

SOME OBJECTIONS TO THE IMMEDIATE SIGNING BY  
THE BRITISH GOVERNMENT OF THE DRAFT PROTOCOL  
ON TRAFFIC IN WOMEN OF FULL AGE.

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**Submitted by the Association for Moral and Social Hygiene for the  
consideration of His Majesty's Government and its representatives at  
the League of Nations Assembly, 1933.**

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(1) That sufficient time has not been given for the case for and against the Draft Protocol to be put to the societies in this country. In consequence of the holiday season intervening, many Committees are unable to give an opinion before October.

(2) Some at least of the support given to the immediate signing of the Draft Protocol has been given under various misapprehensions, *e.g.* :—

(a) That if the British Government did not sign the Draft Protocol it would be impossible for any country to eliminate the age limit from its own legislation.

(b) That the Protocol must be unanimously signed by Governments before it can become operative.

(c) That to ask the British Government to postpone signature and to explore the position further is equivalent to asking for postponement of the elimination of the age limit until all countries in the world have abolished regulation.

In consequence of these and other erroneous conceptions as to the meaning and scope of the Draft Protocol and the results which will be achieved by its adoption, a certain amount of support has been and will be given to the immediate signing of it. This Association regrets that owing to the short time available the following facts are not more widely known to the various societies interested in this matter :—

That there is nothing to prevent those countries which are agreed on the elimination of the age limit (so that all third-party traffic in women for purposes of prostitution is punishable) from putting such legislation into force in their own country. There is no reason why all those countries should not in addition sign an International Convention in those terms.

There is no necessity for an International Convention to be signed by all countries, nor that the countries should all decide to sign at the same time. Naturally, those not signing the Conventions are not bound by them and, *in our view, it would be more fitting if the*

*countries whose system is the principal factor in promoting both national and international traffic in women refrained from signing International Agreements the avowed object of which is to prevent traffic in women.*

That the real and at present insuperable obstacle to a general signing of a Convention to make all traffic in women, both under age and over age, punishable is the fact that certain countries (*i.e.*, the countries which maintain licensed or officially tolerated brothels) cannot make traffic in women punishable within their own borders or administrative areas because if they did so they would have to punish the brothel-keepers whose occupation is now either licensed by the State or given official permission.

That, in consequence, the only obvious gain in the immediate signing of the present very unsatisfactory Draft Protocol is that it enables Regulationist countries to appear before the world at Geneva as being very active against traffic in women, while maintaining at home and in their foreign possessions the system which is admittedly the cause of the traffic. This gain does not appear to this Association as being of sufficient value to render it desirable that the British Government should hasten to sign the Draft Protocol while its implications are still not clearly understood in this country.

Nothing of any value or protection will be lost by not signing it this September. Women and girls are unprotected now from the traffic in Regulationist countries and will remain unprotected in those countries even if the Draft Protocol is signed. The only countries where traffic in women constitutes a serious problem is in the countries maintaining recognised houses of prostitution; the present Draft Protocol will give no added protection in those countries. This is fully confirmed in Part II of the League of Nations Experts' Report where it is repeatedly stated that, *in Regulationist countries*, "it is evident that laws and decrees on this subject are easily evaded," or, as it was more forcibly stated by a trafficker to the League investigator: "Laws don't mean a damn thing. . . . Ain't there souteneurs and prostitutes coming in every day . . . with all these laws nobody ain't stopped."—(p. 121, Experts' Report, Part II).

This Association would welcome the drawing up of a new Draft by the British Government representatives which might substitute the words "purposes of prostitution" for the words, "immoral purposes," and omit altogether the words "in another country." The governing clause of such a draft would then read as follows:—

"Whosoever, in order to gratify the passions of another person has procured, enticed or led away, even with her consent, a woman or girl over age for purposes of prostitution, shall also be punished notwithstanding that the various acts constituting the offence have been committed in different countries."

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Such a draft, which would carry into effect the principle already agreed upon by the League of Nations Advisory Committee and approved by the 1932 Assembly (which the Draft Protocol does not do), could be signed and put into operation by all those countries who are willing to abolish the age limit in their own legislation, that is, who are willing to make all third-party traffic in women punishable within their own areas of administration. It could not be signed by those Governments who maintain the system of licensed houses. This, in our view, as stated above, would not be any loss; in fact, we think it preferable that such countries be not urged to sign such a Protocol until official or public opinion or both is sufficiently advanced for them to abolish the system of licensed houses. The advantages of this method of procedure are threefold:—

(1) *It would place responsibility for the traffic in women where such responsibility ought to be, that is, on those Governments and nations which, by maintaining the Regulation system, give official sanction and facilities to traffickers in women by providing them with a profitable public market in the licensed houses of prostitution.*

(2) This placing of responsibility directly on to the Regulationist Governments would be of powerful educational value since it touches national prestige, and would give a valuable impetus to national propaganda for the abolition of the houses.

(3) A draft on the lines we have proposed above would either prevent or punish traffic in and between the Abolitionist countries which sign such an International Agreement and amend their laws accordingly. It would also provide machinery between them for exchange of information concerning known traffickers, their activities and their whereabouts.

This Association, therefore, begs His Majesty's Government to defer acceptance of this Draft Protocol and to press that the matter be further explored.

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