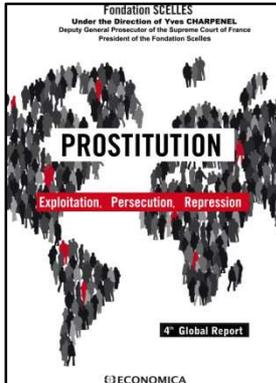




Fondation Scelles

Connaître, Comprendre, Combattre  
l'Exploitation Sexuelle

# Multiple faces of prostitution



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Prostitution is an activity that is evolving into many forms, both discrete and indiscrete. The phenomenon of prostitution is still undergoing profound changes, not only in terms in regulations and customs in each country, but also in terms of the communication tools that have been made available. It is therefore imperative to consider the prostitution, which develops via the Internet, as well as through information and communication tools that know no borders. Furthermore, many forms of prostitution develop outside of cyberspace, particularly within regulatory countries that give free rein to the managers of the sex industry to market the bodies of women and men. Finally, prostitution has managed to hide behind the façade of “romantic relationships”.

## Forms of Prostitution that Flourish on the Web

The Central Office for the Repression of Human Trafficking (OCRTEH) has witnessed the changing face of prostitution activity due to the development of the Internet. From street prostitution to online prostitution, cyberspace allows for the emergence of new forms of prostitution but also amplifies already existing forms. Cyberspace has many advantages: due to the legal uncertainty surrounding the Internet, the risks for perpetrators of

prostitution are diminished due to their anonymity online. Individuals in prostitution have taken advantage of the Internet, as the low costs of advertising help them get greater visibility.

### *Sexual Exchange (France)*

In the context of economic crisis, trafficking through services sites have developed. Now it is possible to “exchange services of any kind for any sexual relationship” (*Ancien Gautrais*, November 10<sup>th</sup>, 2010). Advertisements published by men can offer their services as handymen for “hugs” (*Le Parisien*, November 4<sup>th</sup>, 2010). This new technique of prostitution is mainly a result of increased insecurity as well as a result of the criminalization of passive soliciting, which has resulted in the shift from street prostitution to Internet prostitution, as some customers are afraid to hire prostituted persons from the street (*Le Parisien*, November 4<sup>th</sup>, 2010). Indeed, the Internet is a privileged place of anonymity which allows for better facilitation for both the prostituted person as well as the client. Finally, the fact that there is no money involved gives the people the impression that they are not resorting to prostitution and that the situation is therefore less sordid.

Sexual exchange can take many forms but is always caused by the financial insecurity of people. Thus, the concept of “apartment for

sexual services" (*BBC*, July 12<sup>th</sup>, 2013) is a form of sexual exchange to obtain housing in exchange for sex with the owner. This phenomenon particularly affects students at risk. Teenagers are also involved in transactional sex to obtain money, gifts or drugs. According to child psychiatrist Patrice Huerre "Swapping sex for a benefit or for money is a form of prostitution" and "prostitution is illegal when it involves minors" (*Le Parisien*, April 4<sup>th</sup>, 2004). However, the young people involved in this phenomenon do not all realize that this is prostitution.

Despite legislative attempts to ban sexual exchange, sexual exchange is still not punishable in France today. In order to make individuals criminally responsible for these acts, we must consider these websites hosting these ads to be guilty of procuring. However, the definition of resorting to prostitution is expanded and strengthened in the bill against the prostitution system passed by the National Assembly which takes into account, "the provision or promise of some kind of benefit" (*French National Assembly*, December 4<sup>th</sup>, 2013 ). This definition would thus include, in addition to monetary remuneration compensation in the form of goods offered as "gifts" (*French National Assembly*, September 17<sup>th</sup>, 2013) and so would penalize those who would resort to exchange sexual services to obtain sex.

### **“Dating Site” Innovations: Prostitution that Dare Not Speak its Name**

In conjunction with the emergence of the Internet, the emergence of dating sites on the Web has developed as well. These websites that facilitate meetings do not necessarily offer economic benefits in exchange for "good company". American Brandon Wade has taken advantage of this loophole by indirectly facilitating prostitution. This man has made a fortune off dating sites. All these dating sites are based on beauty in exchange for money. Although these sites do not explicitly state transactional sex, they promote prostitution as

behavior by basing the relationship on a logic of economic benefit.

The concept of *sugardaddies* and *sugarbabies* was born in the United States. Like the website *SeekingArrangement*, created in 2012, dating sites connect wealthy men, often elderly and young female students, actresses, models, that are attractive, intelligent, ambitious and interesting". It can even be an older woman called *sugarmommies* wishing to enjoy the company of a young man. These sites never speak of sexual exchange for money, but this is insidiously implied in their statements.

"Escorts refrain!": This site warns escorts not to join while registering and hopes that as a result of this warning, it will be disassociated from websites welcoming prostituted persons.

Yet a survey conducted on the site in 2013 shows that in 80% of cases, sexual relations would actually be a component of the contacts established through the website (*Le Journal International*, February 14<sup>th</sup>, 2014). The site asks people who sign up to be honest and to establish clear and precise arrangements so that everyone will agree on the terms of the "contract". If the use of the site is free for *sugarbabies* she/he is still payed by *sugardaddies* or *sugarmommies*, who must pay 50 US\$ per month (*Terrafemina*, March 27<sup>th</sup>, 2014). These sites can facilitate student prostitution.

However, the difficulty in fighting against such sites is the ability to differentiate these girls from woman who want to marry a mature man for his money (*Le Monde*, March 26<sup>th</sup>, 2014). Indeed, one can not condemn a man who wants to take care of his wife. But if the basis of the relationship resides only on a material need, the person who takes advantage of the situation can be defined as a procurer.

Like *sugardaddies*, another dating site, also created by Brandon Wade, has been developing since 2012. It is aimed at people who wish to travel but do not have the means

to do so. They can then rely on generous donors who, in exchange, will offer the right to travel with them. The site is again very careful because it does never state that it is transactional sex. However, revenues from these men, who want to travel together, are displayed on the site. The "attractive travelers" who register on the site must be attractive for the "generous travelers". Three categories of services are offered; it is possible to travel to a new destination in the company of another person, to travel to their city, or to invite them to your own city.

### ***From Escorting to Sex Tours***

Escorting is done through men or women, often from a wealthy class, often at social gatherings. The escort must look after his appearance in order to appear to belong to a high social status. Sexual relations are not part of the contract but are implicit and, in all cases, the escort must agree. These services are very expensive (from 216 to 1,083 US\$ the evening). Occasionally, escorts can be distinguished (students paying for their studies or the 30 year-old mother employed part-time...), or the luxury escort (often foreign with different motivation). Generally, escorts contact their customers via internet and have to pay a registration fee to be featured on a website. A significant share of their earnings is taken and those who want to unsubscribe often face threats and physical violence.

Since the early 2000s, a new form of prostitution on the Internet has developed: the sex tour. This new procedure of procuring networks, also called "city tour" is to program the stay of foreign prostituted persons in different European cities from anywhere from a couple days to a couple weeks. Generally prostituted persons go to the client, who can choose the prostituted person from a catalogue and can choose to meet him/her in a predetermined place at a predetermined time, which often takes place during business trips in particular.

This system offers procuring networks which provide some kind of safety. The sites dedicated to escorts, advertise these young women's measurements and their services, along with their photograph. Customers only need to look at the list of prostituted persons who are staying in their region and then can easily "place an order" by SMS. They thus receive the confirmation of the appointment, the date, the time, the hotel address and room number. These ads are managed entirely by procurers who organize trips, book tickets and take care of the appointments. The phenomenon is difficult to differentiate from hospitality professionals. But if it is proved that they are aware of these acts occurring at their establishments, they can be prosecuted for procuring.

### **The Evolution of Prostitution Forms Without Limits**

Countries that have opted for a regulationist regime could not have imagined the new forms that prostitution would take. Although prostitution is changing within each country according to its plan, forms of prostitution that develop have no limits as the imagination of procurers is seemingly endless. Whether its the development of gigantic brothels, the introduction of sex drive-ins or the recognition of sexual assistance that establishes the right to sex, public authorities have come to accept the dehumanization of people and have accepted the categorization of people as simple sexual objects. This causes one to wonder about the limits that regulationist States have set on the evolution of prostitution in their country.

### ***Sexual Assistance for Disabled People***

The dialogue of the sexual desires that exist amongst handicapped individuals has increased and is becoming less of a taboo subject. However, the responses suggested by some countries such as Switzerland, are not good. Sexual assistance, which is to provide sexual services for disabled people in return for payment, is indeed a breakthrough solution by some associations such as the *Association*

*des Paralysés de France* (APF), which took part in the organization of a symposium "physical dependence: intimacy and sexuality" in April 2007 to the European Parliament. This meeting was intended to discuss the issue of sexual aid by giving a voice to people with disabilities in what concerns prostituted persons and escorts. Only those who are severely disabled and do not have access to their own bodies were considered.

Although several legal texts have initiated the consideration of the emotional and sexual life of people with disabilities, sexual aid is not part of the means considered to reach that goal. Thus, one cannot say that these legal texts constitute a step towards the recognition and regulation of sexual caregivers. Moreover, the French legislation on prostitution, especially the criminalization of pandering, appears as an obstacle to the establishment of such a practice. Indeed, as an intermediary between a person who is a prostituted person and another that uses their services is, under the law, procuring (*CCNE Opinion*, October 4<sup>th</sup>, 2012). The recognition of sexual helpers performing this activity would violate the principle of non-commercialization of the human body. Furthermore, the patient's vulnerability makes it easy to handle and facilitate potential abuses (*Chossy*, November 2011). Finally, the concept of sexuality is not referred as a right but rather than as a freedom.

Some countries have still chosen to categorize sexual aid as a profession. The Netherlands established, in 1982, a help to sex life named SAR (Stichting Alternatieve Relatiebemiddeling) who considers sexual benefits as care and the use of a sexual caregiver is fully repaid. The people who cannot have access to sexual assistance in their countries are choosing to come to the Netherlands to benefit from these services which increases the phenomenon of sex tourism (*Moreau*, 2008-2009). As for Germany, it provides a body contact service since 1995. But unlike the Netherlands, the body contact cannot amount to a sexual act.

### ***Teenage Prostitution: An Alarming, Growing Phenomenon***

The recent development of teenage prostitution through various practices is extremely worrisome. The prostituted population is increasingly young, which can be explained by economic insecurity or vulnerability of some young people from broken homes, or who have had academic trouble in school. In fact, 52.3% of young people consider accepting sex in exchange for gifts or money as it could offer a way out of poverty (*Amicale du Nid 34*, 2014). Youth prostitution is often motivated by access to luxury goods. While initially, students enter the circle of prostitution for survival or to finance their education, many are there because they have acquired a taste for fast money (not easy), or even luxury in which they were immersed.

Moreover, young people have recently developed new practices such as *sexting*, which involves emailing sexually explicit photographs by cellphone, or *dedipix*. In exchange, the recipient promises a comment on his/her blog. The more risqué the photo is, the better the comments will be. The goal is to gain notoriety and popularity. This practice of *sexting* worries cybercrime specialists, who believe that this practice will attract predatory pedophiles. It is often easy to discover where the photos come from, and it is also easy to contact the owner of the blog.

A new practice of procuring has spread around Europe—the *loverboy*. A loverboy is a young man who spots girls as they are leaving their colleges or high schools. They seduce them by pretending to be in love with them, and make them discover sexuality for the first time. Then, the loverboy manages to turn them against their environment (family, friends ...), saying that only he can understand their discomfort. Gradually, he isolates them from their everyday environment. Girls lose their bearings, drifting away from their family (fugue ...) and their friends. Once they have become totally dependent on the man, he threatens to leave if they refuse to "help", "after all he has done for them." Once they are

in love with him, he forces them to have relationships with men and become violent if they do not obey. Romantic relationships are exactly what complicates the fight against this form of procuring. The girls do not see themselves as victims and do not complain.

### ***Discreet Places of Prostitution: from Hostess Bars to Massage Parlors***

In some hostess bars, employees are recruited through ads in local newspapers in the "employment, hotel, restaurant" section and advertise that they want a job as "hostess." Waiters and waitresses flirt with customers and get them to consume more alcohol. In fact, the turnover of employees is related to the consumption of its customers (the "cap"). In other words, if the customer does not consume enough, the hostess may be asked to repay a part of the announced fixed salary. Men imagine that these women are at their service. This is often the case as some women are willing to respond to customer requests, even if they ask for sex. Over a long period of time at the bar, pressure is put on hostesses to accept paid sex.

Massage parlors are perfectly legal establishments in the eyes of the law, and are reported in the Commercial Register under "personal care". They offer "body-body" sessions (masturbation) and "total relaxation" (ejaculation). The majority of prostituted persons involved are Asian. According to OCRTEH, 13% of investigations into trafficking of human beings for sexual exploitation in 2014 were related to prostitution in massage parlors or hostess bars.

### ***Drive-In Sex in Switzerland***

In an industrial area of Zurich, the city created a "sex drive-in" justified by the will of political authorities to better "channel prostitution" (*Libération/AFP*, August 26<sup>th</sup>, 2013). In return, the practice of prostitution in the district of Sihlquai was banned, the idea being to bring prostituted persons and their clients to a secure and controlled area where social workers are located. This site, open daily

from 7pm and 5am, can accommodate fifty prostituted persons. It comes in the form of new sex-boxes, available to clients and prostituted persons. A security justification that the State endorses allows people to be treated as mere commodities for consumption, where customers come to order human beings in the same way they would order fastfood without leaving their vehicle. Motivated by the desire to protect prostituted persons from abuse, this form of prostitution is nevertheless one of the many ways why prostituted persons are excluded from society.

This phenomenon has already been implemented in other countries such as Germany, where sex -boxes were installed in 2000 in Dortmund, Cologne in 2001 and Bonn in 2011. The results of these sex-boxes are difficult to define and analyse. However, one can see that this system was a failure as the site located in Dortmund had to close its doors in 2007 after its appropriation by criminal networks from Eastern Europe (*Tribune de Genève/AFP - Newsnet* August 27<sup>th</sup>, 2013).

### ***Mega Brothels: the Funmotel, Europe's Largest Brothel (Austria)***

Liberal logic on prostitution is pushed to the limit with mega brothels in which prostituted persons are piled into huge buildings. Today it is no longer small structures with some prostituted persons, but there is talk of real centres of prostitution, with brothels the size of supermarkets that can accommodate hundreds of customers daily. "Entrepreneurs" continually want to proclaim they have the "biggest brothel in Europe". Austria, however, will without a doubt have the largest brothel when it builds its *FunMotel*. The brothels' capacity will be 1,000 customers per day with an average of 80 to 120 prostituted persons in the property consisting of 147 rooms. Intended to be open around the clock, it will offer various services, such as filming pornographic films as well as other activities (restaurant, sauna, gym...). The law on prostitution in Vienna, published on

November 1<sup>st</sup>, 2011, provided for a more restrictive delimitation of prostitution areas, with increased constraints on new establishments wishing to establish themselves in Vienna. This new law explains why the *FunMotel* will be located in Lower Austria, outside of Vienna (*Le Parisien/AFP*, November 20<sup>th</sup>, 2012). Despite the remoteness of *FunMotel* from the capital and its construction cost, we do not doubt the profitability of this structure. The provision of services such as restaurants and hammams attract customers. In Germany, the sex trafficking would yield nearly 16.25 billion US\$ a year (*Libération*, April 14<sup>th</sup>, 2014), which gives an idea of the financial stakes of such a project.

#### ***How far to push the boundaries of acceptability?***

There are recent and disturbing examples of new practices related to prostitution activity. Yet it seems that sometimes the public authorities support such initiatives, German authorities being an example. Berlin offers special rates for pensioners and taxi drivers. "These bring us a lot of customers who pay half price on Sunday and Monday," argue the tenants of one of the places of prostitution. In Berlin, another brothel offers "Zwei für eins" package (two for the price of one), inviting another lady to participate in the lovemaking ... Moreover, reductions are available for environmentalist customers coming to the brothels by bike, and services are offered for free if the client agrees to be filmed and agrees to the video being posted online. Finally, in a chain of brothels located in Germany, they announce a discount formula that entitles the customer to "do whatever he wants, as much as he wants as long as he can" (the formula, is only offered between peak hours from 10 to 4, and includes sex, drinks and food).

#### **Forms of Prostitution Hidden Under the Appearance of a Relationship**

Prostitution is a multifaceted activity that takes countless forms. It remains increasingly difficult to assess given the development of

concealed prostitution that is hidden behind the facade of a romantic couple. The challenge lies in how to distinguish the differences between a person who has sex in exchange for money, a person "kept", or a woman who marries a rich man for his money. Temporary marriage in Iran, concubines in China, or "grottos" in the Ivory Coast, all illustrate how some forms of prostitution can flourish with impunity.

#### ***Temporary Marriage or Marriage for Sex (Iran)***

Declared unlawful by the Sunnis, temporary marriage has spread among Shiites under the name of weddings *mysiar* in recent years. This practice is to contract a marriage for a fixed period ranging from one hour to 99 years (*Parvaneh*, 2009) and is particularly observed in some countries of the Middle East such as Iran. In temporary marriages, some rules are established between both parties in a marriage contract while for permanent marriages, the main rules are set out in Islamic law. The dowry is also sought in temporary marriage, but if it is not mentioned in the contract, it is automatically canceled. The woman receives a sum of money and temporary marriage has the distinction of not being officially registered. The man may terminate the temporary marriage before the date set in the contract and can contract several temporary marriages, while women cannot (*The Guardian/Iran blog*, March 6<sup>th</sup>, 2012). This phenomenon can be explained by the desire to prevent sexual relations outside marriage which are condemned in Islamic law. In Iran, temporary marriage, also called *sigheh*, are institutionalized in the Civil Code.

In 2007, Mostafa Pour-Mohammadi, Iranian Minister of Interior encouraged the practice of temporary marriages in order to assuage the sexual impulse among the youth of the country. As a result, temporary marriages would justify sexual acts in exchange for compensation because it would conform to religious principles. However, it also promotes sex tourism: people come on holiday to Muslim countries to get women in exchange

for a dowry. Thus, under cover of this temporary marriage, they may resort to sex in exchange for money, without breaking the law. Moreover, the temporary marriage may drift into child prostitution, with Iranian law allowing marriage for girls from 13 years of age and boys from 15 years of age. It is even possible to go below this age limit. In fact, girls can be married from 9 years of age, if the father or the grandfather obtained a waiver in court (*Schuster, 2013*).

#### ***The Grottos and Gnanhis (Ivory Coast)***

The term "grotto", resulting from the Ivorian slang (*French Language, 1991*), is used to describe men who use young women, mostly students, to satisfy their sexual desires. The "gurus" or "koutrous" are older men, often married, with a rather high social status enabling them to offer financial support to these women for their daily lives. To a lesser extent, it is also called "gnanhis" which offer students youth services. As always, the phenomenon of "grottos" is not seen as prostitution by those who practice it. As a result, young women prefer to use the term "lover" rather than "grottos". This practice is becoming more widespread and a recent study shows that almost one in five students admit to being a grotto (*Herbarium & Dali, 2005*). Getting a young girl is seen as a success in Ivory Coast (*Jeune Afrique, February 11<sup>th</sup>, 2013*). Thus, as the phenomenon is being trivialized, it seems normal for girls to turn to this option in order to escape poverty. Students are seen getting into big cars of their "grottos" or go to hotels to have sexual relations. These acts also take place within the university residences, which was confirmed by a young student who witnessed the sexual antics of her roommate (*Réseau Ivoire, January 22<sup>nd</sup>, 2008*).

#### ***Concubines (China)***

In China, "ernais", also called "second wives" or "concubines", are luxury mistresses kept by wealthy men who are appointed as their "protectors" (*Madame Figaro, March 8<sup>th</sup>, 2012*). For most students or young workers,

they are expected to be at the disposal of these businessmen and members of the political elite. Thus, concubines must wear designer clothes and always be ready to showcase their protector when they go out together. These men affirm their social status by showing off these women publicly and having sex with them privately. This, however, is more discreet than a prostituted person. The phenomenon is commonplace and is growing to the point such that today, there is a high number of men having relationships with concubines.

However, this practice is considered immoral for many and remains a taboo subject. Women are considered "impure" once their role as "second wife" is over and struggle to find a husband, especially once they are past the age of thirty (*JDD, December 30<sup>th</sup>, 2007*). Moreover, while the concubines have no rights and cannot be defended in court (only the amicable settlement is possible) married women may submit a request to the court that their money be returned and property obtained by the concubine be given up (*Madame Figaro, March 8<sup>th</sup>, 2012*). These wives conduct a very radical practice: they put the concubines in front of a camera. Often these concubines do not defend themselves and accept public humiliation.

Cohabitation is a phenomenon closely linked to corruption. Chinese media estimate that 90% of recent senior officials convicted of corruption over the past five years had mistresses (*Loussouarn, Frontline, 2013*). Concubines are expensive. To support themselves, many accept "bribes". A reward system has been put in place to encourage members of the Chinese Communist Party to denounce relationships with concubines (*JDD, December 30<sup>th</sup>, 2007*). In the case of corruption whereby an official is linked to a concubine, this concubine is subject to punishment. Concubines can be imprisoned for 7 years as authorities consider that the money derived from corruption benefits the concubine which makes her an accomplice (*Madame Figaro, March 8<sup>th</sup>, 2012*).

Finally, the public authorities developed prevention campaigns against concubines. On television, censorship was introduced. It is forbidden to broadcast series on state television featuring adultery situations. The purpose of this censorship is to educate the youth to not engage in relations with concubines (JDD, December 30<sup>th</sup>, 2007). In spring 2010 Chinese President Hu Jintao launched a campaign : "anti-cohabitation" among senior party officials. He asked them to "withhold from temptation."

Having adopted many new forms, prostitution and other illicit activities are now harder to detect. It is urgent to address these developments in order to provide effective judicial responses and appropriate social measures. The trans-boundary nature of cyberspace and the development of hidden prostitution practices require new modes of action in the fight against sexual exploitation. Thus, it appears through relevant examples presented in this chapter, that it is necessary to change the definition of prostitution in order to take into account new practices such as those taking the appearance of couple relationships or those forms of prostitution that provide "benefits" rather than money. Similarly, for countries that have different legislation, international cooperation is necessary for the apprehension of sexual exploitation networks. Finally, Nations that should further develop their prevention campaigns and public awareness, especially for young people and their parents.

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