises them and does not prevent or provide for exit. Criminalisation of the bought, sold and exploited is not an effective way to eliminate prostitution.
8. Prostitution is not “sex work,” and sex trafficking is not “migration for sex work.”
9. Our government should not consider decriminalising the sex industry, as that would be giving pimps and buyers legal permission to abuse women in prostitution.
10. Our government should create an enabling legal environment for the prevention and elimination of prostitution as well providing support for exit, by adopting the Equality Law on prostitution, which is the only promising legal framework to end prostitution.

As survivors of prostitution, we will continue to strengthen and broaden our unity, to engage with all stakeholders, including parliament, the government, and the general public. We will organise and mobilise others who are exploited in prostitution and the sex trade, and will work with our allies to promote equitable legal frameworks to promote and protect the human rights of victims of prostitution.