

## The Guardian view on Amnesty International's call to decriminalise sex work: divisive and distracting Editorial

**Irrespective of whether the sex trade should be decriminalised for adults, this is not a policy question for human rights organizations.**

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[Amnesty International](#) is one of the great organisations of the modern world. Few can have done more to establish the simple propositions that human rights matter and that they matter for everyone. It has exalted the lowly and brought down the mighty from their seats. And it is poised to make a serious mistake.

The organisation's international council meeting in Dublin which starts on Friday this week [will consider a motion](#) urging that sex work be decriminalised. This is in itself a contestable position. There are [many feminists](#) who recoil from it. The letter signed by [film actors](#) who are normally reliable allies of Amnesty shows how damaging it is. On the other hand there is a body of professional opinion quoted in [the Amnesty proposal](#), which argues that decriminalising sex work minimises the harm done to sex workers and allows it to be more effectively regulated.

The Amnesty proposal is carefully framed to avoid the obvious evils. It is not as silly or immoral as headlines can make it appear. It would only apply to adults over 18 who were working without coercion, deceit or violence. It addresses a real, global problem, which is that sex workers are almost everywhere treated as outcasts who may be exploited at will. Their rights are routinely violated, in part because they are sex workers. Nonetheless, the organisation should reject the policy.

There are two related reasons why. The first is the incoherence of the position paper and the libertarian ideals which inform it. It gives the impression of having emerged from sex-work policy-wonking rather than a careful consideration of the ways in which human rights around the world can best be defended and upheld. The suggestion that the trade be decriminalised but not then regulated is particularly far off-beam. Since when did unregulated markets guarantee human rights? There is nothing intrinsically repugnant to human rights in sex work if you exclude violence, deceit and the exploitation of children. But these aren't fringe phenomena. They are central parts of the trade in most places round the world. To

take as normative the experience of protected western adults is a morally disabling form of privilege.

Of course, Amnesty is itself opposed to violence, coercion and the exploitation of children. There are some harrowing stories in the report of the brutal maltreatment of sex workers all over the world. But all of these things are already abhorrent to Amnesty. As the report itself says: “Guaranteeing human rights without discrimination is the most effective way to ensure the empowerment of people involved in sex work and the protection of all individuals from discrimination, violence, and coercion.” It is wrong to murder sex workers, or to kidnap and rape them, but it is just as wrong to treat anyone in those ways. No special legislation or policies are needed to establish that beyond the fundamental commitment to uphold human rights.

The founding principle of human rights law and human rights thinking generally is that there are certain things which it is always and everywhere wrong to do to anyone, irrespective of their crimes, their moral character, or the danger that they may pose to the state – for many of the prisoners whom Amnesty defends really are a danger to the corrupt and authoritarian states which persecute them, just as many of the criminals whom Amnesty attempts to shield from the death penalty have indeed committed terrible crimes. These are irrelevant. The relevant principle is that there are certain things which no state should do to any citizen.

This is in itself a fiercely controversial principle, which almost all states implicitly or explicitly reject when it comes to their own actions. But it is one of supreme importance, and the purpose of Amnesty’s existence is to uphold it impartially. Nothing which conflicts with this aim or detracts from it should be considered as Amnesty policy. The proposal to decriminalise the sex trade clearly fails the test, and this is the second reason why the Dublin meeting should reject it.

Obviously, Amnesty is right to say that sex workers have human rights and that these should be respected. But many Amnesty supporters believe that the trade itself tends to corrupt or to violate these rights, except for a lucky few participants. The broadest coalitions unite around the narrowest agendas. A call to decriminalise sex work is a distraction from Amnesty’s core mission, and dangerous to it too.

- This article was amended on 3 August 2015. An earlier version of the headline and text said legalise, rather than decriminalise sex work.