EUROPEAN NETWORK
OF MIGRANT WOMEN



PUBLIC
STATEMENT

# BELGIAN CONSTITUTIONAL COURT GIVES LEGAL COVER TO PIMPING

**Statement on judgment No. 126/2026**

*Brussels, 16 November 2026*

The European Network of Migrant Women (ENoMW) expresses deep concern at the Belgian Constitutional Court's ruling of 12 November 2026, which rejected the challenge brought by isala, ENoMW and seven other organisations against Belgium's law allowing the organisation of prostitution under employment contracts.

The ruling is a slap in the face to women and girls, especially migrant women and girls, to the feminist movement and to international law. It reflects how deeply misogyny is entrenched in Belgium's institutions and how little weight they give to women's equality, dignity, safety and human rights.

Prostitution is a system of male violence against women and one of the oldest forms of women's oppression. ENoMW's position is grounded in the lived experiences of migrant women. Men's sexual domination of women has been enforced across generations, including through slavery and colonialism. Belgium has turned that exploitation into a licensed industry. **The Belgian state gave pimps a licence to organise and profit from women's prostitution. The Constitutional Court gave that system legal cover.**

**"Today's Belgian court decision is deeply disappointing but not surprising for us, considering how deeply structural violence against migrant women is embedded in Belgium.**
**More than anything, this ruling demonstrates that impunity of perpetrators has been normalised within Belgian judiciaries — a phenomenon we are prepared to continue fighting against"**

**Adama Sira Le Blay**
**Co-President of European Network of Migrant Women**

Feminist organisations were explicitly excluded from the drafting of the law. Twenty-five Belgian feminist organisations raised their concerns publicly before its adoption. For ENoMW, the ruling is a logical consequence of that exclusion. When legislators shut feminist organisations out and courts give little weight to the realities women describe, the interests of those who profit from prostitution take precedence over the rights of the women they exploit.

In its ruling, the Court misused the Palermo Protocol to defend licensed pimping. It read a requirement of "specific intent to exploit" into the 1949 UN Convention, although the Convention contains no such express requirement. Its preamble identifies prostitution itself as incompatible with human dignity, and Article 1 requires states to punish the exploitation of another person's prostitution even where that person consents. The Court nevertheless held that Belgium could exempt licence holders from the offence of pimping when they organise another person's prostitution for profit in compliance with Belgian law. In doing so, it used the Palermo Protocol to narrow a separate treaty obligation.

The Court also instrumentalised consent. It relied on a formal right to refuse a "client" or a sexual act without confronting what it takes to exercise that right. As isala pointed out, the law places women under the authority of the people who profit from their prostitution. Economic dependency, insecure residence status, coercion and fear of retaliation can leave a woman with little practical freedom to refuse or leave safely. Even "freely given" consent to a sexual act cannot justify a third party profiting from a woman's exploitation.

ENoMW stands with women in prostitution and survivors in demanding an end to the system that exploits them. The Network will continue to examine the available legal avenues and to work with organisations, experts and survivors to ensure that the rights, experiences and voices are heard and taken seriously.

