



# EQUALITY NOW

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Mr Holstrop  
Thomas Cook AG  
Zimmersmuehlenweg 55  
D 61440 Oberursel  
Germany

6 June 2006

Dear Mr Holstrop

I am writing on behalf of Equality Now, an international human rights organisation that works to protect and promote the human rights of women and girls around the world. Equality Now has more than 30,000 individual and organisational members in over 160 countries. Issues of concern to Equality Now include all forms of violence and discrimination against women and girls, including their commercial sexual exploitation.

I am writing to express Equality Now's deep concern that Thomas Cook is offering tours to the red light district of Amsterdam. Highlighting in this way, women who are being objectified and harmed by commercial sexual exploitation only further objectifies and harms them, compounding the abuse. As I said in my first letter to Ms Coles-Barrasso, CEO of Thomas Cook Retail Ltd, (a copy of which and all subsequent correspondence with Thomas Cook is enclosed) it is estimated that over 80% of women in prostitution in Amsterdam are trafficked into prostitution. Trafficking and sexual exploitation of women and children is a human rights violation condemned by international law. Trafficking in persons is prohibited by the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons supplementing the United Nations Convention against Transnational Organized Crime, which came into force on 25 December 2003 and currently has 100 States parties. The Protocol defines trafficking as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion...for the purpose of exploitation", under which it includes "the exploitation of the prostitution of others or other forms of sexual exploitation".

Thomas Cook cannot hide behind the fact that prostitution (rather than trafficking) is legal in the Netherlands. In her report to the recent 62<sup>nd</sup> session of the Commission on Human Rights (E/CN.4/2006/62), the United Nations Special Rapporteur on trafficking in persons, especially women and children, states that

92. *...legalization of prostitution has the effect of making human rights abuses appear as if they were simply legitimate work, thereby "hiding" such abuses in plain view.*

She states that

43. *...State parties with legalized prostitution industries have a heavy responsibility to ensure that the conditions which actually pertain to the practice of prostitution within their borders are free from the illicit means delineated in...the Protocol definition, so as to ensure that their legalized prostitution regimes are not simply perpetuating widespread and systematic trafficking. As current conditions throughout the world attest, States parties that maintain legalized prostitution are far from satisfying this obligation.*

The Special Rapporteur goes on to say that

**WORKING FOR THE CIVIL, POLITICAL, ECONOMIC AND SOCIAL RIGHTS OF WOMEN AROUND THE WORLD**

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60. *...Prostitute-users are typically incapable of distinguishing and/or unmotivated to differentiate between prostituted persons who have been subjected to the illicit means delineated in...the Protocol and those who have not.*

In recognition of these findings, as well as the provisions of the United Nations Convention on the Elimination of all Forms of Discrimination against Women, ratified by almost all nations of the world, which stresses that all forms of trafficking in women and exploitation of prostitution of women should be suppressed, we would again urge Thomas Cook to cancel the tour to Amsterdam's red light district immediately, to encourage the local tour company in Amsterdam to cancel the tour and to withdraw its business from the local company unless and until the local tour company does so.

The Special Rapporteur states that

57. *Paradigmatically, the demand side of trafficking consists of actors such as prostitute-users, slave-holders and people who purchase products created through trafficked labour. Many of these same actors also fall within the definition of "traffickers". However, the overlap between these two categories is not complete; for while every trafficker constitutes part of the demand side of trafficking (because they foster the exploitation that leads to trafficking), not everyone on the demand side of trafficking necessarily satisfies the definition of "trafficker".*

58. *For example, consumers who purchase goods produced through trafficked labour are properly understood as part of the demand side of that trafficking market, but they are not themselves traffickers, since they have not committed any of the five actions specified in the act element of the Protocol definition of trafficking (i.e., they have not recruited, transported, transferred, harboured or received any person; rather, they have merely received goods - albeit goods produced through trafficked labour).*

She clarifies that

51.(b) *Demand must be understood as that which fosters exploitation, not necessarily as a demand directly for that exploitation;*

The provision by Thomas Cook and its associates of tours to the red light district in Amsterdam cannot help but foster an environment where the buying and selling of women's and children's bodies and thereby the exploitation of women and children is considered acceptable. We urge Thomas Cook to abide by its own Responsible Business Policy to "oppose and actively discourage illegal, abusive or exploitative forms of tourism", by cancelling the tour to the red light district in Amsterdam immediately.

Thank you for your attention and I look forward to hearing from you.

Yours sincerely



Jacqueline Hunt  
Director

CC: Mr Fontenla-Novoa  
Mr Teckentrup  
Dr Fankhauser  
Mr Heuberg