

Austria, April 2005

**To**

**In Romania:**

Mister President **Traian Basescu**

Mister Prime Minister **Calin Popescu-Tariceanu**

Mister Foreign Minister **Mihai Razvan Ungureanu**

Mister Ambassador **Traian Chebeleu** (Romanian Ambassador to Vienna)

**In Austria:**

Mister President **Heinz Fischer**

Mister Chancellor **Wolfgang Schüssel**

Mrs. Minister of the Interior **Liese Prokop**

Mister Dr. Jur. **Christian Zeileissen** (Austrian Ambassador to Bucharest)

**Reference: Forbid to the distribution of residence permits „Selbständig, § 7 Abs. 4 Z 4 FrG“ for the purpose of prostitution to Romanian citizens, on request of the Romanian government**

Ladies and Gentlemen,

Hereby we (I) would like to express our (my) confusion and concern over the interdiction specified above, to the distribution of residence permits for Romanian migrants who plan to work in prostitution or as show dancers. Based on the background of experience of organisations ([www.maiz.at](http://www.maiz.at), [www.lefoe.at](http://www.lefoe.at), [www.volkshilfe-wien.at](http://www.volkshilfe-wien.at)), for many years active in counselling, social assistance and education of migrants working in prostitution, convincingly becomes clear that this “law reorganisation” is to have serious consequences.

Therefore we/I would like to inform you about the threatening effects of this interdiction and ask you to undertake the utmost, in order to secure the (re) gaining of the minimum of (life) rights for the concerned migrants.

**Consequences as result of residence permit loss for Romanian migrants working in prostitution**

**Loss of basis subsistence level**

Women from Romania, coming to Austria to work as prostitutes are doing this, first of all, in order to create, for themselves and for their children, a basis of existence. Because many women from Romania, as well as from other Eastern European countries have only a few chances on the job market, it is often prostitution, which is the only possibility to secure their own surviving and that of their children and families, as well. This brings us to the conclusion that the new law regulation is affecting not only individuals but also whole families, and this at a vital level.

**Loss of a well structured life in Austria**

Many of those Romanian women already living for a long time in Austria have confidence in the Austrian legal certainty and, as a consequence, after receiving the visa for new selfemployers, they started to structure their life by renting an accommodation and/or

setting-up of a dwelling, signing various private insurance policies or by starting a long-term partnership. Leaving all these behind would mean incomensurable financial and emotional losses. The right to private -and familylife is neglected by the new law regulation and must, in individual cases, be made valid after laborious and complicated legal procedures.

### **Ambiguity concerning punishment and/or exemption from punishment**

As long as the Romanian government is not making any offer concerning the exemption from punishment for those voluntarily returning women, all those legally working in the prostitution in Austria, have to fear a punishment as soon as back to the country of origin.

### **No alternative to illegalisation**

A considerable number of the women threatened by the withdrawal of the residence permit and by being punished as soon as they are back in their homeland, will hardly be able to find any alternative to the step into illegality.

### **Consequences concerning the health**

Illegally working women have rarely the possibility to put conditions to their clients, concerning „Safe Sex“, that means that extensively increasing health risks will be given. An other consequence is that illegally working women will drop out of the existing healthprevention programs of Austria (compulsory regular investigations!)

### **Uncontrollable boom of the contempting women trafficking**

Romanian women are going to be, in the near future, dependent on criminal, exploitative switching, as it is to observe in people smuggling and in trafficking in women. The offenders against human dignity, at expense of these women, will earn even more money than before!

The practice of prostitution is permitted in Austria - as also in the entire European Union area- in principle. Non EU migrants, working in the prostitution, are granted, since some time, and at different extent, at least some rights which helps them to cope with major risks like diseases or violence and also gives them a minimum of human being worthy life in liberty.

**Our claim to the Austrian Government is to achieve, in constructional cooperation with Romania, which issued this law regulation, the withdrawal, with IMMEDIATE effect of it and to set back the human rights of migrants!**

Faithfully ,

the organisations(with Logo) – or individuals