



WHAT IS “DEMAND” IN THE CONTEXT OF TRAFFICKING IN PERSONS?

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“Demand” is a current buzzword among some anti-trafficking activists, in which they argue that demand for sex work drives trafficking in persons, and that arresting clients who patronize sex workers will reduce the problem. However, demand for sex work is not a predominant driving factor for trafficking, which is driven by poverty, race, and gender inequities.

The term “demand” can, in one sense, refer to the legitimate concerns raised by migrants and labor rights advocates who address the issues relating to the need in the global north for exploitable labor and services. However, this new narrow focus of the term represents a dangerous slippage into an anti-sex work, anti-male and homophobic mindset which, under the guise of protecting sex workers, is another way of undermining sex workers’ autonomy and causing more harm to them. To trivialize this issue by sexualizing it in voyeuristic ways by appealing to male shame and female chastity is a travesty.

How can anti-trafficking policy effectively address “demand”?

- Anti-trafficking policies must focus on the full scope of the problem. The Special Rapporteur on Trafficking in Persons, Especially Women and Children (“Special Rapporteur”), has recently affirmed that “significant numbers of human beings are trafficked for labour exploitation.”¹
- A recent IOM report suggests that “the notion of ‘demand’ for the labour/services of a ‘trafficked’ person . . . can refer to an employer’s need for cheap and docile labour, or to consumer demand for cheap goods and/or services, or for household labour or subsistence labour, or to any or all of these.”²

Proponents addressing “demand” focus on sex workers’ clients as perpetrators of violence against women. However, there are a number of flaws with this approach:

- Sex workers around the world point not to their clients but to the state and its agents as the prime violators of their human rights. Extending the powers of law enforcement into yet another sphere of the lives of sex workers presents a great threat to the human rights of sex workers.
- Sex workers are most vulnerable to violence in situations where sex work is criminalized or stigmatized and they are treated as outsiders or are not encouraged to avail themselves of legal protections.
- The Special Rapporteur has expressed concerns that “trafficking continues to be treated as mainly a ‘law and order’ problem” and expresses her intent to focus on human rights protections.³
- The IOM has pointed out that increased border security exacerbates markets for trafficking and smuggling of migrants.⁴ “Victims of cross-border trafficking are criminalized and prosecuted as illegal aliens, undocumented workers or irregular migrants, rather than as victims of a crime.”⁵

Efforts to address trafficking will be ineffective with a narrow focus on demand for sex work. Instead, anti-trafficking efforts must address effective labor and migration policies that recall the basic principle set forth by the Special Rapporteur: “that the human rights of trafficked persons shall be at the centre of all efforts to combat trafficking and to protect, assist and provide redress to those affected by trafficking.”⁶

¹ Report of the Special Rapporteur on Trafficking in Persons, Especially Women and Children, E/CN.4/2005/71 (22 December 2004) at 2.

² International Organization for Migration, *Is Trafficking in Human Beings Demand Driven? A Multi-Country Pilot Study* (2003) at 10.

³ Report of the Special Rapporteur, E/CN.4/2005/71 at ¶ 56.

⁴ International Organization for Migration, *Is Trafficking in Human Beings Demand Driven?* at 7-8.

⁵ Report of the Special Rapporteur, E/CN.4/2005/71 at ¶ 10.

⁶ Report of the Special Rapporteur, E/CN.4/2005/71 at ¶ 11.