



VERENIGING VOOR VROUW EN RECHT

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Commentary of the Dutch CEDAW-Network, SekswerkExpertise, platform for the advancement of sex worker rights, WO=MEN, Dutch gender platform, Association Women & Law Clara Wichmann (VVR) and the Sex Work Alliance Destigmatisation (SWAD) on the February 2026 Concluding Observations of CEDAW on sex work and trafficking in women (CEDAW/C/NLD/CO/7)

The Dutch CEDAW-Network, SekswerkExpertise, WO=MEN, the VVR and SWAD welcome the 2026 [Concluding Observations of CEDAW](#) on protecting the human rights of sex workers and combating trafficking and exploitation.

Sex worker rights are an integral part of women's rights

In their [shadow reports to CEDAW](#), Dutch NGOs have consistently stressed [sex workers' right to self-determination](#) and personal and sexual autonomy as a fundamental human right, and advocated for the protection of their rights, including the right to protection against violence, abuse and trafficking. [Making sex workers' rights an integral part of women's rights](#) is vital to protect their labour and human rights, their safety, health and recourse to justice, including of those in exploitative or abusive situations.

Criminalising sex work does not protect women

In our submissions to the Committee, we highlighted [the negative impact of repressive policies on the safety, health and autonomy of sex workers](#). These range from local bans on home-based and other independent forms of sex work, pushing independent sex workers into the illegal sector, to legislative proposals for mandatory registration that endanger the safety and privacy of sex workers. Recently there are increasing initiatives to raise the legal age for sex work from 18 to 21, which would drive young adult sex workers underground, cutting them off from health care and social services.

From experience and research we know that [criminalisation and punitive laws and policies do not protect sex workers from violence and abuse](#), whether they work voluntarily or under coercion. Rather they exacerbate their working and living conditions, make it more difficult to protect themselves against violence or to escape exploitative situations, and undermine their agency and access to remedies.

Shortcomings in anti-trafficking policies

Along with the need for improving the legal, social and labour position of sex workers, we reported on [the shortcomings in anti-trafficking policies](#). A persistent problem is the dependence of access to assistance and temporary residence permits on the victim's willingness to cooperate with the investigation, rather than on their need for support and protection. Similarly, their right to remain in the Netherlands depends on the perpetrator's conviction. Other major points of critique include the lack of adequate identification, especially in sectors outside the sex industry such as care and domestic work; barriers to reporting to the police, particularly for undocumented

migrants; the lack of a specific non-punishment provision; and the low number of prosecutions and convictions. An alarming recent development is the [bill to criminalise undocumented migrants](#). This will expose migrant domestic workers, victims of trafficking and gender-based violence, and women facing forced marriage, marital captivity, or abandonment to increased risk of exploitation and violence, while excluding them from essential services.

Praise for the Concluding Observations of the CEDAW Committee

The Concluding Observations show that the Committee has listened carefully to the concerns of the Dutch NGOs and taken them seriously. The 2024 shadow report of the Dutch CEDAW-Network was [endorsed by 90 Dutch NGOs](#).

We are encouraged by the Committee expressing its concerns how repressive local policies have reduced licensed workplaces, banned home-based sex work, increased dependence on brothel operators, and pushed independent sex workers into the illegal sector with reduced access to protection, health care and social services. Similarly, the Committee expresses its concern that the draft Law on the Regulation of Sex Work may further violate sex workers' right to privacy, deepen stigma, limit access to police and services, and increase their exposure to gender-based violence (para 28e).

Reverse repressive sex work policies, ensure access to safe and legal working places and protect sex workers privacy and safety

We welcome and support the Committee's recommendations to reverse repressive local sex work policies, ensure that sex workers have access to safe and legal workplaces, including home-based sex work, prevent them from being abandoned to unsafe conditions, and amend the draft law on the regulation of sex work to ensure it does not criminalize sex workers or increases their vulnerability. We especially value the attention of the Committee for the protection of transgender women, particularly migrant transgender sex workers (para 29e). In addition, we want to express our appreciation of the Committee's decision to use the term sex workers, as the preferred term of sex workers themselves.

Establish safe reporting channels and ensure trafficking victims have access to assistance irrespective of cooperation with the police

Similarly we want to emphasise the importance of the Committee's recommendation to ensure that victims of trafficking can safely turn to the police without fear of deportation or detention by separating anti-trafficking functions from immigration enforcement, and establishing safe reporting channels (para 29c). Equally important is the Committee's recommendation to ensure that reporting procedures are accessible, confidential and victim-centred (para 29g); that victims have access to specialised assistance services, independent of their willingness or ability to cooperate with the prosecution authorities; and to prevent their re-traumatisation in the criminal justice system (para 29d). Finally the Committee makes clear that the Netherlands has to take measures to strengthen the early identification of victims and the investigation and prosecution of perpetrators (para 29a & b).

SekswerkExpertise, Dutch platform for the advancement of sex worker rights

Dutch CEDAW Network

WO=MEN, Dutch gender platform

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17 March 2026