

Media handling of prostitution and human trafficking for sexual exploitation.

Recommendations



These recommendations have been promoted by the **ABITS Agency (Agency for the Comprehensive Approach towards Sex Work)** of **Barcelona City Council** with collaboration from the Association of Women Journalists of Catalonia (ADPC)

COORDINATION:

BARCELONA CITY COUNCIL

Content coordination:

Maria Gas de Cid, director of Social Equality and Health Services
Bàrbara Melenchón Serrano, director of the Women's Programme
Olga Arisó Sinués, expert within the Women's Programme
Núria Serra Busquets, Verònica Giménez Fos, Cristina Espunya Feixes
and Catarina Alves Vieira da Cunha, experts within the ABITS Agency

Edition coordination:

Communication Department

ASSOCIATION OF WOMEN JOURNALISTS OF CATALONIA

Marta Corcoy Rius and Mavi Carrasco Rocamora, project coordinators
Montserrat Puig Mollet and Elena Riera Salazar, research
Raquel Piqueras Herrero, documentary support

DISCUSSION AND ADVISORY GROUP:

Anna Solà Arguimbau, representative of the Technical department
of the Observatory for Women in the Media
Antoni Baquero Iglesias, journalist (El Periòdic)
Antonio Navarro Acevedo, manager of the Press Office, Public Relations and Protocol
of the Catalan Police Headquarters
Bàrbara Soler Cuevas, expert advisor to the Press Department of the Mayor's Office
of Barcelona City Council
Cristina Baulies Batiller, representative of the Communication Office of the Catalan Institute for Women
Francisco José Niebla Cátedra, journalist (Agència EFE)
Gemma Lienas Massot, writer
Laura Gomara Panadero, editor
Margarida Solé Montané, gender delegate of the Association of Journalists of Catalonia
Marta Selva Masoliver, representative of the Technical department of the Observatory for Women in the Media
Rebeca Carranco Vizcaino, journalist (El País)
Toni Ayala Maldonado, supervisor for 20 Minutos in Barcelona/Catalonia

OTHER PROFESSIONALS INFORMED OF THE PROCESS:

Carles Sabaté Pastor and Jordi Panyella Ferreres (El Punt Avui)
Jaume Vallès Aroca (La Vanguardia)
Joan Serra Carné (Diari Ara)
Josep Casulleras Nualart (Vilaweb)
Rosa Fernández Nevado (Europa Press)
Xavier Alsinet Campos (Catalan News Agency – ACN)

COLLABORATING INSTITUTIONS:

Association of Journalists of Catalonia
Audiovisual Council of Catalonia
Catalan Institute for Women of the Government of Catalonia
Catalan Police Headquarters
Observatory for Women in the Media

Media handling
of prostitution and
human trafficking
for sexual
exploitation.
Recommendations

Human
Rights



WOMEN

citizenship



equality

CONTENTS

Document presentation	7
Recommendations	11
Legal and regulatory framework of reference in relation to prostitution, sexual exploitation and human trafficking for sexual exploitation	28
Glossary	36

Document presentation

City Council
ABITS **BCN**
AGENCY

This document has been prepared by communication professionals and promoted by the ABITS Agency of Barcelona City Council in collaboration with the Association of Women Journalists of Catalonia (ADPC).

In 2006 the Plenary Session of the City Council approved the ABITS Plan for the comprehensive approach to prostitution in the city and for collaborating in the fight against **human trafficking**¹ for sexual exploitation (defined by law as a form of violence against women). ABITS Agency was created for the purpose of implementing this plan.

On 28 October 2011 the Government approved a measure which aimed to improve and boost the Agency, including citizen information and sensitisation among its planned actions.

Along this line, the 2012-2015 Municipal Action Plan *foresees the preparation of outreach campaigns in audiovisual and written media promoting the identification and intolerance of certain manifestations of violence against women as one of the actions included in objective 1.9.2: Right to equal opportunities especially for vulnerable women.*

In light of this, the 2012-2015 Municipal Plan for real and effective equal opportunities among women and men includes in Concept 1 (Real and effective equal opportunities and promotion): *designing recommendations for approaching news relating to prostitution in the media, with the aim to promote a non-sexist handling of women in the media and advertising and to ensure a dignified image.*

The Barcelona City Council is aware of the relevant role played by the media over the past few years in so far as increasing visibility and contributing towards social

1 Refer to glossary: trafficking in persons.

debate on violence against women. And it wants to take a step further towards improving media handling of prostitution and human trafficking for sexual exploitation.

On this line of work, in 2004 Barcelona City Council, along with other institutions and organisations, promoted the *Recommendations for handling violence against women in the media*. Therefore, it now deems it necessary to approach the recommendations on handling the prostitution phenomenon.

To provide a view of the current situation, the Association of Women Journalists of Catalonia (ADPC) was commissioned to prepare an analysis on prostitution in written and digital media, which has been the starting point for drafting the recommendations we are presenting.

9

Media handling
of prostitution and
human trafficking
for sexual
exploitation.
Recommendations

The main conclusions of the analysis are the following:

- There is a trend towards hiding the social, political and economic context, as well as the gender inequalities which lead to enabling prostitution.
- The media focus falls mainly on women engaging in prostitution, without showing the other actors involved: the men who make it possible thanks to their demand and the people and/or networks which profit from and/or commit crimes.
- Stereotypes are reproduced that stigmatise women engaging in prostitution and favour the infringement of their citizenship rights.

- Women are treated as passive subjects (without voice or authority), and they have their right to protection of identity and image infringed.
- An image is promoted which links women with crime, lack of public security and social exclusion.
- A trend towards sensationalism can be detected.

Based on these conclusions, a discussion group was promoted for preparing the *Recommendations on handling prostitution and human trafficking for sexual exploitation in the media*. In collaboration with ADPC and with support from the Association of Journalists, several work sessions were organised with representatives from the different media, news agencies, institutional press offices and other organisations and experts linked to the fields of communication and prostitution.

Then next step was to adapt these recommendations to audiovisual media, for which we have support from the Catalan Audiovisual Council (CAC).

Hence, the document we are presenting today is the outcome of this joint work, based on shared reflection and consensus.

Lastly, we would like to thank the personal and professional commitment of all the people who have made these recommendations possible. We hope this publication guides and provides tools for professionals for improving the communicational approach towards such a complex issue as prostitution and human trafficking for sexual exploitation.

Recommendations

A word cloud graphic featuring the following terms: **WOMEN** (blue, top), **EQUALITY** (pink, middle), **RESPECT** (green, left), **HUMAN RIGHTS** (orange, right), and **citizenship** (purple, vertical, bottom).



1 _____

Approach prostitution in its entire social complexity.

2 _____

Differentiate between prostitution which is engaged in voluntarily and human trafficking for sexual exploitation or forced prostitution.

3 _____

Raise visibility for the people who profit from and/or commit crimes via prostitution and the users who make it possible, removing media focus from the women who engage in prostitution.

4 _____

Respect the dignity and freedom of women engaging in prostitution and reject discourse attacking them.

5 _____

Avoid reproducing myths and/or stereotypes regarding prostitution.

6 _____

Avoid trivialising, sensationalising or defending prostitution.

7 _____

Do not relate prostitution to crime, insecurity and antisocial behaviour, avoiding automatically placing news articles in the current events section.

8 _____

Use specialised information sources, giving women who engage in prostitution a voice and authority.



9 _____

Respect the decision of women engaging in prostitution regarding disclosing their identity and image. Avoid them from being identified unless they have granted their consent.

10 _____

Use non-sexist language, dealing with the involved subjects in an equal manner.

11 _____

Correct any information which has been inaccurately published.

12 _____

Promote the role of communication offices as a specific source of information for contextualising the news articles.

13 _____

Offer training in relation to gender, prostitution and human trafficking for sexual exploitation for communication professionals and university students.

14 _____

Promote research and dissemination regarding prostitution and human trafficking for sexual exploitation.

15 _____

Publicise these recommendations and monitor their impact.

1. APPROACH PROSTITUTION IN ITS ENTIRE SOCIAL COMPLEXITY.

- Contextualise the phenomenon as a global matter with significant economic implications (this is the third largest business in the world, only after drug and weapon smuggling).
- Deal with **prostitution**² in a cross-cutting manner, as a diverse, heterogeneous and multi-cause issue, while putting the information into context.
- Gain in-depth information regarding the cultural, social and economic motivations which perpetuate prostitution.
- Raise awareness regarding the power relationships and those regarding **gender inequality**³ which intervene in prostitution: economic inequality between men and women, emotional-sex education, objectification of the female body, etc.
- Promote reports which deal with the diverse cultural, economic and social aspects encompassing this phenomenon.

14

Media handling
of prostitution and
human trafficking
for sexual
exploitation.
Recommendations



² Refer to glossary: prostitution.

³ Refer to glossary: gender equality.

2. DIFFERENTIATE BETWEEN PROSTITUTION WHICH IS ENGAGED IN VOLUNTARILY AND HUMAN TRAFFICKING FOR SEXUAL EXPLOITATION OR FORCED PROSTITUTION.

- Show the range of circumstances which lead women to engage in prostitution.
- Deal with forced prostitution⁴ as an infringement of human rights which harms freedom, equality, integrity and the dignity of people, and is defined by law as a form of **violence against women**⁵.
- Delve into how the mechanisms and networks which enable forced prostitution operate.
- Raise awareness of the life stories of women working as prostitutes and, especially, of the victims of forced prostitution.
- Monitor the cases of human trafficking for sexual exploitation and report their court outcomes.
- Show the difficulties for guaranteeing the safety of women linked to the environments surrounding prostitution, as well as before, during and after the court proceedings⁶.

15

Media handling of prostitution and human trafficking for sexual exploitation. Recommendations

⁴ Despite the fact that article 177b of the Penal Code only employs the term human trafficking for sexual exploitation when referring to forced prostitution, in this document we will use both terms as synonyms.

⁵ Refer to glossary: violence against women.

⁶ Protocol for the protection of the victims of human trafficking in Catalonia, of 17 October 2013.

3. RAISE VISIBILITY FOR THE PEOPLE WHO PROFIT FROM AND/OR COMMIT CRIMES VIA PROSTITUTION AND THE USERS WHO MAKE IT POSSIBLE, REMOVING THE MEDIA FOCUS FROM THE WOMEN WHO ENGAGE IN PROSTITUTION.

- Create awareness regarding the men who use prostitution and make it possible thanks to their demand, analysing their motivations and portraying them as people who make a conscious decision regarding their sexual relations.
- Show the abusive behaviour and sexist violence, involving multiple risks, which some men who use prostitution carry out covertly and with impunity.
- Raise awareness of the other actors who profit from and/or commit crimes:
 - The people who make money from prostitution.
 - The people who commit crimes by means of **sexual exploitation**⁷ or those who engage in human trafficking for sexual exploitation.
- Deal with the **procurer**⁸ as the person who profits from exploiting the prostitution of a third party. Procuring is punishable by law.

⁷ Refer to glossary: sexual exploitation.

⁸ Refer to glossary: procuring.

4. RESPECT THE DIGNITY AND FREEDOM OF WOMEN ENGAGING IN PROSTITUTION AND REJECT DISCOURSE ATTACKING THEM.

- Avoid secondary victimisation of women engaging in prostitution, respecting their decisions and taking into consideration their personal resources and their **resilience**⁹.
- Avoid identifying specific groups and collectives with prostitution, eliminating any type of stigmatisation.
- Do not make reference to engaging in prostitution when a woman who does so is being focused on due to another issue which has nothing to do with prostitution.
- Do not reproduce discourse that attacks the dignity and freedom of women.

17

Media handling of prostitution and human trafficking for sexual exploitation. Recommendations

**Create awareness
of the people
who profit from
and/or commit
crimes involving
prostitution**



⁹ Refer to glossary: resilience.

5. AVOID REPRODUCING MYTHS AND/OR STEREOTYPES REGARDING PROSTITUTION.

- Eliminate from the information any prejudice, **stereotype**¹⁰, stigma or preconceived idea, to avoid the infringement of rights.
- Avoid trivialising prostitution by displaying it as an unavoidable outcome.
- Take into consideration that the stigma of prostitution places women in a situation of infringement of their rights as citizens, especially in cases involving human trafficking for sexual exploitation.

18

Media handling
of prostitution and
human trafficking
for sexual
exploitation.
Recommendations



¹⁰ Refer to glossary: sexist stereotypes.

6. AVOID TRIVIALISING, SENSATIONALISING OR DEFENDING PROSTITUTION.

- When referring to prostitution, avoid justifying or legitimising gender inequalities among men and women.
- Show and compare the different realities and effects of prostitution.
- Avoid disseminating an idealised, glamorous or romantic vision of prostitution (for example, the *Pretty Woman* myth).
- Do not express covert opinions in texts which are solely of an informative nature.
- Favour informing on newsworthy events in a brief form and avoiding sensationalism.
- Do not report neighbours' opinions if they contribute towards the stereotypes and/or do not contribute relevant details.

19

Media handling
of prostitution and
human trafficking
for sexual
exploitation.
Recommendations



7. DO NOT RELATE PROSTITUTION TO CRIME, INSECURITY AND ANTISOCIAL BEHAVIOUR, AVOIDING AUTOMATICALLY PLACING NEWS ARTICLES IN THE CURRENT EVENTS SECTION.

- Always take into account that engaging in prostitution is not a crime and, therefore, avoid relating women engaging in prostitution to criminal acts.
- Pay special attention to women in a situation involving human trafficking for sexual exploitation, as the law acknowledges and protects them as the victims of grave infringements of human rights and a specific form of violence against women.
- Differentiate news articles that belong in the society section from those which belong in the current events section, extending this to in-depth stories.
- Take special care when dealing with information on police raids (and the reason behind these raids), as they tend to criminalise women, linking them to criminal acts.



8. USE SPECIALISED INFORMATION SOURCES, GIVING WOMEN WHO ENGAGE IN PROSTITUTION A VOICE AND AUTHORITY.

- Create awareness of the experiences and opinions of women who engage in prostitution (with their prior consent) and show their capacity for resilience.
- Give special visibility to life stories of women who are victims of human trafficking for sexual exploitation.
- Use other specialised sources: information and opinions from experts, organisations and institutions related to this activity.
- Compare the information sources.

21

Media handling of prostitution and human trafficking for sexual exploitation. Recommendations

9. RESPECT THE DECISION OF WOMEN ENGAGING IN PROSTITUTION REGARDING THEIR DECISION TO DISCLOSE THEIR IDENTITY AND IMAGE. AVOID THEIR IDENTIFICATION UNLESS THEY HAVE GRANTED THEIR CONSENT.

- Ask for approval from the women for disclosing their identity and image and, if they do not give their approval, avoid identifying them. Images are part of the right to identity and constitute personal information which is protected by the Data Protection Law¹¹, regardless of whether in prostitution is voluntary or forced.

¹¹ Statutory Law on Personal Data Protection (LOPD) 15/1999, of 13 December.

- Take into consideration the possible impact on women's living conditions of publicising their identity and image, in an increasingly globalised world. Furthermore, the use of archive images could have a negative effect on the current lives of the women, leading them to relive past circumstances. Publishing their image without their consent could lead to devastating consequences within their social, family, work and community lives, and all due to something which is not illegal. Women who engage in prostitution could also be mothers, neighbours, siblings and daughters.
- Do not disseminate the details and images of victims of human trafficking for sexual exploitation, as their identity is protected by law, with the aim of guaranteeing their safety and protection, and respect ongoing legal proceedings¹².
- Never publish the identity or image of minors¹³ without having obtained authorisation from their legal tutors or when this could harm them, given that its publication is prohibited by law. In addition, when a minor engages in prostitution he/she is considered to be a victim of human trafficking for sexual exploitation, hence the protection of the minor's identity as a victim

12 Statutory Law on Protection of Witnesses and Experts in Criminal Cases 19/1994, of 23 December.

13 Statutory Law on Personal Data Protection (LOPD) 15/1999, of 13 December. The right to protecting personal data is an expression of the right to honour and possession of one's own image and includes the publication of images and videos. The Catalan Data Protection Agency defines "sensitive data" as data relating to the sexual lives of people and those which could lead to further infringements of fundamental rights and revictimisation, which are protected. Law 22/2005, of 29 December, on audiovisual communication in Catalonia.

of forced prostitution would also be applicable¹⁴. Publishing these images could entail committing a double crime.

- Take into account that it is often hard to determine whether women are victims of human trafficking for sexual exploitation or are minors, which reinforces the importance of not identifying them. When in doubt, it is best to not publish their image even if they have consented to its publication.
- Do not make reference to the country of origin of the woman unless it is strictly necessary. This only needs to be mentioned if it is of an informative value.
- In this line, and in light of the reasons explained above, care must also be taken to not use images, for example of police operations, where the women can be identified, to avoid them from being criminalised.
- Use images which have not been stereotyped and infographic elements such as maps, graphs, statistics, etc., which contribute cross-sectional information and contextualise the phenomenon.

23

Media handling
of prostitution and
human trafficking
for sexual
exploitation.
Recommendations

HUMAN RIGHTS
RESPECT



¹⁴ Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating sexual abuse and sexual exploitation of children, and child pornography.

10. USE NON-SEXIST LANGUAGE¹⁵, DEALING WITH THE INVOLVED SUBJECTS IN AN EQUAL MANNER.

- Eliminate sexist bias from the narrative and construction of the news report as is the implicit or explicit penalisation of women due to being visible, exhibited and public.
- Use the term “prostitution” when referring to the phenomenon as a whole, instead of referring to the women who engage in it. For example, refer to “prostitution on the street” instead of “prostitute on the street” or “luxury prostitution” instead of “luxury prostitute”.
- Never use terms which stigmatise women who engage in prostitution, such as for example “whore, brothel worker...”.
- Never use the word *prostitute*, as it reduces the person to a facet or activity in that person’s life, with strongly negative cultural connotations. Try to use terms such as:
 - women who engage in prostitution;
 - women in situation of prostitution;
 - women in a context of prostitution;
 - women in situation of trafficking;
 - women in a situation of sexual exploitation.

¹⁵ Refer to glossary: sexist language.

- Avoid any form of discrimination or inequality deriving from using specific language. For example, avoid using terms such as *brothel workers*, which do not have a male equivalent.
- Eliminate euphemisms when referring to people who commit crimes through prostitution. For example, refer to *people who sexually exploit* (who commit sexual exploitation) and/or *traffickers* (who commit crimes involving human trafficking for sexual exploitation) instead of using the term businessman/woman.

11. CORRECT ANY INFORMATION WHICH HAS BEEN INACCURATELY PUBLISHED

- Immediately correct any inaccurate information which has been published (whether in the body of the news article or in the images) to avoid harming the dignity or right to privacy of the affected people.

25

Media handling of prostitution and human trafficking for sexual exploitation. Recommendations



In order to advance in compliance with these recommendations, it is deemed necessary that the **different public authorities, universities, professional associations and media** collaborate towards:

**Promoting
the role of the
communication
offices**

12

1314

**Promoting
research and
dissemination**

**Offering training Disseminating these
recommendations**

12. PROMOTE THE ROLE OF COMMUNICATION OFFICES AS A SPECIFIC SOURCE OF INFORMATION FOR CONTEXTUALISING THE NEWS ARTICLES.

- Offer:
 - Statistics on the phenomenon of prostitution and human trafficking for sexual exploitation, police arrests, resolution of court cases, etc. Material and studies which explain the gender inequalities and the causes which enable the prostitution to continue.
 - Reports on the actions carried out by institutions and organisations in this field.
 - Contact with experts and organisations who can provide specialised information.
 - Information on studies, research works, legislative changes, campaigns, etc.

27

Media handling of prostitution and human trafficking for sexual exploitation. Recommendations

13. OFFER TRAINING IN RELATION TO GENDER, PROSTITUTION AND HUMAN TRAFFICKING FOR SEXUAL EXPLOITATION FOR COMMUNICATION PROFESSIONALS AND UNIVERSITY STUDENTS.

14. PROMOTE RESEARCH AND DISSEMINATION REGARDING PROSTITUTION AND HUMAN TRAFFICKING FOR SEXUAL EXPLOITATION.

15. PUBLICISE THESE RECOMMENDATIONS AND MONITOR THEIR IMPACT.

*Legal and regulatory
framework
of reference
in relation
to prostitution
and human trafficking
for sexual
exploitation.*

**LEGAL AND
REGULATORY
FRAMEWORK**

INTERNATIONAL REGULATION

- United Nations Convention on the Elimination of All Forms of Discrimination Against Women. CEDAW, 1979¹⁶.
- United Nations Declaration on the Elimination of Violence against Women, adopted by the General Assembly in Resolution 48/104 (Article II), of 20 December 1993.
- Palermo Protocol (Protocol to prevent, suppress and punish trafficking in persons, especially in women and children), 2000.
- Install equilibrium. **Gender Equality**¹⁷ in Journalism. UNESCO Document, 2009.

29

Media handling of prostitution and human trafficking for sexual exploitation. Recommendations

EUROPEAN REGULATION

- European Convention on Human Rights of 1950, ratified by the Spain in 1976. European Convention on Human Rights reviewed in compliance with Protocol number 14 (entry into force on 1 November 1998). The convention prohibits forced labour and slavery and guarantees the right to freedom and safety (articles 4 and 5, respectively). Human trafficking is a form of slavery according to the judgement issued by ECtHR Case Rantsev v. Cyprus and Russia.
- Directive 2004/81/EC of the European Council, relating to the residence permits issued to third-country nationals who are victims of trafficking in human beings for sexual exploitation.

¹⁶ Refer to glossary: gender-based discrimination.

¹⁷ Refer to glossary: gender equality.

- European Council Convention, of 16 May 2005, on Action against Trafficking in Human Beings.
- Directive 2009/52/EC of the European Parliament and of the Council, of 18 June 2009, providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals. Official Journal of the European Union L168, of 30 June 2009 (pp. 24-32).
- European Parliament Resolution on preventing trafficking in human beings, B7-0029/2010.
- Directive 2011/36/EU of the European Parliament and of the Council, on preventing and combating trafficking in human beings and protecting its victims (replacing Council Framework Decision 2002/629/JHA). This directive, which has not yet been transposed to the Spanish legal system, does not explicitly make reference to the media although it does establish in its article 18 that “Member States are obliged to take appropriate measures, such as education and training, to discourage and reduce the demand that fosters all forms of exploitation related to trafficking”.

- Directive 2011/93/EU of the European Parliament and of the Council, of 13 December 2011, on combating sexual abuse and sexual exploitation of children, and child pornography.
- Directive 2012/29/EU, of 25 October 2012, establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220 JHA.



SPANISH LEGISLATION

- Statutory Law on Personal Data Protection (LOPD) 15/1999, of 13 December.
- Statutory Law 14/2003, of 20 November, reforming Statutory Law 4/2000, of 11 January, on rights and freedoms of foreign nationals in the Spain and their social integration, amended by Statutory Law 8/2000, of 22 December; of Law 7/1985, of 2 April, governing the Bases of the Local Regime; of Law 30/1992, of 26 November, on the legal regime of the public authorities and the common administrative procedure, and of Law 3/1991, of 10 January, on unfair competition, published in the Official State Gazette on 21 November 2003 (BOE 279).
- Statutory Law 11/2003, of 29 September, on specific measures regarding citizen safety, domestic violence and social integration of foreigners. Official State Gazette of 30 September 2003 (BOE 234) modifying article 188 of Statutory Law 10/1995, of 23 November, of the Penal Code.
- Statutory Law 3/2007, of 22 March, for the effective equality of men and women, published in the Official State Gazette on 23 March 2007 (BOE 71).
- Statutory Law 5/2010, of 22 June, modifying Statutory Law 10/1995, of 23 November, of the Penal Code. Official State Gazette of 23 June 2003 (BOE 152).
- Law 7/2010, of 31 March, on general audiovisual communication.

REGULATIONS OF CATALONIA

- Code of Ethics - Declaration of principles of the journalistic profession in Catalonia, approved in 1992, within the framework of the 2nd Congress of Catalan Journalists.
- Decree 217/2002, of 1 August, governing public businesses where prostitution is carried out, published in the Official Journal of Catalonia on 8 August 2002 (DOGC number 3695).
- Order pre/335/2003, of 14 July, approving the municipal ordinance on public businesses where prostitution is carried out. Official Journal of the Government of Catalonia, of 29 July 2003 (DOGC 3935).
- Recommendations on handling violence against women in the media. 1st edition 2004. Update, 2009. Barcelona Provincial Council, Barcelona City Council, Audiovisual Council of Catalonia, Government of Catalonia, Association of Journalists of Catalonia, Council of Information of Catalonia, Association of Women Journalists of Catalonia and Observatory of Women in the Media.
- Law 22/2005, of 29 December, on audiovisual communication in Catalonia.
- Law 5/2008, of 24 April, on women's right to eradicate violence against women. Official Journal of the Government of Catalonia, of 2 May 2008 (DOGC 5123).

33

Media handling
of prostitution and
human trafficking
for sexual
exploitation.
Recommendations

- Programme of measures for approaching prostitution, especially when related to human exploitation for sexual purpose, approved in October 2010 by the Government of Catalonia.
- Gender and the Media. Tools for creating awareness regarding contributions made by women. Catalan Institute for Women, Audiovisual Council of Catalonia and Association of Journalists of Catalonia, 2011.
- Protocol for the protection of victims of trafficking in human beings in Catalonia, signed on 17 October 2013, by the Government of Catalonia, Barcelona City Council, Public Prosecutor of Catalonia, the General Council of the Judiciary, the Catalan Association of Municipalities and Regions, the Federation of Municipalities of Catalonia, the Council of the Bar Associations of Catalonia and the Official Association of Psychologists.



REGULATIONS OF BARCELONA

- Municipal ordinance of activities and public businesses, approved by the Plenary Session of Barcelona City Council on 11 April 2003.
- Plan for the comprehensive approach to the sex industry - ABITS, approved by the Plenary Sessions of Barcelona City Council on 28 April 2006.
- Government Measure - Actions for improving and promoting the ABITS Agency, approved by the Plenary Session of Barcelona City Council on 28 October 2011.
- Modification of the ordinance of measures for promoting and guaranteeing citizen coexistence in public spaces in Barcelona (articles 39 and 40), initially approved by the Commission of Presidency and Home Affairs, on 21 March 2012.
- Programme for Municipal Actions 2012-2015, approved by the Plenary Session of Barcelona City Council on 5 October 2012.
- Municipal plan for real and effective equal opportunities among men and women 2012-2015, approved by the Plenary Session of Barcelona City Council on 26 October 2012.

35

Media handling
of prostitution and
human trafficking
for sexual
exploitation.
Recommendations

Glossary

**GLOS-
SARY**

- **Gender-based discrimination:**

Occurs when a person is treated arbitrarily in a different manner due to their gender regardless of the person's ability, knowledge or individual capacity. Discrimination is considered to be any distinction, exclusion, restriction or preference due to gender which aims to or results in limiting or voiding the person's acknowledgement, enjoyment or exercise of their fundamental rights within political, economic, social, cultural and civil spheres or in any other area.

- **Sexist stereotypes:**

These are cultural constructions which assign, in an unequal and discriminatory manner, different roles, attitudes and characteristics to each sex. These are generalisations based on preconceived ideas and prejudice. Sexist stereotypes establish unique, socially valid, models for being a man and for being a woman, which lead to establishing an unequal system of power relations between the sexes.

- **Sexual exploitation:**

Abuse of the sexual freedom or indemnity for profit and employing violence, abuse involving superiority, intimidation or deceit, or taking advantage of the victim's necessity or vulnerability.

- **Gender:**

Cultural and social construction which defines the different emotional, affective and intellectual characteristics as well as the behaviours which each society assigns to men and women as inherent and natural. Gender is learnt and can be taught, changed and manipulated.

- **Equal opportunities among men and women:**

Absence of gender-based obstacles or barriers in economic, political, cultural and social participation.

- **Gender equality:**

Concept which defends that all human beings are free to develop their personal abilities and make their own decisions without gender-related limitations, and that the different behaviours, aspirations and needs of men and women are worthy of equally consideration and value.

- **Sexist language:**

Using language in a manner which promotes discrimination against women. The most frequent type is using the male form as a universal generic term, while making women invisible. A way of reinforcing stereotypes through language is by systematically using male or female forms in the titles of certain positions or professions. For example: doctor/nurse.

- **Prostitution:**

Exchange of money or goods for acts with a sexual content or of a sexual nature. Prostitution is normally understood to be a series of activities in which a commercial relationship is established on the basis of exchanging sex for money.

- **Procuring:**

As per Article 181.1 of the Penal Code, procuring is considered to be when a person/procurer incites and profits from exploiting the prostitution of another person (sexual exploitation), even with the latter's consent. The law differentiates between crimes involving procuring and trafficking in human beings for sexual exploitation, as the latter is included with the incorporation of Article 177 b of the Penal Code.

- **Resilience:**

Capacity to overcome adverse, difficult and traumatic circumstances in a healthy manner. It includes the skills and capabilities for empowerment for facing up to threats, dangers and adversities, as well as the capacity for recovering from negative experiences and developing and integrating them into one's life experiences.

- **Sex:**

Innate attribute of people which is determined by nature and establishes the physical, biological and anatomical differences between men and women.

- **Sexism:**

Series of attitudes which are characterised by belittling or undervaluing everything which people of a different gender do or are, as they are considered to be inferior.

- **Trafficking in persons:**

(Spanish: *trata*; Catalan: *tràfic d'éssers humans*).

Palermo Protocol to prevent, suppress and punish trafficking with persons, especially women and children, year 2000, defines it as:

“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” “xploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

Trafficking in persons represents an infringement of human rights, which may take place within a state or across borders.

In Spain this is regulated by Article 177 b of the Penal Code and is punishable with five to eight years in jail, if the trafficking person commits the crime within Spanish territory, is from Spain, in transit or with destination to this country, employs violence, intimidation or deceit or, while abusing a situation of superiority, need or vulnerability of the national or foreign victim, captures, transports, transfers, shelters, receives or houses the victim with any of the following purposes: :

- a) Imposing forced work or services, slavery or alike, servitude or begging.
- b) Sexual exploitation, including pornography.
- c) Removal of body organs.

Despite not recurring to any of the means listed in the above paragraph, trafficking in human beings is considered to be any of the indicated actions when this involves a minor for the purpose of exploitation.

The consent from a victim of human trafficking is irrelevant when one has employed any of the means indicated above.

- **People smuggling**

(Spanish: *tráfico*; Catalan: *tràfic de persones*).

The Spanish Penal Code differentiates between people smuggling (governed by Article 318 b of the PC) from trafficking in human beings (governed by Article 177 b of the PC). People smuggling is understood to be a crime against the migration laws of the State which always entails illegal border crossings. There is consent from the person who is illegally entering the country and this generates economic profit for the person who smuggles the people.

- **Violence against women:**

Law 5/2008, of 24 April, on the Right of Women to eradicate violence against women defines it as *“the violence which is exercised against women as a manifestation of discrimination and the situation of inequality within the framework of a system of power relations of men over women and which, caused by physical, economic or psychological means, including threats, intimidation and coercion, results in physical, sexual or psychological damage or harm, regardless of whether this is caused in the public or private sphere”*.

GLOSSARY SOURCES:

- CIRD Centre for Equality and Resources for Women of Barcelona City Council.
- Statutory Law 10/1995, of 23 November, of the Penal Code.
- Collection of resources (Catalan Institute for Women).
- “La recuperació és possible. Resiliència contra la violència” (Recovery is possible. Resilience against violence), Rubén Sánchez Ruiz.
- Law 5/2008, of 24 April, on women’s right to eradicate violence against women.
- TERMCAT.

43

Media handling
of prostitution and
human trafficking
for sexual
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Recommendations



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