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**The 2017 German Prostitute Protection Act: an analysis of  
its potential consequences**

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# The 2017 German Prostitute Protection Act: an analysis of its potential consequences

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*Prostitution has always been deeply intertwined with the State, albeit in very different ways. Literature on prostitution policies is still scarce and controversial. Prostitution is one of the most contentious policy areas and there is a demand for sharing best practices of governance across countries. Since 2002, Germany has been one of the few countries in Europe with a liberal law on prostitution. In 2017, a new law – Prostitutes Protection Act – came into force. By analyzing parliamentary works and writings of German expert organisations, we highlight the potential consequences of this law's implementation on the people concerned. The Prostitute Protection Act moves in the opposite direction to the protection of people who are in prostitution. Furthermore, the analysis clearly shows how establishing obligations and restrictions can easily become a form of control, stigmatisation and discrimination.*

## INTRODUCTION

All manifestations of prostitution<sup>2</sup> are deeply entangled with the State (Outshoorn, 2004a, 2004b; Wagenaar, 2018). Laws on prostitution varied significantly among countries, but usually fell into three classic regimes: prohibition, regulation and abolition (Shaver, 1985; Barry, 1995; Danna, 2001). Since the end of 1970s – with the increase of international tourism, migration, changes in the sexual mores and emergence of AIDS – prostitution came back at the top of the political agenda in many post-industrial democracies (Kilvington et al., 2001; Outshoorn, 2004b). In the 1990s, a neo-regulation regime was born based on prostitution as a women's right making a sharp distinction between 'free' and 'forced' prostitution (Barry, 1995; Danna, 2001). Furthermore, a neo-prohibition regime based on the criminalization of customers came in sight. Without demand there would be no supply (Danna, 2001; Erikson, 2017; Ward, Wylie, 2017). In the 2000s, de-criminalization came out: there are no special laws on prostitution, which is considered like any other job (Geymonat, 2014). Thus, new models evolved from previous ones making terminology and meanings more complex.

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<sup>2</sup> The use of expressions such as 'prostitution' or 'sex work' has become signifier of an alignment with a substantive position on the phenomenon. 'Prostitution' and 'prostitute' are associated to abolitionist perspectives; 'sex work' and 'sex workers' are associated to liberal perspectives (Della Giusta, Munro, 2008). Expressions such as sex work and sex workers were born in 1970 along with the prostitutes' movement in USA. The intention was to shift the attention from the stigma which characterizes the word "prostitution" to the symbolic dimension of work. Nonetheless, since 'prostitution' is the term used in policy and law documents of many countries (Crowhurst, Skilbrei, 2017) we prefer to use this term. 'Prostitute' is adopted as a legal term too, even if could have a stigmatizing effect (Crowhurst, Skilbrei, 2017). Therefore we use the expression 'people/women in prostitution' which include every kind of prostitution and not just those who call themselves "self-employers".

Recently, Östergren (2017a; 2017b) suggested a new classification regime. She distinguishes three general types of policy on prostitution: repressive, restrictive and integrative. The first type aims to completely suppress the phenomenon, making prostitution illegal and/or punishing clients. The second seek to regulate prostitution in a very detailed way, imposing registrations and duties on subjects involving in the sector. The integrative type intends to drive the phenomenon into a legal dimension and to mitigate side effects (Östergren, 2017a; 2017b).

Nonetheless, despite increased attention over the past years, literature on prostitution policies is still scarce and controversial (Wagenaar, Altink, 2012; Skilbrei, Holmstrom, 2013; Crowhurst, Skilbrei, 2017; Wagenaar, 2018). In addition, national laws reflect the moral ambitions of policymakers and/or dominant actors on a particular social issue (Wagenaar *et al.*, 2017). Moral question is also stronger when it comes to issues such as prostitution (Wagenaar, Altink, 2012; Wagenaar *et al.*, 2017) and moral convictions do not always have to do with rights.

Filling all these gaps is important for several reasons. Firstly, every European country has a prostitution law. They are very different from each other and just that alone requires explanation (Cairney, 2012). Moreover, there are many differences in the human rights of those involved in prostitution across countries (Wagenaar, 2018). Lastly, despite the many different attempts made by states to respond to the phenomenon of prostitution, the ‘best practice’ does not seem to have been identified yet (Skilbrei, Holmstrom, 2013) (or, at least, there is no agreement on which one can be considered as such).

Prostitution remains one of the most contentious policy areas in Europe and there is a demand to share best practices of governance across countries (Crowhurst, Skilbrei, 2017). However, a recent international comparative exploration of prostitution policies by European projects shows that maybe it is not useful to find a ‘best model’. The comparative work done by the projects’ members had steered away from the identification of one model to be transposed indiscriminately across Europe (Crowhurst, Skilbrei, 2017). Public policy has generated much less academic attention. Few scholars have analysed the most trivial aspects of prostitution policy such as agenda-setting dynamics, policy implementation policies, selection of policy instruments or the unwanted consequences of regulatory measures (Wagenaar, 2018).

Thus, it is necessary to deepen and evaluate the different legislations, highlighting aspects of strength and weakness. Only in this way it will be possible to create even better alternatives to the management of such a complex phenomenon.

The case study of this research is a new German prostitution law: the Prostitutes Protection Act. Approved in 2016, it came into force in January 2017. This law defines and sets perimeters for prostitution and establishes obligations and restrictions for people engaging in prostitution and prostitution activities. Germany is a particularly interesting case for several reasons. First, it is one of the few countries in Europe to have a liberal law on prostitution. Since 2002, the Government has recognized contracts in the sex trade (Kavemann, Steffan, 2013). With this law the German Federal Government regards prostitution as an «autonomous risk decision»; a job, but not a job like any other. It is a choice which must be respected by law, but which is full of risks and dangers. The reference principle is that harmfulness depends on the conditions in which it is practiced and not necessarily on prostitution itself (BMFSFJ, 2007). The law recognized contracts in the sex industry and the access to social security for people in prostitution. The objectives were to eliminate the sense of immorality associated with prostitution; to guarantee wages and the possibility to sue customers, to facilitate access

to social security and health insurance, to contain and prevent criminal activity in prostitution, to ensure better working conditions and to facilitate exits from prostitution (Hunecke, 2018). Some people considered Prostitution Act one «among the most modern and liberal in Europe» (Kavemann, Steffan, 2013:9) or a good starting point that needed to be improved upon with more detailed provisions (Czarnecki et al., 2014). For this reason, it is often used as an example of liberal regimes (Dodillet, 2005, 2013; Weitzer, 2011; Pates, 2012; Östergren, 2017a; 2017b). However, without implementation guidelines, it seems that the law has remained without much effect in practice. Civil servants have had no explicit legal basis to change their administrative habits (Pates, 2012). On the other hand, some others believe that the law has transformed Germany into a ‘brothel of Europe’ (Czarnecki et al., 2014). Thus, what happened after with the 2017 Prostitute Protection Act? The case is interesting also because the law is so recent and there are few studies on it. According to the first classification regimes, since 2002, Germany can be considered as having a neo-regulatory system (Weitzer, 2011). Also, the new Prostitutes Protection Act is definitely a neo-regulation law with several obligation and duties. According to the Östergren (2017a; 2017b) classification, Germany has passed from an integrative law with some restrictive implementations (2002 law) to a fully restrictive law (Prostitutes Protection Act). Flügge (2016) is very critical of the law. Even before the entry into force of the law, she has already identified numerous critical issues and inconsistencies. She believes that the Prostitute Protection Act will more easily induce people in prostitution to carry out this activity in secret and push away them from places of help and reception (Flügge, 2016). Likewise, the Head of the Department of Emancipation, Ministry of Health, Emancipation, Nursing and Old Age (until 2017) believes that the Prostitute Protection Act will reinforce the existing stigma rather than reduce it. In addition, the law proves to be a setback, only an example of a restrictive moral policy (Zimmermann-Schwartz, 2018) and a renewed criminalisation of the prostitution sector (Hunecke, 2018). It is also noteworthy that Germany is the only country in Europe which has changed two prostitution law in just 15 years.

We want to analyse the agenda of Prostitute Protection Act with the aim of highlighting the possible consequences of its implementation on people concerned. To do this, it is necessary to study the political and public debate on this law. Understanding discourses behind law it is important, because they drive prostitution policies (Wagenaar, Altink, 2012; Wagenaar, 2018). Laws rarely change by new relevant data (Wagenaar, 2018). The lack of precise and reliable data on prostitution in every European country provides a free and convenient cognitive space for projecting individual ideologies (Doezema, 2010).

Our analysis takes into account parliamentary works; in-depth documents, press releases, writings of German associations on the subject of the legislation.

The paper is structured as follows: in the next paragraph we present data and methodology. Then, we describe the Prostitutes Protection Act. In the fourth paragraph, by discussing the outcome of our study, we present how results represent an answer to the research question. At the end, the main conclusions.

## METHOD AND DATA

The importance of the potential negative impacts of a policy on prostitution is also well highlighted by Crowhurst and Skilbrei (2017). They designed a ‘test for policy makers’ that aims to stimulate a context-sensitive thinking. The test is a more sustainable

alternative to the identification of a best prostitution policy model to be uniformly applied across Europe. They believe that a law to be a good law must first of all be sensitive to the specificities of the contexts in which it is applied and above all to those involved in them (Crowhurst, Skilbrei, 2017). The flowchart provides simple advice on the processes to use when engaging in prostitution policy making. However, according to Crowhurst and Skilbrei (2017) these steps are rarely considered even less implemented. The authors point out that, if a new prostitution policy is needed, it is necessary to:

- Identify, consult and involve relevant stakeholders, emphasizing the need to involve organizations of people in prostitution.
- Collect concrete evidence of the systems of regulations. It is important to take into account all the aspects that play a key role in the organization of sex trade. Especially considering possible harms or problems of the proposed policy and of other policies which will impact the life of those who are involved in prostitution.
- Consider how the policy will be implemented, by whom and with what results. This is necessary to highlight the possible risks and negative consequences on people who will be affected by the proposed policy.
- Willingness to change approach, especially in light of potential negative impacts of the bill (Crowhurst, Skilbrei, 2017).

The need to create a law that respects the people concerned is already clear from the first two points and emphasized in the last two. According to Crowhurst and Skilbrei (2017), it is necessary to imagine what the long-term risks are and to change the proposed policy underlying them. This is why our analysis will be guided by their test.

The data we used are parliamentary work papers and in-depth documents, press releases on the subject of the legislation written by several German associations and counseling centers. They are on the German Parliament' and associations' website. Documents registered by the Government belong to the National Coordination Group against Trafficking in Human Beings – *KOK e.V.* – which brings together 38 specialist counseling centers for victims of trafficking in human beings and counseling centers for people in prostitution. *Diakonie Deutschland* – the social welfare organisation of Germany's Protestant churches. The German Women Lawyers Association - *Deutscher Juristinnenbund e.V.* (djb). SISTERS e.V., an association for the exit from prostitution. In addition, other documents addressed to the Government are from *BuFaS e.V.*, the Alliance of 22 Counselling Centers for Sex Workers in Germany. *Deutscher Frauenrat*, an umbrella organization of 60 nation-wide women's associations and organizations. The German AIDS Service Organizations – *Deutsche AIDS-Hilfe. Dortmunder Mitternachtsmission*, another counseling center.

We use qualitative analysis of texts in order to capture the meaning of documents. Our aim is to understand what the experts ask for and what they think about the Prostitute Protection Act. To do so, we first reconstruct the position of the actors promoting legislative policies. Next, we highlight the various instances of German expert associations and counseling centers. Finally, we compare the objectives set by legislators with those indicated by experts. In this way, it is possible to verify the presence or absence of all aspects identified by Crowhurst and Skilbrei (2017), especially the potential consequences of such a law.

## PROSTITUTE PROTECTION ACT

The Prostitute Protection Act came into force in 2017 and replaced the previous Prostitution Act. Entitled the ‘Law on the Regulation of Prostitution and the Protection of People Employed in Prostitution’, it consists of 38 paragraphs, divided into 8 sections. The main innovative aspects concern a series of obligations and duties linked to detailed regulation and a series of rights for the protection of people in prostitution.

According to Article 1 – general provisions – a sexual act is an act of a sexual nature for consideration, committed by at least one person together with at least one other person, both present and participating in the act. Prostitutes are people who provide sexual services in exchange for money. A prostitution company is an activity which offers various services to at least one person providing sexual services (Bundesgesetzblatt, 2016).

To carry out this activity, it is necessary to register with the competent authorities, both in case of self-employment and as dependent work. This registration will be allowed only if requirements are met, such as age of majority, absence of pregnancy, certificates of medical consultation, right to work for foreign citizens and absence of exploitation. It must be renewed every two years for people who have reached the age of 21 and every year for those between 18 and 21, applying the same rules of registration. At the time of registration, there is also an information interview on the law, social security, consulting services, taxation and obligations, as well as the activation of help in cases of exploitation. These certificates must always be carried during prostitution and they have value only in the territory of registration (subject to other agreements between the Land) (Bundesgesetzblatt, 2016).

Section 3 contains rules and requirements for management of commercial activities in the prostitution sector. Again, you must obtain a license, which can be withdrawn at any time if the requirements are no longer met. To obtain a license, you must be of legal age and have not received any criminal convictions in the 5 years preceding the application. The licenses will be reviewed at most every three years. In order to avoid the withdrawal of the license, it is necessary to respect the sexual self-determination of people in prostitution and not to feed their exploitation (Bundesgesetzblatt, 2016).

For the protection of people in prostitution, customers and public interest aspects, the essential characteristics of places dedicated to prostitution activity are also specified. For indoor prostitution, for instance, brothels must guarantee spaces of suitable size. Rooms used for sex activities cannot be visible from the outside, but must provide access to sunlight. They must be equipped with emergency call systems and doors that can be opened easily from the inside. There are also toilets, meeting and resting areas for people who carry out the activity of prostitution as well as private depots for personal belongings. It is also up to brothels to take care of the obligation to use condoms, the guarantee of lubricants and hygiene products and they must enable access to competent bodies that provide health advice to prostitutes. They may not employ pregnant people or those who do not comply with certificates. They must keep a copy of certificates, preventing access by third parties (Bundesgesetzblatt, 2016).

The law makes it clear that brothel owners have no say in the design of sexual services, which is responsibility of the parties directly involved in the service. Furthermore, the agreements between the operator and the prostitute must be in writing and the payments between the two must be traceable. It also clarifies how to collect data, the possibility of supplementing this law with ordinances concerning minimum requirements for prostitution activities, health protection and compliance with the

obligations of registration, collection and transmission of data. Finally, it provides for its evaluation from 2022 (Bundesgesetzblatt, 2016).

The Prostitute Protection Act is a federal law and it is valid for the whole country. However, it allows different Land to impose local restrictions on tax and trade law (Bundesgesetzblatt, 2016).

## EXPERTS AND POLICY MAKERS. DID THEY WORK TOGETHER?

Manuela Schwesig of the Social Democratic Party of Germany (SPD) presented the bill of the Prostitute Protection Act in 2015, which was debated in 2016. It expresses an agreement between SPD, the Christian Democratic Union of Germany (CDU) and the Christian Social Union in Bavaria (CSU). Alliance90/The Green and The Left opposed the bill. Those in favour of the law supported it based on the need to put an end to violence in prostitution, trafficking, and exploitation. They argued that the first task of the state is to protect the weakest. (Bundestag 2016a; 2016b). More precisely, Schwesig of SPD stressed that it is more difficult to set up a business in Germany than a brothel and this must end. She advocated for the need to put an end to the inhumane conditions that people in prostitution experience. For her, only those who know their rights are really protected and to guarantee access to information, compulsory registration is necessary. It is not bullying, it is protection (Bundestag, 2016a). Parties in favour of the bill continued to stress the need to end exploitation. Registration ensures that women in prostitution are not lost in the invisibility that makes them perfect prey for traffickers. They considered it necessary to give instruments to authorities for controlling the sector. People who want to choose prostitution must therefore respect the rules (Bundestag, 2016a; 2016b; Bundesrat, 2016). Those against the bill considered it an expression of mere control. The draft has «[...] a paternalistic attitude that denies self-determination to all women and men in prostitution – a law that – [...] continues the stigmatization of the stigmatized» (Bundestag 2016a:17009). A law that will make it more difficult for people to live in prostitution (Bundestag, 2016a; Bundestag, 2016b). Parties opposed to the bill were in favour of regulating prostitution. They agree with the need to verify the reliability of the managers of prostitution structures and to design better conditions for people in prostitution (Bundestag, 2016a; Bundesrat, 2016). They opposed compulsory registration and health counseling because they perceive these things as a means of control and repression. Only anonymity protects people in prostitution from stigma and they claim that the law will promote secret, unprotected labor (Bundestag, 2016a; Bundesrat, 2016). Opponents claim that before taking action against prostitution, it is necessary to resolve the social issues that produce it (Bundestag, 2016a). For them it is necessary to strengthen the self-determination of people in prostitution and to protect the most vulnerable (Bundestag, 2016a; 2016b).

Both positions were based on concrete evidence. Those in favour of the bill referred to the failure of the 2002 law. This failure was highlighted by the Federal Government's Report on the Effects of the Prostitution Act. This shows that access to employment with social security contributions has been used very little, the positive effects on working conditions are difficult to measure, no alternatives to prostitution have been created, there are no reliable indicators to show a reduction in crimes committed in prostitution, the transparency of the 'red light world' has improved only to a limited extent, and trafficking and exploitation do not seem to be decreasing (BMFSFJ, 2007). On the other hand, the opposing positions referred to the requests of expert organisations in the sector. The process of discussing the proposed law also included a

public hearing, as well as the recording of various press releases written by expert organisations. Thus, these opinions, albeit with different reasons, note a general disagreement with the bill.

The National Coordination Group against Trafficking in Human Beings has written all their scepticism and concerns about the Prostitute Protection Act draft. For them the focus should not be on the general control of prostitution, but on the welfare of the people involved in it (KOK, 2016). *BuFaS e.V.* (2016) believes that the bill does not respect sexual self-determination, personal freedom, health and human rights. In addition, the law ignores the specific competence of counselling centres (BuFaS, 2016). *Diakonie Deutschland* (2016) believes that the bill lacks respect for the living conditions of people in prostitution by criminalizing them and exacerbating their difficulties. The German Association of Women Lawyers thinks that there are milder means than compulsory registration when it comes to informing people of their rights (djb, 2016). And yet: «The level of control required is inadequate, and in particular, it is not possible to demonstrate convincingly how it can strengthen the protection of the parties concerned» (djb, 2016:127). The *Deutscher Frauenrat* (2015) organization believes that the bill is stigmatizing, does not protect against exploitation and increases discrimination. In their view, a ‘control frenzy’ prevails (Deutscher Frauenrat, 2015). The bill goes into the opposite dimension to the stated intentions. In addition, all obligations fall on people in prostitution and nothing is said about the customers (except for condom obligation) (Deutscher Frauenrat, 2015). For SISTER (2016), the law points in the right direction – trying to limit exploitation. However, it does not go far enough to do so, continuing to consider the possibility of ‘sex work’. *Dortmunder Mitternachtsmission* counseling center rejects the bill (Deutsche AIDS-Hilfe *et al.*, 2015).

Organizations generally welcome the regulation of prostitution facilities (KOK, 2016). However, they are concerned that the requirements are too stringent, such as to favour the monopoly of large businesses at the expense of smaller ones – not considering that it is precisely in private apartments where women in prostitution have more self-determination (BuFaS, 2016; Diakonie Deutschland, 2016; djb, 2016).

The almost complete disagreement is over the obligations of individuals in prostitution. According to experts in the field, the bill relies unilaterally and disproportionately on the control of people involved in prostitution, in particular by compulsory registration and health consultation. SISTERS is the only exception. In their opinion, registration provides an identity, information and possible help to those who are exploited. In addition, health counseling is also made available to people who are generally excluded by the health system (SISTERS, 2016). Other organizations are extremely critical. The German AIDS Service Organizations points out that their thirty years of experience speak for themselves: voluntary health advice is accepted, compulsory health advice pushes people into illegality (Deutsche AIDS-Hilfe *et al.*, 2015). Many organizations agree and underline the importance of anonymity (Deutscher Frauenrat, 2015; KOK, 2016; BuFaS, 2016; Diakonie Deutschland, 2016; djb, 2016), as well as, the responsibility of all those involved, including customers (Diakonie Deutschland, 2016; djb, 2016). Concerning registration, few recognize any possible advantages to personal contact in the context of registration, but most organizations assume that information discussion in that context would not lead to greater protection against exploitation (KOK, 2016; Diakonie Deutschland, 2016; djb, 2016). It is not possible to identify victims of exploitation in a short interview. Experience shows that victims need time to develop trust and tell their story (KOK, 2016; Diakonie

Deutschland, 2016). How can a victim go to the public authorities if there is an obligation to report people without a residence permit? (KOK, 2016; Diakonie Deutschland, 2016). In addition, failing to identify the victim's status could then legally invalidate the victim's credibility in subsequent admission (KOK, 2016). The certificate could then easily become an instrument of blackmail, especially for those coming from countries where prostitution is a crime (KOK, 2016; Deutsche AIDS-Hilfe *et al.*, 2015). This kind of victim will avoid registration and end up with legal problems (bufaS, 2016; Diakonie Deutschland, 2016). The same is true for all of those people who are involved in this type of activity occasionally or for even a very limited time who do not recognize themselves as prostitutes or sex workers (Diakonie Deutschland, 2016). Organizations emphasize that the bill seems not to consider the stigma that weighs on people in prostitution (bufaS, 2016; Diakonie Deutschland, 2016) and continues to focus on them (Deutscher Frauenrat, 2015; bufaS, 2016).

The government's acceptance of most of the documents analysed is evidenced by their presence in official government document from the public hearing. Evidence shows that some relevant stakeholders have been identified and involved, not that of the sex workers. The *bufaS* specifies in the press release the absence of their voice (bufaS, 2016). However, there is almost unanimous disagreement among other organisations with expertise in the field. The 2007 Federal Government's Report on the Effects of the Prostitution Act and the criticalities expressed by the experts, on the basis of their experience, have made it possible to collect concrete evidence on the phenomenon in question, its criticalities and those of the bill. The organisations consulted have highlight well the possible harms and negative impacts upon those who will be affected by the bill. However, all this has not led to a change in arguments on the part of policy makers. As can be seen from the parliamentary work, the positions taken by the promoters of the bill have not changed. Continuing to justify the compulsory registration and health counseling, despite all the evidence, by the need to protect those involved in prostitution.

In this manner, the promoters of the bill have demonstrated their unwillingness to change their approach on the basis of what emerged in the discussion process, and also in light of the bill's potential negative impact. In this way, the last aspect necessary for the realization of an attentive and sensitive law to the context is missing. Policy makers did not take into account the experience gained, over the years, by experts work in this field.

Certainly, in order to verify whether or not the concerns expressed by the organisations subject to this study have occurred, it would be necessary to investigate what happened after the implementation of the Prostitute Protection Act.

## CONCLUSION

The 2002 law in Germany seems to have led to a greater normalization of prostitution. At the same time, the need for more regulation grew. This is considered essential in order to fight exploitation and violence in prostitution, as well as trafficking in human beings for the purpose of sexual exploitation. Thus, the Prostitutes Protection Act is a restrictive amendment concerns the modalities of administrative and legal control of prostitution.

According to the 'test for policy makers' by Crowhurst and Skilbrei (2017), the process of discussing the Prostitutes Protection Act has met three of the four requirements necessary to implement a policy that at least tries to meet the needs of the reference context. It has identified, consulted and involved some relevant stakeholders

such as ONGs. Concrete evidences have been gathered on the phenomenon of prostitution in Germany. These highlighted the failures of the previous law by official evaluation and possible negative scenarios linked to the introduction of the new law thanks to the experts. However, it was not possible to correct the bill. Thus, in this process of linked actions, failure to meet the last requirement has frustrated all the previous work. What is the point of including and consulting if you are not then open to reconsidering your initial ideas on the basis of almost unanimous criticism? The analysis of the documents clearly highlighted and justified all the very likely negative consequences of the application of this law. According to the experts, the Prostitute Protection Act is not capable of meeting its own objectives. It will not be able to improve the living conditions of people in prostitution, let alone help the victims of violence, exploitation and trafficking in human beings. It is a law based on the control of persons that it should protect. Disproportionate control over people involved in prostitution is evident just from a mere reading of the law. People who already carry the weight of the stigma also have obligations that expose them to discrimination and danger. In addition, non-compliance with these obligations may lead to detention. Exemplificative is the request to repeat the registration every two years for people over 21 years old and every year for people between 18 and 21 years old, while the owners of prostitution facilities are checked only every three years. The only obligation for customers is to use condoms. However, the law does not specify any sanction for those who do not comply with this obligation. Excluding criminal organizations and brothel owners, there are always at least two actors in prostitution, but the rules are again only imposed on the people who sell – an out-debate approach to problem solving in the world of prostitution, and one that can already amply demonstrate its failure in history. The law clearly shows that without the indispensable attentions, establishing obligations and restrictions, it can easily become a form of control for those who should not be controlled, but rather supported and protected.

For all these reasons, the Prostitute Protection Act may be considered the result of a conception that gives prostitution a negative and moral connotation, but does not have the strength to declare it fully.

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