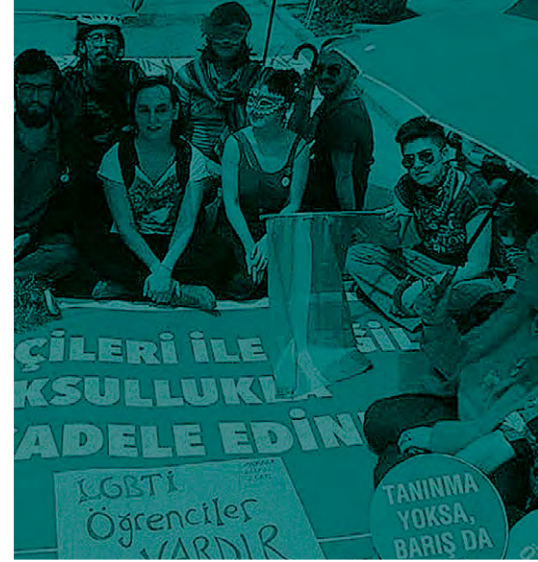




ICRSE

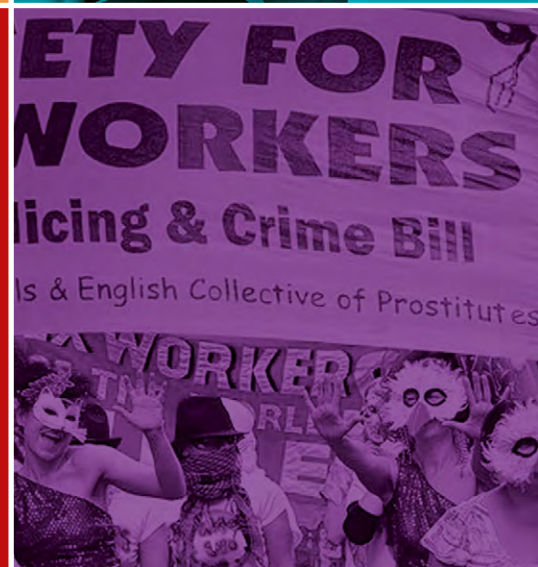
International
Committee on
the Rights of Sex
Workers in Europe
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NOTHING ABOUT US WITHOUT US!



TEN YEARS OF
SEX WORKERS'
RIGHTS ACTIVISM
AND ADVOCACY
IN EUROPE





THE INTERNATIONAL COMMITTEE ON THE RIGHTS OF SEX WORKERS IN EUROPE (ICRSE)

is a sex worker-led network representing more than 75 organisations led by or working with sex workers in Europe and Central Asia, as well as 150 individuals including sex workers, academics, trade unionists, human-rights advocates, and women's rights and LGBT rights activists. ICRSE opposes the criminalisation of sex work and calls for the removal of all punitive laws and regulations regarding and related to sex work as a necessary step to ensure that governments uphold the human rights of sex workers. As long as sex work is criminalised – directly or indirectly through laws and practices targeting sex workers, clients, or third parties – sex workers will be at increased risk of violence (including police violence), arrests, blackmail, deportations and other human rights violations.

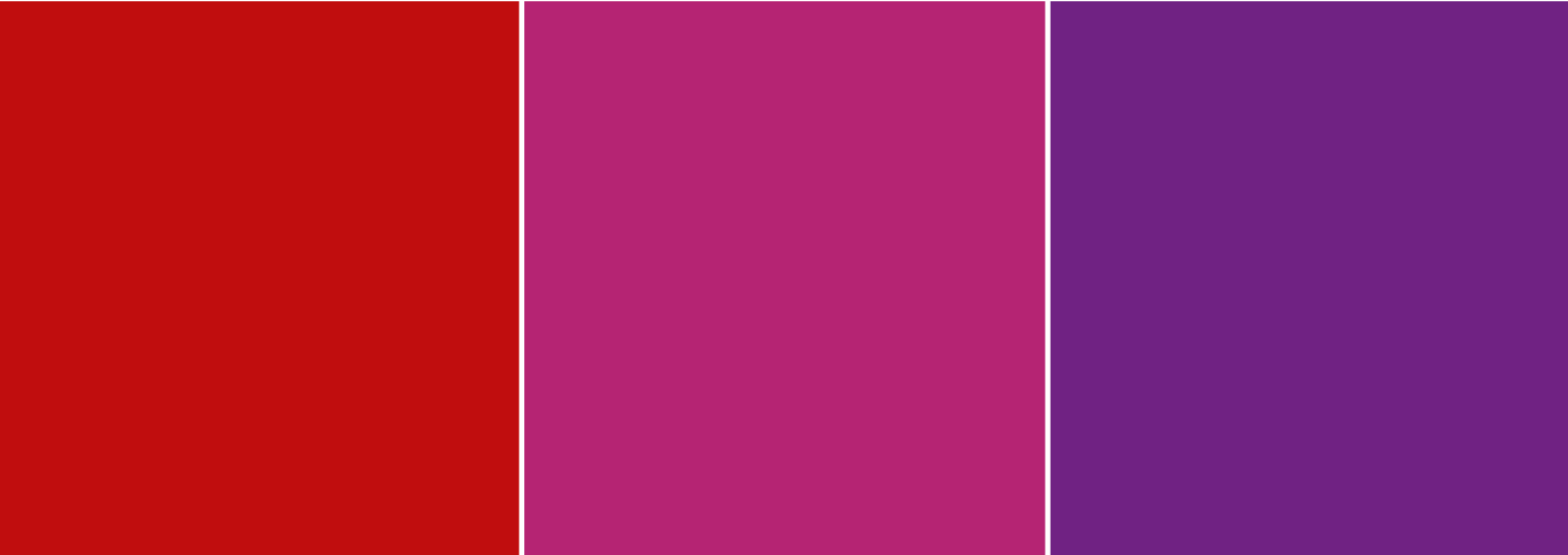


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INTRODUCTION

In October 2005, 120 sex workers and 80 allies from across Europe and the world gathered in Brussels, Belgium, to take part in the European Conference on Sex Work, Human Rights, Labour and Migration. This meeting, organised by the International Committee on the Rights of Sex Workers in Europe (ICRSE), created a great opportunity for sex workers to celebrate the legacy and accomplishments of the sex workers' movement, socialise, and foster community building efforts in the region. The conference also gave sex workers a chance to share their knowledge and experiences on recent trends in legislation and policies on sex work, migration and human trafficking, affecting sex worker communities throughout Europe.

The aim of this report is to reflect upon both the developments in the sex workers' movement and changes in laws, policies and social attitudes affecting sex workers' lives, rights and working conditions in Europe and Central Asia which took place in the decade following the Brussels conference.

For the last ten years we have been witnessing the dynamic expansion and strengthening of the sex workers' movement in the region, which is reflected in a growing number of local and national sex worker collectives as well as international and transregional community networks. This report documents these ten years of the sex workers' movement by highlighting the different achievements, struggles and engagements of sex worker-led organisations and networks and their contribution to the advancement of sex workers' rights in Europe and Central Asia.

Simultaneously, we want to re-evaluate sex workers' demands, put forward by the participants of the Brussels conference, by juxtaposing them with legal, social and economic realities sex workers are facing in Europe and Central Asia today. Are sex workers' demands made ten years ago still relevant and equally pressing? If so, why? What are the main trends in sex work policies and other legal developments across the region? Are these helping to advance sex workers' rights and dignity, or do they, on the contrary, make sex workers more vulnerable to rights violations, discrimination and violence? What other social and structural factors have impacted on sex workers' living and working conditions? Have there been any noticeable changes in societal attitudes towards sex workers and the recognition of sex workers' rights and needs? With this report, we will provide answers to these questions, and through looking back at the struggles and challenges faced by our communities across Europe, we wish to revisit and reaffirm some of the demands made by the sex workers' movement a decade ago. We set out to do so by recognising and addressing in this report the voices of different communities of sex workers, including female, male and trans sex workers, whether they identify as female, male or non-binary, (undocumented) migrant sex workers, sex workers who use drugs and those living with HIV.

MOBILISING FROM THE MARGINS | SEX WORKERS ORGANISE FOR THEIR RIGHTS ACROSS EUROPE AND CENTRAL ASIA

This report highlights the last ten years of the sex workers' movement in Europe and Central Asia, starting from the Brussels conference in 2005. This does not mean, however, that sex workers in the region had not been mobilising to fight for their rights prior to this date. Already at the end of the 18th century, around 1,000 sex workers staged a protest in Paris, France, to denounce police violence and oppression.¹ Sex worker-led demonstrations also took place in Weimar Germany during the 1920s, when sex workers objected to the closure of their workplaces,² or in Ankara, Turkey, in 1955, when sex workers took to the streets to express their discontent with harsh policing and abuses by law enforcement.³ However, it is the occupation of the Church of St. Nizier in Lyon, France, in 1973 which is frequently considered a symbol of the birth of the sex workers' movement in Europe.⁴ This protest brought together over 100 sex workers demanding an end to police repressions, incarceration and violence. It also provoked the development of many national sex worker-led organisations and collectives throughout Europe, including the English Collective of Prostitutes (ECP), the Meeting and Counselling Center for Prostitutes Hydra in Germany, the Italian Committee for Civil Rights of Prostitutes (Comitato per i Diritti Civili delle Prostitute, CDCP), or the sex worker solidarity association Aspasia in Switzerland, all of which still exist today.

Numerous of these organisations and many others that emerged over the following years significantly contributed to the strengthening of the sex workers' movement and helped advocating for sex workers' rights. Some of them engaged fiercely in the struggle for the decriminalisation of sex work, freedom from oppression and discrimination, and the protection of sex workers' human rights, including their right to health, their right to work and their right to organise.⁵ Other community organisations loudly demanded the recognition of sex work as a legitimate form of work and livelihood, called upon governments to protect sex workers' labour rights, and in some cases, fostered sex worker unionisation or cooperation with mainstream trade unions in their respective countries, as did De Rode Draad (the Red Thread) in the Netherlands or Hydra in Germany.⁶ Others, among them SCOT-PEP in Scotland, Colectivo Hetaira in Spain and Tais Plus in Kyrgyzstan, mobilised in response to the HIV epidemic by providing their communities with HIV-related services and advocating for policy changes in regard to HIV and sex work.

All these collective efforts set the stage for the advancement and dynamic growth of the sex workers' movement in the European region, and fostered the emergence of the International Committee on the Rights of Sex Workers in Europe, the official organiser of the Brussels conference.

ORGANISING AT REGIONAL & GLOBAL LEVEL FOR SEX WORKERS' RIGHTS

ICRSE

The history of the ICRSE dates back to 2002, when a small informal collective of Dutch sex workers and activists developed the idea to organise an international conference that would provide sex workers with an opportunity to track and discuss developments in European sex work policies. To that end, the collective reached out to sex workers and allies from different European countries and invited them to join an organising committee. In 2004, 15 current and former sex workers and allies joined this committee and registered a foundation in Amsterdam. The ICRSE was born.⁷

The 2005 Brussels conference was undoubtedly a great success of the ICRSE and of the sex workers' movement in Europe. Long hours of animated discussions led to the development of several documents which bore witness to the challenges faced by sex workers across the region, and to this day, they serve as key advocacy tools for the European and global sex workers' movement. One of them, the Declaration on the Rights of Sex Workers in Europe,⁸ is based on international human treaties ratified by European governments. It outlines the human rights sex workers should be entitled to according to these treaties and identifies human rights violations experienced by our communities in different European countries. Another document, the Sex Workers in Europe Manifesto,⁹ presents sex workers' vision of changes needed to create a more equitable society in which sex workers and their rights and labour are acknowledged and valued.



Red Umbrella March, European Conference on Sex Work, Human Rights, Labour and Migration, Brussels, Belgium, 17 October 2005, photo credit: Maj Christensen

The Sex Workers in Europe Manifesto: 10 Highlights

The Sex Workers in Europe Manifesto lists sex workers' demands for changes needed to create a more equitable society—one that acknowledges and values sex workers, our rights, and our labour. It was endorsed by approximately 120 sex workers from 24 countries in Europe at the European Conference on Sex Work, Human Rights, Labour and Migration in Brussels, Belgium (2005) and presented to the European Parliament. Ten sex workers stood up and each read aloud a statement selected from the document.

10 Sex Workers; 10 Statements:

1. We condemn the **hypocrisy** in our societies whereby our services are utilised while our profession or businesses are made illegal. Legislation that criminalises sex work results in abuse and in a lack of control for sex workers over our work and lives.

WE DEMAND an **end to legislation** that criminalises our partners, children and other family members for associating with us and being supported by our earnings.

2. **WE DEMAND** that our right as human beings to use our bodies in any way we do not find harmful be respected. This includes the right to establish **consensual sexual relations**, no matter the gender or ethnicity of our partners, and regardless of whether or not they are paying.
3. **WE DEMAND** an end to the discrimination and the **abuse of power** by police and other other public authorities. Offering sexual services is not an invitation to any kind of violence. The credibility of sex workers must be respected.
4. **WE DEMAND** that our voices be **heard, listened to and respected**. Our experiences are diverse, but all are valid, and we condemn those who would steal our voices and say that we do not have the capacity to make decisions or articulate our needs.

5. **WE DEMAND** the **repeal of all legislation** that criminalises us; our clients; our families; those we work with; and any employer, organiser or manager who follows **fair practices**.

6. The threat of having our children taken from us removes our ability to seek **support and assistance**, if we need it, in relation to parenting or abusive relationships.

WE DEMAND an end to the **unjustifiable** practice of social service agencies and courts **taking our children** from us simply because we provide sexual services.

7. Registration and mandatory sexual health and HIV testing are a **violation of sex workers' human rights**. Such practices reinforce the myth that sex workers are a threat to public health, and promote the stereotypical view that sex workers transmit infections.

WE DEMAND an end to registration and mandatory testing.

8. The lack of opportunities to migrate can put our health, and indeed our very lives, in danger. We assert our **right to travel** and to work in any country without discrimination. Information about working in the sex industry and its different sectors should be made available.

9. **WE DEMAND** that our governments **prohibit** authorities from confiscating condoms and other safe-sex products from sex workers and sex-work establishments.

10. To improve our working conditions, it is important that sex workers have opportunities **to organise and to advocate** for our rights. We call upon trade unions to support us in our efforts to organise and in our struggle for fair working conditions. □

♥ For the full text of *The Sex Workers in Europe Manifesto*, see p. 69.



SEX WORKERS' RIGHTS

Source: Sorfleet, A. (ed). (2007). Sex Workers' Rights: Report of the European Conference on Sex Work, Human Rights, Labour and Migration, Amsterdam: ICRSE.

Although initially created as a necessary formality to organise the Brussels conference, ICRSE has over the years grown into a strong regional network bringing together 79 sex worker-led organisations and collectives as well as organisations supporting the rights of sex workers and other overlapping and often marginalised communities. They are joined by individuals who support the values of ICRSE, including current or former sex workers, trade unionists, members of LGBTIQ communities, activists for migrants', women's, labour and human rights, and academics.

ICRSE is governed by sex workers and follows democratic principles of collective ownership of and leadership within the sex workers' movement. As a regional network, it facilitates communication and knowledge sharing among its members, supports their respective activism and campaigns, publishes letters and statements opposing legal proposals that would adversely affect sex workers' health and safety, and organises regional campaigns denouncing policies and practices that violate sex workers' rights. One of these took place in July 2013, after the murders of two sex workers, Dora Özer in Turkey and Petite Jasmine in Sweden. ICRSE coordinated a global day of action and protests in front of the Swedish and Turkish embassies in 36 cities on 5 continents.¹⁰ Another transnational campaign organised by ICRSE followed the publication of the so called Honeyball Report, a resolution before the European Parliament on prostitution and sexual exploitation, developed by Member of the European Parliament (MEP) Mary Honeyball, which conflated sex work with slavery and called for the criminalisation of sex workers' clients.¹¹ In just a few weeks, ICRSE drafted a letter opposing this resolution, which was then endorsed and signed by 560 organisations - both sex worker- and non-sex worker-led.

ICRSE's activities also focus on providing member organisations and allies with various advocacy tools on issues relevant to sex worker communities in Europe. These include "Hands off our clients! Advocacy and Activism Toolkit against the Criminalisation of Clients",¹² published in 2013, a community report mapping main forms of structural violence and institutional oppression experienced by sex workers in the region,¹³ published in 2015, and most recently the briefing paper "Underserved. Overpoliced. Invisibilised. LGBT Sex Workers Do Matter",¹⁴ which initiates a series of advocacy documents focusing on the intersection of the sex workers' rights struggle and other rights as social struggles, such as those by members of LGBTIQ communities, migrants, workers, or women.

In recent years, ICRSE has been also involved in the development of a community-led capacity building programme on "Sex Work, HIV and Human Rights". This project, initiated in 2014, aimed at providing sex worker organisations across the region with skills and knowledge to meaningfully engage in HIV responses among their communities. To achieve this goal, ICRSE organised and facilitated a series of regional, national and online community trainings on the intersection of HIV and human rights as well as sex workers' HIV vulnerabilities.

SWAN

A second network supporting community mobilisation and contributing to the strengthening of the sex workers' movement at the regional level is the Sex Workers' Rights Advocacy Network (SWAN). Since its very beginning, dating back to 2006, SWAN brings together different organisations advocating for the rights of sex work-

ers in Central and Eastern Europe and Central Asia. Apart from creating a platform for communication and knowledge sharing between sex worker collectives and their allies, i.e. service providers and other civil society organisations working with and for sex workers, SWAN provides its members with advocacy tools, mentoring and support needed to effectively defend and protect sex workers' rights in harsh legal and social environments. This includes SWAN's "Community of Learning" website,¹⁵ which offers a wide range of resources and tactics helpful in developing advocacy campaigns and policy interventions, and a booklet, titled "Guide for Sex Worker Human Rights Defenders"¹⁶ that contains tips and suggestions on how to start human rights documenting projects, organise human rights campaigns, and use formal human rights mechanisms to defend sex workers' rights.

SWAN also makes a continued contribution to debunk myths about sex work and report all forms of violence experienced by sex workers. In 2008, the network initiated a community-based research project to map and document abuses, violence and discriminatory treatment faced by sex workers. Results of this ground-breaking research were published in the report "Arrest the Violence. Human Rights Abuses against Sex Workers in Central and Eastern Europe and Central Asia" and used in the development of numerous anti-violence campaigns organised by SWAN member organisations.¹⁷ In 2014 and 2015, the network coordinated another community-based research project focusing specifically on violence from state- and non-state actors and on barriers to sex workers' access to justice and redress. The research findings are described in the report "Failures of Justice", published in 2015.¹⁸

TAMPEP International Foundation

A third regional network engaged in advocacy and campaigning for sex workers' rights is the TAMPEP International Foundation (officially: European Network for HIV/STI Prevention and Health Promotion among Migrant Sex Workers). It was launched in 1993 as an international project aiming to address and overcome barriers faced by migrant sex workers in Western Europe in accessing health services and HIV/STI prevention programmes. Over the years, TAMPEP has been engaged in numerous projects, including the mapping of sex worker communities in 25 European countries,¹⁹ analysing the legal situations of migrant sex workers in the region, especially with respect to health,²⁰ and developing strategies of health promotion and social protection amongst migrant sex workers across Europe. An outstanding example of TAMPEP's work was the CONECTA project,²¹ undertaken by TAMPEP between 2012 and 2014 in the Russian Federation and the Ukraine. The project aimed to reduce sex workers' vulnerability to HIV/STI transmission, while developing comprehensive and rights-based services and approaches to HIV/STI prevention among sex workers. In 2013, TAMPEP, along with many other civil society organisations, initiated the INDOORS project and the "Different jobs. Equal rights" campaign, which advocated for the recognition of sex workers' labour and civil rights and raised awareness about stigma and violence against sex workers.²²

Impact of the global sex workers' movement

What is also worth noting is that the regional sex workers' movement cannot be viewed and understood in isolation from the broader global or transnational mobilisation and political activism of sex workers. The emergence of Call Off Your Old Tired

Ethics (COYOTE), the first sex worker collective in the US, in 1973, Carol Leigh's coining of the term "sex work" in the late 1970s, the creation of the International Committee for Prostitutes' Rights (ICPR) in the 1980s, and, finally, the foundation of the Global Network of Sex Work Projects (NSWP) in 1998, had a significant impact on the sex workers' movement in Europe and Central Asia. To this day, NSWP plays a key role in facilitating and supporting solidarity among and self-organisation of sex worker communities in the region. As a global network, NSWP brings together local, national and regional collectives from across the world, creates opportunities for knowledge and information sharing within the movement, and advocates for evidence-based policies and legal changes.

One of NSWP's main achievements is the promotion of the New Zealand model, a legal framework decriminalising sex work and sex workers, implemented in New Zealand in 2003, at the global and regional level. Thanks to NSWP's tireless advocacy, decriminalisation has since been recognised not only by the global sex workers' movement, but also by many international bodies, such as the WHO and UNAIDS, as the best legal framework to advance sex workers' human and labour rights. NSWP also contributes to the critique of the so called Swedish Model, which aims to abolish sex work by criminalising sex workers' clients. NSWP has developed numerous advocacy tools, reports and briefing papers on the pitfalls of the Swedish Model and other discriminatory and harmful policies.²³ They provide sex worker collectives across Europe and around the world with the skills and knowledge necessary to successfully advocate against laws which adversely affect them.

CASE STUDIES OF NATIONAL SEX WORKER-LED ORGANISATIONS:

The growth and vitality of the sex workers' movement also results from intense community mobilisation at the local and national level. During the last ten years, new sex worker groups and collectives have continuously emerged across the region and actively engage in the struggle for the human and labour rights of their peers. To our knowledge, there are currently around forty sex worker-led organisations operating in Europe and Central Asia, 25 of which are members of ICRSE.

Although they work in diverse legal, political and social contexts, focus on distinct goals, and face different challenges, what European and Central Asian sex worker collectives have in common is their commitment to improve sex workers' living and working conditions. This commitment manifests itself not only in active advocacy for legal changes and an end to stigma and discrimination affecting sex workers but most importantly, in valiant efforts to empower all sex worker communities and engage them in collective actions. The growing recognition of the diversity of sex workers' identities, realities, lived experiences, and work modes has led to an increasingly inclusive character of the movement. As a result, the voices of sex worker communities' different sub-populations, including male and trans sex workers, (undocumented) migrant sex workers, sex workers who use drugs, or sex workers living with HIV, have gained more attention and backing than ever before.

Over the last ten years, we could also witness a growing engagement of sex worker-led organisations across the region in broader debates about social justice and the rights of different, and often overlapping marginalised communities. Numerous sex worker collectives have loudly voiced their concerns about legal oppression, abuses and discrimination faced by (undocumented) migrants, including sex workers, all of which result from increasing migration control regimes as well as rising racism and xenophobia in Europe. Other sex worker collectives focused on issues affecting LGBTIQ sex workers and their communities, denouncing homo- and transphobia prevalent in some parts of the region. Again others forged alliances with workers' movements, while calling for the recognition of sex workers' labour rights and criticising the precarisation of working conditions in capitalist societies. Increasing poverty, affecting especially women, members of ethnic minorities, or migrants, has also received a lot of attention by various sex worker-led organisations who called for structural changes and more employment opportunities for the most disadvantaged.

Below, we will highlight some of the different ways in which sex worker collectives in Europe and Central Asia actively support the mobilisation, self-determination, and strengthening of their communities and contribute to the enhancement of sex workers' rights in the region.

Reclaiming Criminalised Spaces, Hungary: SZEXE

SZEXE (Association of Hungarian Sex Workers) was established in 2000 mainly by street-based Roma sex workers and their allies who gathered to protest against the introduction of a law regulating sex work. According to this law, municipalities with more than 50,000 inhabitants or areas where sex work is deemed to be pervasive should identify so-called tolerance zones. Engaging in sex work outside of these zones was declared illegal. The law was drafted in order to push sex workers, mainly of Roma origin, out of the Józsefváros, Budapest's 8th district, so that it could undergo rehabilitation and properties could be privatised more easily. In practice, however, Hungarian authorities remain reluctant to identify such zones, so that a significant proportion of sex work continues to take place illegally. Not only does this mean that a huge number of sex workers are fined or detained every year, but it has also created an antagonistic relationship between sex workers and the police, whereby sex workers fear the police rather than being able to depend on them for protection from violence or other crimes.

Since its founding, SZEXE has initiated several legal actions and some of Budapest's districts have subsequently been ordered by the courts to identify quasi-tolerance zones. That regardless, SZEXE has regularly witnessed and documented how police took advantage of the lack of legal certainty surrounding these tolerance zones and unfairly targeted sex workers with fines in order to fill their quotas. Providing legal aid to sex workers has therefore always been a priority of SZEXE, and the organisation has successfully challenged the arbitrary fining and detention practices of the police in hundreds of cases.

Besides legal assistance and court representation, SZEXE has been continuously responding to newly emerging needs of sex workers, offering community-based health services, entrepreneurial skills development programmes, peer education, and migration counselling. It has also maintained and expanded its focus on advocacy at the national and international level. In 2013, the organisation successfully lobbied for UN

support of sex workers' rights and achieved that the UN CEDAW Committee called on the Hungarian government to "adopt measures aimed at preventing discrimination against sex workers and ensure that legislation on their rights to safe working conditions is guaranteed at national and local levels".²⁴



Members of SZEXE organise a public meeting and demonstration to mark the 15th anniversary of their organisation, Budapest, Hungary, 17 September 2015, photo credit: Balint Fejer



Members of Sloboda Prava commemorate the International Day to End Violence against Sex Workers, Belgrade, Serbia, 17 December 2014, photo credit: Sloboda Prava

Challenging Violence Against Trans Sex Workers, Turkey: Kırmızı Şemsiye

Kırmızı Şemsiye (Red Umbrella Association for Sexual Health and Human Rights), a Turkish sex worker-led collective founded in 2013, is probably most recognised for its brave advocacy and activism for the rights of trans sex workers. In recent years, trans people in Turkey have been facing great levels of transphobia, discrimination (including where their access to education and the labour market is concerned), violence, harassment, and other hate crimes. Over the last five years, over 30 trans people have been killed, placing Turkey amongst the countries with the highest rate of transphobic murders worldwide.²⁵ The level of violence, discrimination and abuse faced by trans sex workers is particularly high due to the multiple layers of stigma resulting both from transphobic and whorephobic attitudes, and because of the often hazardous working conditions they are exposed to. Since only cis-women in Turkey are allowed to legally work in brothels, transgender women and men are pushed underground, where violence and exploitation can flourish.

Aiming to address the needs and improve the situation of trans sex workers in Turkey, Kırmızı Şemsiye actively engages in advocacy and campaigns to raise public awareness about their rights and denounce the violence they experience. Some of the strategies used by the Turkish collective consist of documenting rights violations and abuses faced by trans sex workers, organising conferences to popularise information about these cases, publishing testimonies about trans sex workers' lives and work,²⁶ and staging demonstrations to protest against transphobic and whorephobic crimes. Kırmızı Şemsiye also provides trans and other sex worker communities in Turkey, including cis-women working in brothels, and women and men operating outside of the legal system, with legal aid, HIV prevention programmes and continuous peer support. All of these activities help the organisation to connect with diverse sub-populations of Turkey's sex worker communities and contribute to the development of a strong, inclusive and empowered sex workers' movement in the country.



Members of Kırmızı Şemsiye protest against violence experienced by trans sex workers and the murders of two sex workers Dora (Turkey) and Jasmine (Sweden). Sign says “ Don't remain silent (about violence). Don't be a perpetrator.” Ankara, Turkey, 19 July 2013, photo credit: Kırmızı Şemsiye

Building Political Bridges and Social Movements in Spain: Prostitutas Indignadas

The collective Prostitutas Indignadas (the Indignant Prostitutes) was founded in reaction to the hardening of Barcelona's civic ordinance regulating the activity of negotiating prices with sex workers' clients on the street. The ordinance is not only limited to that activity, it also zones and controls public spaces and imposes rules to target those considered as undesirable, namely the poor and migrants. In this context, and while creating alliances with other human rights collectives, the political campaign *Yo también soy puta* (I, too, am a whore) was created, with the participation of sex and allies and it spread through alternative and official media. To contribute to sensible sex work regulations, the collective's members met with members of political parties from both sides of the political divide. They also made it clear that feminism does not only represent an institutional commitment, but has numerous aspects and realities, just as women's and sex workers' lived realities do.

Most recently, the newly emerged political group *Barcelona En Comú* (Barcelona In Common)²⁷ and the *Candidatura d'Unitat Popular* (Popular Unity Candidacy)²⁸ invited sex workers to draft a political programme that not only includes sex workers, but is created by them and groups supporting sex workers' rights. Once the draft is completed, sex workers are also invited to integrate into the parties' lists, not only as sex workers, but also as feminists and active members of Barcelona's social movements. As a member of Prostitutas Indignadas stated: "Since we consider Barcelona a key place not only in a regional, but in a global sense, we believe this approach can be adopted in many European countries and serve as a model to be followed, and I say this thinking of the many countries where sex workers are persecuted and criminalized."

The collective has also accepted the proposal to join the parties' lists and its member Paula Ezkerra has highlighted in each of her political speeches that she is a prostitute. The collective has been very well received by the community in the district where it works. For the future, Prostitutas Indignadas plan to work very actively with the European community of sex workers, and to that end, the collective will host a meeting in Barcelona in mid-December 2015. The collective intends to create a space for sex workers in the neighbourhood where it operates to make its presence known and thus empower fellow sex workers, but also to connect with other institutions who work on behalf of anyone working in exploitative labour situations or those having problems regularising their stay in the country. Among the issues the collective wishes to address are helping mothers and creating a nursery for their children, staffed by colleagues who no longer wish to work as sex workers. All of these efforts have led to a win at the local elections, with a margin triple that of the previous election.

Demanding Recognition of Sex Work as Work, France: STRASS

The *Syndicat du travail sexuel* (STRASS), another European sex worker collective, situates its activism and advocacy in unionist traditions and struggles lying in the heart of the French workers' movement.²⁹ While demanding the recognition of sex work as work, STRASS members call upon the government to empower sex workers by recognising their labour rights and associated protections, and engage in a critique of unfair labour practices and precarisation of work occurring in the sex industry. STRASS has not only embarked on building a strong and vocal sex worker union in France, but also

campaigns against oppressive laws and policies that push sex workers underground, deprive them of the ability to bargain collectively and seek redress. Since its founding in 2009, STRASS has been advocating for the removal of numerous laws criminalising sex workers, their work settings, third parties and family members. To counter prostitution abolitionists trying to push for the adoption of the Swedish Model in France and increasing anti-migrant sentiments in French society, STRASS has impressively mobilised communities to fight against the criminalisation of sex workers' clients and against the conflation of sex work and human trafficking for the purpose of sexual exploitation.

STRASS links its political activism and advocacy for sex workers' rights with efforts to support and mobilise sex worker communities in France. On the one hand, the organisation actively enhances sex workers' access to justice by increasing their legal literacy³⁰ and helping them to assert their rights in court; on the other hand, STRASS creates a space for communication and experience-sharing for diverse sex worker communities across the country. Concerned with precarious situation of (undocumented) migrant sex workers in France, STRASS also reaches out to sex workers from Latin America, Eastern Europe, Africa or China, who are often subjected to intense police repression or even deportation from France.³¹

Empowering Sex Workers in HIV Programming, Kyrgyzstan: Tais Plus

Tais Plus from Kyrgyzstan, the first community-led organisation in Central Asia, was founded in 1997 and officially registered in 2000. The organisation works with sex workers of all genders, as well as with their children, partners and clients in Bishkek, the capital of Kyrgyzstan. The mission of the organisation is to empower the Kyrgyz sex worker community and improve the living and working conditions for sex workers in the entire country. From its very beginning in the late 1990s, Tais Plus has focused its efforts on providing sex workers with comprehensive HIV programming, which involves peer outreach, community-led HIV counselling and testing services, social support, and sensitising workshops for medical personnel. Thanks to these efforts, the organisation has managed to significantly increase condom use among sex workers and to protect the most vulnerable members of the community, in particular undocumented internal migrant sex workers, providing them with access to health-care services that they otherwise would have been excluded from. Tais Plus also operates a drop-in centre, a safe space where sex workers can receive support from sensitised lawyers, take a shower, or stay over for several weeks, e.g. when fleeing from violence or if they are deprived of other housing opportunities.

Since 2005, the organisation actively engages in activism and advocacy for sex workers' rights. With the support of allies and partners, Tais Plus has organised two successful campaigns, in 2005 and 2012 respectively, against governmental attempts to introduce an administrative liability for selling sexual services. Tais Plus has also been actively engaged in providing help to sex workers experiencing violence by state and non-state actors, and supporting community members to assert their rights and access to justice. Its thoughtful and systematic documentation of human rights violations against sex workers enabled the organisation to submit two reports to CEDAW in 2008 and 2015, which identified the main problems faced by sex workers in Kyrgyzstan.



STAR-STAR, Skopje, Macedonia, 17 December 2014, photo credit: STAR-STAR

GROWING RECOGNITION AND SUPPORT OF SEX WORKERS' RIGHTS

Civil Society Support for the Decriminalisation of Sex Work

Another positive trend emerging in the region and globally over the last decade is the growing support for sex workers' rights expressed by a large number of non-sex worker-led collectives and nongovernmental organisations, international bodies, various decision-makers and other stakeholders. The demands of the sex workers' movement in Europe and Central Asia, such as the demand to decriminalise sex work, recognise sex work as work, and protect sex workers' human, health and labour rights, have been taken into consideration, carefully weighed and finally supported by many individuals and organisations whose work focus on social justice and equality.

This positive trend is reflected in a wealth of alliances forged between the sex workers' movement and activists coming from different sectors of civil society. In recent years, the ranks of ICRSE have been joined by numerous organisations working in the field of human rights, health, LGBTQ rights, women's rights, or migrants' rights, as well as trade unionists and representatives of the workers' movement. A powerful example of this increasing support was the letter developed by ICRSE during the "Honeyball No" campaign, which denounced the adverse effects that the criminalisation of clients, proposed by MEP Mary Honeyball, would have had on sex workers' living and working conditions. It was widely endorsed and signed by 560 organisations, including, among many others, AIDS Action Europe, CORRELATION network, European Network Social Inclusion and Health, International Network of People Who Use Drugs (INPUD), International Planned Parenthood Federation European Network, and TAMPEP International Foundation.³²

Sex workers' demands for the decriminalisation of sex work and the recognition of sex workers' rights have been also supported by several United Nations agencies, such as the United Nations Development Programme (UNDP), the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), United Nations Population Fund (UNFPA), the World Health Organisation (WHO), and the United Nations Joint Programme on HIV/AIDS (UNAIDS). Since 2009, these agencies have repeatedly voiced their concerns about sex workers' vulnerabilities to HIV and pointed to the criminalisation of sex work, repressive sex work policies, and the stigma, violence, and discrimination faced by sex workers as the main factors contributing to increased risks of HIV infections among sex worker communities.³³

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All countries should work toward decriminalization of sex work and elimination of the unjust application of non-criminal laws and regulations against sex workers. [...] The governments should establish laws to protect against discrimination and violence and other violations of rights faced by sex workers in order to realize their human rights and reduce their vulnerability to HIV infection and the impact of AIDS.

(WHO/UNFPA/UNAIDS/NSWP 2012)³⁴

While calling for the full decriminalisation of sex work, including sex workers themselves, their clients and third parties, the above mentioned UN agencies have also repeatedly stressed the need for the involvement and leadership of the sex worker community in HIV responses. Supported by strong research evidence about the critical impact of sex workers' participation in the design, development, implementation and evaluation of HIV programming and health policies, as published in the Lancet series on “HIV and Sex Workers” in 2014,³⁵ the WHO and UNAIDS unequivocally recommend a community empowerment approach to HIV responses as the only effective way to end HIV among sex workers.³⁶

Severe rights violations and other abuses experienced by sex workers in the European region and across the globe have also been widely discussed and criticised by some of the best-known international human rights organisations, including Human Rights Watch (HRW) and Amnesty International (AI). Both argue that the full realisation of sex workers' rights is significantly hampered by oppressive and discriminatory laws and law enforcement strategies prevailing in most countries in the world. As a Human Rights Watch reports states:

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The imposition of punitive penalties for voluntary, consensual sexual relations among adults violates internationally recognized human rights, including the rights to personal autonomy and privacy. [...] Respect for consenting adults' agency to choose to engage in voluntary sex work is consistent with respect for their human rights. Penalization of voluntary sex work [...] creates barriers for those engaged in sex work to exercise basic rights – such as availing themselves of government protection from violence, access to justice for abuses, access to essential health services, and other available services.

(Human Rights Watch)³⁷

In the same way, Amnesty International also urges governments to decriminalise sex work and to repeal other non-criminal laws rendering sex workers vulnerable to human rights violations in its “Draft policy on state obligations to respect, protect and fulfil the human rights of sex workers”, published in 2015³⁸. Although deemed controversial by a coalition of prostitution abolitionists, Amnesty’s policy has received a great deal of support and endorsements not only from the sex workers’ movement, but also from many other civil society actors. A petition by NSWPP to call on Amnesty’s delegates to adopt the draft policy received over 10,000 signatories, and an open letter by ICRSE in support of the policy was signed by nearly 250 organisations, including the Association for Women’s Rights in Development (AWID), the International Gay and Lesbian Human Rights Commission (IGLHRC), the International Community of Women Living with HIV (ICW), and Transgender Europe (TGEU).³⁹

The call to decriminalise sex work, including decriminalising sex workers’ clients, has also been endorsed by two renowned international anti-trafficking organisations, La Strada International (LSI) and the Global Alliance Against Traffic in Women (GAATW). While committed to safeguarding the rights of trafficked persons, preventing human trafficking from occurring, and raising public awareness about forced labour and slavery-like practices in different labour markets, including the sex industry, both organisations firmly oppose the conflation of sex work and human trafficking for the purpose of sexual exploitation and raise serious concerns about the negative impact anti-trafficking laws and policies have on sex workers’ rights:

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[...] the conflation of trafficking in human beings and prostitution has lately re-emerged in several European countries and also in the European debate on combating trafficking in human beings. LSI is worried about these developments as we believe that they do not contribute to the protection of sex workers from violence and abuse, nor do they address the root causes of trafficking in human beings.

(La Strada International)⁴⁰

Both LSI and GAATW also strongly reject the prostitution abolitionist stance on the criminalisation of sex workers' clients as a way to end trafficking in human beings. As both argue, their long-term experiences and work with trafficked persons prove that criminalising clients does not prevent human trafficking and other human rights violations. On the contrary, it contributes to sex workers' vulnerability to violence, discrimination, or abuses, and severely limits their access to justice and protection under the law.

Academic Support for Evidence-based Laws & Policies

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It is a common fallacy that academic research is divided in a binary way, between those who see prostitution as violence against women and believe that clients should be criminalised and those who argue that sex work should be considered work and harm reduction policies should be applied. The academic literature – with a small number of detractors – very clearly demonstrates a strong consensus around the fact that harm reduction, beginning with decriminalisation of all elements of sex work, is key for ensuring the well-being of all sex workers, including the most vulnerable.

(Dr Kate Hardy, Lecturer in Work and Employment Relations,
University of Leeds, UK)

'Where is the evidence?' has been a slogan of the sex workers' movement for many years. It illustrates sex workers' struggle against the stigma attached to them and their work, frequently fueled by myths, stereotypes and generalisations. The slogan instead calls for sex work-related policies and laws to be based on the strong evidence available in research monographs and peer-reviewed academic journals, and in reports published by numerous organisation led by sex workers or working directly with sex workers.

The role research plays is central to the development of evidence-based sex work policies and for a more nuanced understanding of the diverse lived realities of sex workers. Fortunately, there is a vast and growing body of research involving detailed analyses of legal frameworks governing sex workers, sex workers' living and working conditions, and different factors affecting sex workers' health, well-being, and access to rights. What is particularly worth noting is that the vast majority of academics and researchers studying sex work support rights-based approaches to sex work, oppose the criminalisation of sex workers, and have repeatedly denounced the lack of evidence behind legal models such as the criminalisation of sex workers' clients.

Researchers have consistently sought to intervene in policy debates where questionable evidence or data have been used to justify policies likely to increase harm to sex

workers. In February 2014, during the debates on the so-called Honeyball Report at the European Parliament, 94 members of the academic community – public health researchers, sociologists, lawyers, criminologists, etc. – endorsed a critique of the Honeyball resolution exposing its lack of empirical evidence:

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We write to draw your attention to the inadequacies of the Report, which is based largely on inaccurate and/or misrepresentative data. The sources cited are either studies which have been discredited, or are selected to relate to specific circumstances which do not reflect the experiences of many people working as sex workers. Nor does the Report consider the extensive evidence from peer-reviewed academic studies demonstrating the problems associated with the model proposed. We are concerned that this report is not of an acceptable standard on which to base a vote that would have such a serious, and potentially dangerous, impact on already marginalised populations, i.e. migrants and EU citizens earning or complementing their livelihoods by providing sexual services in exchange for payment. [...] To base any policy on such a methodologically flawed document, particularly one which would have such a detrimental impact on the human rights and wellbeing of a large number of marginalised individuals, would be setting a dangerous precedent.

The report by Ms Honeyball fails to address the problems and harms that can surround sex work and instead produces biased, inaccurate and disproven data. We believe that policies should be based on sound evidence and thus hope that you will vote against the motion to criminalise sex workers' clients. We would suggest instead that it is important to enter into a considered debate which takes into account the substantial amount of robust academic evidence on the subject, as well as that from sex workers themselves and civil society groups with longstanding experience of working with sex workers.⁴¹

(Matthias Lehmann et al. 2014)

Academic support for sex workers' rights and against the criminalisation of sex work abounds. Another example was a special issue of *The Lancet*, the world's leading independent medical journal, focusing on sex workers' vulnerability to HIV. The *Lancet* "Series on HIV and sex workers", published in 2014, recommended the full decriminalisation of sex work, considering it, along with a community empowerment approach to HIV, as one of the most effective strategies to limit the impact of HIV on sex workers.

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With heightened risks of HIV and other sexually transmitted infections, sex workers face substantial barriers in accessing prevention, treatment, and care services, largely because of stigma, discrimination, and criminalisation in the societies in which they live. These social, legal, and economic injustices contribute to their high risk of acquiring HIV. Often driven underground by fear, sex workers encounter or face the direct risk of violence and abuse daily. Sex workers remain underserved by the global HIV response. This Series of seven papers aims to investigate the complex issues faced by sex workers worldwide, and calls for the decriminalisation of sex work, in the global effort to tackle the HIV/AIDS epidemic.

(The Lancet, Executive summary, 2014)⁴²

We could witness yet another example when in 2015, Amnesty International delegates were asked to vote on a draft policy on sex work, which included an endorsement of decriminalising sex workers, their clients, and third parties. Researchers from around the world expressed their support for Amnesty’s draft policy, which eventually was approved by a majority of delegates, not only by endorsing statements and petitions developed by sex workers’ networks, but a group of academics themselves also drafted an open letter to call upon Amnesty’s delegates to safeguard sex workers’ freedoms and rights.⁴³

A Political Shift towards Sex Worker’s rights?

(Note – ICRSE is not affiliated to and does not endorse any particular political party. Examples given below are for informative purposes only.)

The strengthening of sex workers’ voices and the increasing support for sex workers’ rights from diverse sectors of society has led to many members of parliaments, policy makers and political parties to adopt progressive and evidence-based positions on sex work legislation. Several political parties in Europe have adopted a position in favour of the decriminalisation of sex work, the legal model favoured by sex workers globally, whilst many MPs and MEPs have spoken out in favour of a rights-based approach to sex work legislation. Sex workers, in partnership with elected officials, have been able to defeat or delay negative law proposals in many countries in the region. The following examples show some of the successes achieved by sex workers and their allies when working in collaboration with policy makers and elected officials.

Below are some quotes from elected officials that exemplify the growing support for sex workers’ rights in Europe:

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Criminalisation and stigmatisation of sex work and sex workers do not lead to a better access to health services, not to medical treatment, and, ultimately, to a safe working environment. They rather tend to lead to abuse, to violence, and poor access to healthcare. Sex work is a fact and must not be ignored and pushed into illegality, because it would mean marginalising sex workers, pushing them into the margin of society.

Austrian MEP Ulrike Lunacek, Vice-president of the European Parliament, member of the Greens/European Free Alliance (EFA) and co-president of the Intergroup on LGBT Rights 2013 (extract from video message to TAMPEP)⁴⁴

By conflating sex workers and victims of human trafficking you make it difficult to help those who have been forced into the sex trade while failing to create a safe environment for those who choose to work as prostitutes.

British MEP Marina Yannakoudakis, spokesperson for the European Conservatives and Reformists (ECR) group in the EP 2014) (Letter to Mary Honeyball, MEP)⁴⁵

Mandatory registration of sex workers is at odds with Dutch privacy law: recent research shows that little can be expected from it in practice. It is more sensible to strengthen sex workers organisations and involve sex workers more closely in the development and implementation of prostitution policies. Such involvement also offers better opportunities to inform sex workers on their rights, seriously investigate their complaints and adequately expose abuses.

MP Tineke Strik, GreenLeft, the Netherlands

When I visit different countries as an MP, I always want to meet local sex workers. Sex workers are often true experts not only on issues concerning sex work, but also on issues like migration, human trafficking, HIV, social exclusion, corruption, structural violence, women's rights, labor rights and the true consequences of the political decisions. I value this kind of grass-roots level knowledge very much.

MP Anna Kontula, Left Alliance, Finland

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The best of the tradition I come from politically, shows solidarity to all workers to organise and fight back against their exploiters. It does not make moral judgements on the nature of their work. In that spirit I offer my full solidarity to all sex workers. I offer my solidarity in memory of Jasmine and Dora. I offer my solidarity in the hope that we are one step closer to overcoming a fatal stigma.

MP Joan Collins, Teachta Dála (TD) (member of the lower house in the Irish Parliament) for the Dublin South-Central constituency since February 2011

SEX WORKERS FIGHT FOR LEGAL REFORM

Tais Plus: Defeating negative proposals

In 2012, Kyrgyz organisation Tais Plus undertook the second successful intervention against a governmental attempt to penalise sex workers in Kyrgyzstan, which could have caused a severe deterioration of sex workers' health with regards to HIV. After a failed effort to criminalise sex work in 2005, members of parliament proposed an amendment in October 2012 to establish an administrative liability for sex work. They claimed that prostitution was often accompanied by the spread of infectious diseases, including HIV, and organised crime. Therefore, it presented a threat to public health and safety, according to the MPs. Aware of the fact that such legislation would contribute to a further rise of the stigma attached to sex work and violence against sex workers as well as seriously undermine the effectiveness of HIV prevention programming developed by the organisation over the years, Tais Plus launched a nationwide campaign under the title "Stop the Criminalisation of Sex Work 2012" to prevent the introduction of those discriminatory and repressive regulations. With strong support from both national and international partners, including Bishkek Feminist Collective CQ, SWAN, Human Rights Watch, and the United Nations Population Fund (UNFPA), they provided relevant information via social media, gathered signatures for an online petition, and sent letters to the representatives of the parliament, the Ministry of Internal Affairs, and the Country Ombudsman. That informational campaign was followed by public hearings in six different cities and a round-table meeting with members of the Parliamentary Committee on the Rule of Law, Order and Fighting Crime. Eventually, after a long and intense community struggle, the bill was rejected in February 2013.⁴⁶

SCOT-PEP: Working with politicians towards decriminalisation

After fighting against a number of attempts to criminalise clients, SCOT-PEP, the Scottish sex worker led organisation founded in 1989, decided that it was time to propose an alternative in Scotland – the full decriminalisation of sex work. With limited resources, provided by the Red Umbrella Fund, the organisation developed a decriminalisation strategy, which included activities like building supportive alliances with

other NGOs and writing a range of briefing papers setting out the case for decriminalisation. Most importantly, the organisation had to create a clear vision for the legal framework they wanted to see in Scotland, and the sex work laws in place in New Zealand were collectively agreed upon as the best model to adopt.

SCOT-PEP had lobbied extensively in the Scottish Parliament when fighting against previous attempts to criminalise sex workers' clients, and so they had gained a useful insight into political processes and developed working relationships with politicians. They built a particularly strong relationship with Jean Urquhart, an independent MSP (Member of the Scottish Parliament), who had been one of the few politicians to publicly criticise the proposals to criminalise clients. After many meetings and discussions, Jean Urquhart agreed to lead the campaign for the decriminalisation of sex work and formally propose a bill to that effect at the Scottish Parliament. When it came to developing the precise proposals, she always deferred to the knowledge and expertise from within SCOT-PEP, which came from sex workers themselves. This is the first time in Scotland that sex workers have been centred in the development of prostitution policy. On 8th September 2015, Jean Urquhart formally lodged the proposal for a Prostitution Law Reform (Scotland) Bill before the Scottish Parliament. This is the very first stage in bringing a bill forward. The proposal was then open for a public consultation, which closed on 1st December 2015. A summary of the responses to the consultation will be published in early 2016, after which SCOT-PEP hopes to obtain sufficient cross-party support to secure the right to introduce the Bill into the parliamentary process, although this cannot be achieved before the coming elections in May 2016. Sadly, Jean Urquhart is retiring at the end of the current parliamentary term and so SCOT-PEP will have to find a new MSP to sponsor the bill. That regardless, the organisation's work with Jean Urquhart has put decriminalisation firmly on the agenda in Scotland, and with a new sponsor SCOT-PEP is hopeful that the proposed bill will eventually become law.



Celebration of 40th anniversary of the occupation of the church of St Nizier in Lyon, Lyon, France, 2 June 2015, photo credit: STRASS

LEGAL AND POLICY SHIFTS IN THE REGULATION OF SEX WORK

Over the last decade, there has been a marked increase in the number of laws and policies criminalising sex work in Europe and Central Asia, as the majority of governments has chosen to tackle social issues through punitive, rather than social measures. Criminalising sex work is achieved through the criminalisation of sex workers, e.g. by outlawing soliciting or advertising; the criminalisation of their clients, through “End Demand” models; the criminalisation of third parties, by penalising those who facilitate or profit from sex workers’ labour; through other criminal or administrative laws and by-laws; and finally, through the criminalisation of behaviours and activities adopted by marginalised and vulnerable communities, such as the criminalisation of drug use and possession, the criminalisation of certain sexual orientations or gender presentations, vagrancy, homelessness, and many more. The second part of this report will explore the different legal regimes criminalising sex workers in Europe and Central Asia.

CRIMINALISATION OF SEX WORK

Criminalisation of Sex Workers

Although it has been well documented and widely recognised that decriminalising sex work effectively safeguards sex workers’ health, safety and human rights, sex workers across Europe and Central Asia increasingly face laws criminalising all or some aspects of their work as well as other forms of legal oppression. Some of the countries in the region directly criminalise sex workers, as Albania does, or penalise them in accordance with administrative laws, as Armenia, Serbia, Slovenia, the Russian Federation or Ukraine do. Pushed into illegality in such a way, sex workers are continuously exposed to rigid policing and surveillance by law enforcement agencies, as well as subject to fines, detention and imprisonment. In many of the aforementioned countries, police raids on sex work venues, “cleansing” operations of entire districts, and arrests of sex workers have been reported repeatedly. What is also alarming is that police sweeps and detentions are more and more frequently followed by forcing sex workers to test for HIV and other STIs in clear violation of their right to bodily autonomy. In the Ukraine, a quarter of the sex workers who participated in SWAN’s 2008 study declared that they had undergone forced medical testing in the course of raids and imprisonment.⁴⁷ In Macedonia, more than 30 sex workers arrested and remanded in custody for selling sex back in 2008 were subjected to non-consensual examinations for Hepatitis B and C as well as HIV; those who tested positive for Hepatitis C faced criminal charges for allegedly transmitting an infectious disease.⁴⁸ Such outrageous human rights violations also took place in Greece in 2012⁴⁹ and in Tajikistan in 2014.⁵⁰

In recent years, sex workers across the region also faced an increasing criminalisation of their work through the implementation of state or municipal by-laws and police practices that arbitrarily target them. Sex workers are systematically charged with non-criminal offences against public peace and order, e.g. through zoning ordinances or laws that prohibit loitering or soliciting, even including passive soliciting, as is the case in France. In many contexts, sex workers are also targeted by non-sex work spe-

cific laws against obscenity, immorality or public indecency, as well as by laws against hooliganism, vagrancy, or drunkenness. As reported by many sex worker collectives throughout Europe and Central Asia, these legal measures are often used arbitrarily by law enforcement agencies that aim to eradicate sex work from public spaces or serve as a cover for extortion and harassment by the police against sex workers.

Criminalisation of Clients

Whilst increasingly targeted by different laws making it illegal to sell sex, solicit, work together for safety or advertise, in many countries of the region, sex workers' health, safety and work environments are also threatened by laws criminalising their clients. Known as "End Demand" campaigns, Nordic Model or (correctly) the Swedish Model, the criminalisation of sex workers' clients in Europe was first implemented in Sweden in 1999, with the Swedish government's avowed goal to eradicate prostitution, which Swedish lawmakers understood as gender-based violence against women, while believing that prostitution was intrinsically associated with human trafficking for sexual purposes. The Swedish Model bans the purchase of sexual services and was added to the pre-existing legislation that criminalises third parties profiting from sex work, such as managers, brothel owners, administrators or anyone else facilitating or organising sex work. Although promoted as a measure to boost gender equality and prevent the trafficking of human beings for sexual exploitation, the criminalisation of clients has not proven to have accomplished any of these goals.



Members of ECP protecting against the murders of Dora and Jasmine, and against the Swedish Model of criminalisation of clients in front of the Swedish embassy, London, UK, 19 July 2013, photo credit: Toni Stone

Contrary to widespread beliefs, there is no evidence that the implementation of the Swedish Model has contributed to either a decrease in the number of sex workers and sex work venues, or to any significant reduction in the trafficking in human beings in Sweden.⁵¹ On the contrary, in its report on human trafficking, published

in 2012, the Swedish Police clearly stated that between 2009 and 2011, the number of massage parlours in Stockholm, which are typically sex work venues, had tripled.⁵² There is also a growing body of empirical data, research and sex worker testimonies that demonstrates the negative impact of the Swedish Model on sex workers' health, safety and human rights.⁵³ It has been shown that criminalisation of clients has pushed sex workers underground and frequently forced them to operate in unsafe or unfavourable conditions. When working in clandestine, isolated environments, sex workers are not only rendered more vulnerable to violence, abuse, and harassment, but they also face greater barriers when attempting to access legal or medical services. Finally, it has also been established that the criminalisation of clients and the promotion of a prostitution abolitionist model in Sweden has led to increased stigmatisation and discrimination against sex workers at healthcare facilities, courtrooms or social services. A report evaluating the effects of the Swedish Model, published in 2015 by the Swedish Association for Sexuality Education, RFSU, indicated a significant rise of negative attitudes towards sex work and sex workers.⁵⁴ In a survey, a growing number of Swedes responded that they thought selling sex, thus sex workers themselves, should also be criminalised. This is particularly worrying given the level of vulnerability and social marginalisation that sex workers in Sweden are already exposed to.

Despite strong opposition to the Swedish Model from the regional and global sex workers' movement, various human rights organisations, international health agencies and sex work researchers, it is increasingly gaining in popularity across European and other countries. Since its introduction in Sweden, the Swedish Model has been considered or adopted in several countries in the region. Starting from 2005, Lithuania penalised clients, whilst also retaining the penalisation of sex workers. In 2009, both Norway and Iceland adopted laws criminalising the purchase of sex, while simultaneously maintaining other laws directly affecting sex workers, such as strict third-party regulations, which e.g. can see sex workers charged with a criminal offence simply for working together for safety reasons. In June 2015, a law to fight human trafficking came into force in Northern Ireland, which contained a Swedish Model-type clause banning the purchase of sexual services, although research commissioned by the Ministry of Justice, carried out and presented to parliament by researchers from Queen's University Belfast ahead of the vote on the bill, had shown that 98 percent of sex workers were against criminalising the purchase of sexual services.⁵⁵

In recent years, Swedish Model-type bills were also presented to other European parliaments, including the French and Scottish parliament and the House of Commons of the United Kingdom. Already since 2012, a bill aiming to criminalise sex workers' clients has been moving back and forth between the French National Assembly and the Senate. Sex workers, sex worker collectives, and around hundred civil society organisations, including Doctors of the World, League of Human Rights, or the National Union of Lawyers, actively criticised the bill and launched protests against it.⁵⁶ At the time of writing, the bill proposal was about to be voted on for the last time at the National Assembly. In Scotland, a bill criminalising sex workers' clients has been proposed twice, first by Member of Scottish Parliament (MSP) Trish Godman in 2010/11 and again by MSP Rhoda Grant in 2012/13. Trish Godman's proposal was lodged just before parliament dissolved for new elections, leaving insufficient time for it to

proceed through parliamentary procedures. Rhoda Grant's attempt during the new parliamentary session failed to receive sufficient cross-party support and was therefore never formally debated in parliament. In the House of Commons of the United Kingdom, an amendment to the Modern Slavery Bill that proposed the criminalisation of sex workers' clients as a means to reduce trafficking, was debated and finally rejected in a vote in late 2014.⁵⁷

Worryingly, the Swedish Model has nevertheless gained considerable recognition and support among members of the European Parliament. In February 2014, the European Parliament voted in favour of a non-binding resolution on prostitution and sexual exploitation ("Report on sexual exploitation and prostitution and its impact on gender equality") proposed by MEP Mary Honeyball, that encouraged member states to adopt laws criminalising the purchase of sexual services. As mentioned above, this resolution was met with considerable criticism from the European and global sex workers' movement, hundreds of civil society organisations as well as academics and researchers.

The criminalisation of clients has led to a significant increase in the stigmatisation and vulnerability of sex workers even in those countries where such laws were only discussed and put on hold or rejected. Public debates on the abolition of prostitution has reinforced popular myths and negative attitudes towards sex workers, particularly against migrant sex workers. This has in turn led municipalities to increasingly use punitive administrative by-laws against sex workers and to changes in policing, e.g. increased raids and brothels closures, resulting in a systematic reduction of safe work places for sex workers.

A growing body of evidence and research reports from civil society organisations, international non-governmental organisations, including the UN, researchers and sex workers themselves point to the failures of the Swedish Model and its negative consequences.

Criminalisation of Third Parties

Another set of laws adversely affecting sex workers consist of laws commonly described as addressing 'brothel-keeping', 'profiting from the prostitution of others' or 'pimping'. These laws indiscriminately criminalise all third parties, not just exploitative or violent ones, regardless of the occurrence of exploitative labour situations or violence. In the context of sex work, the category of third parties refers to individuals or entities responsible for organising and managing a sex work-related business, handling transactions between sex workers and their clients, or providing ancillary services that aid commercial sexual acts. Third parties therefore include brothel keepers, sex workers' agents or managers, maids, receptionists, or those who rent premises to sex workers, advertise their services, or provide them with security or transport.⁵⁸

Whether working in- or outdoors, in brothels, escort agencies, private apartments, or strip clubs, sex workers frequently engage in some sort of working relationship with different third parties. In the vast majority of European and Central Asian countries, including those where selling or buying sexual services is not considered a crime, e.g. Belgium, Denmark, Kazakhstan, Kyrgyzstan, Poland, Portugal, or Spain, there are laws

directly criminalising third parties and different activities related to sex work, including soliciting, procuring, and brothel-keeping, as well as advertising for sex workers or transporting them. These legal measures effectively criminalise sex workers' work environments and their relationships with third parties. In consequence, sex workers are pushed underground and frequently forced to work in hazardous settings, leaving them vulnerable to violence and serious human rights violations and depriving them of any form of legal protection. The illegality of sex work venues and various work arrangements has led to unjust and exploitative workplace practices, such as excessive fees and commissions, absence of labour contracts, overly long working hours, and a widespread lack of occupational health and safety measures at sex workers' workplaces. When working outside of the legal labour market, sex workers lack the legal means to bargain collectively or seek redress if they experienced violence, harassment or exploitation by their managers or other third parties. Ironically, the very laws that criminalise non-exploitative and non-violent third parties render sex workers vulnerable to exploitation and violence by actual criminals.



ICRSE, Paris Convening, Paris, France, 6 June 2015, photo credit: Sebastian Köhn

In some contexts, third party laws have also been proven to increase sex workers' dependency on clients and third parties providing them with living or working space. A shocking example of this was "Operation Homeless", during which the Norwegian police targeted indoor sex workers soon after the adoption of the aforementioned Swedish Model-type law in 2009. As part of this operation, landlords, hotel managers or owners of other venues were threatened with "pimping" charges if they would not terminate leases or evict tenants who were found or simply suspected of selling sexual services on the rented premises. Not only resulted "Operation Homeless" in depriving sex workers of their housing and limiting their access to safe workplaces, it also forced them to work alone and in unfamiliar locations or to rely on different

intermediaries in order to support themselves. Instead of renting their own work venues directly from the owners, some sex workers have since resorted to ask other persons to lease them in their name, which involves additional, and sometimes excessive costs. Isolated from their peers and trusted informal support networks, sex workers have thus weaker bargaining positions both vis-a-vis their clients, partners supporting them financially, or self-appointed managers exploiting their labour.⁵⁹

It is also striking that in recent years, sex workers have been increasingly subjected to prosecution or even imprisonment under laws criminalising third parties. These laws are being used, for instance, against sex workers who decide to work together for safety or prefer to operate in collective workplaces, where they share their earnings and expenses with their peers, to managed workplaces or independent work, as illustrated by a Macedonian case reported in 2011.⁶⁰ After reporting an intrusion and brutal physical assault, three sex workers who had worked together at a collectively-run sex work venue were fined for their involvement in sex work, with one of them also facing criminal charges for 'pimping'. Laws against third parties have therefore been denounced as laws "criminalising solidarity" when used against sex workers subletting accommodations to other sex workers or sharing vehicles to commute to work. Third party laws, such as laws criminalising "living off the earnings of sex workers", are also being used against sex workers' relatives, intimate partners or even against their adult children.

Coercion, exploitation and violence are too often documented in the sex industry but the array of criminal laws currently in existence renders it extremely difficult for sex workers to report crimes committed against them and thus their access justice nearly impossible. Laws prohibiting violent acts, abuse and exploitation already exist in European and Central Asian countries, and sex workers should have access to justice, the legal tools available to seek redress, and the right to equal treatment under the law. By defining all relationships between sex workers and third parties as criminal, sex workers' vulnerability to violence and exploitation by criminals is only exacerbated.

COERCIVE LEGALISATION

Another negative trend that can be witnessed in some parts of the region is an increased tendency to limit sex work by subjecting it to meticulous state control and surveillance through legalisation. Over the last decades, several countries across Europe introduced laws rendering sex work legal, while at the same time entangling it in a dense web of regulations which frequently undermine sex workers' dignity and rights. These include legal measures requiring the mandatory registration of sex workers, restrictions on the location, number and rules of operation of sex work businesses, as well as laws determining who may provide sexual services and under what conditions. Sex workers who do not want to or cannot comply with the regulations that come as part and parcel of sex work legalisation are facing punishment in the form of administrative or criminal sanctions, including fines, prosecution, or even imprisonment. The aim of these regulations is not to improve sex workers' working conditions, ensure their safety, or protect their human and labour rights, but rather to limit sex work and remove it from the public sphere. This situation, where the

legalisation of sex work on paper goes hand in hand with the criminalisation of sex workers in practice, has led to a two-tiered system in which some sex workers and some sex work businesses operate legally, while a broad sector of the industry is pushed underground and into illegality, forcing sex workers to work in hazardous or even exploitative conditions.



Members of Sex Workers Alliance Ireland (SWAI) commemorating the International Day to End Violence Against Sex Workers, Dublin, Northern Ireland, 17 December 2014, photo credit: SWAI

Some examples of different forms of such coercive legalisation in Europe can be witnessed in Austria, Greece, Hungary, Latvia, or Turkey. In all of these countries the procedure of sex workers' registration is tied to periodic compulsory screenings for HIV and other STIs. This means that sex workers are obliged to regularly undertake HIV and STI tests in order to be granted permission to work legally. Those who fail to undergo these forced medical examinations are denied the right to work, as in Austria, or face administrative charges, as has been reported in Latvia. Besides representing clear violations of sex workers' rights, including the right to privacy, dignity, bodily integrity, autonomy, non-discrimination, and health, these mandatory health checks are a repressive and degrading form of exercising control over sex workers. They not only undermine sex workers' sense of professional self-responsibility but also contribute to the increased stigmatisation of sex workers as "vectors of disease", entirely responsible for the spread of HIV and other STIs. These oppressive measures are also followed by other, equally coercive restrictions, such as zoning ordinances, introduced for instance in Hungary, or laws which allow sex workers to operate in managed indoor venues exclusively, such as in Greece or Turkey. All of these regulations significantly limit sex workers' freedom of movement and deprive them of choices with respect to their preferred work settings and labour arrangements. Additionally, both Greece and Turkey have introduced particularly discriminatory measures that only allow unmarried, cis-female sex workers with citizenship status to work legally. This forces all male and trans sex workers, as well as female sex workers who are either migrants or in certified marital relationships to work in illegality, where they are subjected to police surveillance, fines and prosecution, as well as violence, harassment and abuse.

Worryingly, this kind of coercive legalisation, i.e. laws and policies severely stigmatising sex work and violating sex workers' rights, is gaining increasing popularity across the region. The parliament of the Czech Republic, for instance, currently debates a proposal of a sex work law which, under the guise of legalisation, aims to eradicate sex work from the public sphere and discourage people from selling sexual services. The proposal strictly prohibits sex work in outdoor settings, and while seemingly permitting it in indoor venues, it also refuses sex workers the right to work at private homes or apartments, threatening those who won't comply with excessive fines of up to EUR 73,600. As a result, sex workers would be left with no alternatives other than to work in the organised or managed sector, such as at brothels and sex-clubs.⁶¹ Similarly, a prostitution bill was submitted to the Ukrainian parliament in 2015 which would put sex workers' rights to privacy, dignity, freedom of movement and their choices of work place settings at serious risk. The bill proposes to not only directly prohibit sex workers to work outside of managed sex work establishments, it would also introduce the mandatory registration of sex workers and periodic health checks. Representatives of sex worker-led organisations in the Ukraine, who have not been consulted in the process of developing the bill, have expressed their concern that the fear of stigma and discrimination, already an everyday reality, and the risk of breaches of the right to privacy will prevent sex workers from registering with authorities, which in turn would mean that the vast majority of them would operate underground and be exposed to violence, harassment and extortion by state and non-state actors.⁶²

Political debates about imposing rigorous state control and surveillance over sex workers also took place in Germany and the Netherlands, both pioneers in adopting more liberal sex work policies. A bill proposing the mandatory registration of sex workers and the criminalisation of unregistered sex workers and their clients was submitted to the Dutch Parliament in 2009. It was argued that these measures would facilitate an improved control of the sex industry, and in that way help to combat human trafficking and other abuses taking place in sex work settings. The proposal was widely criticised by sex workers, human rights activists, service providers, anti-trafficking organisations, and academics, not only for being counter-effective to efforts reducing human trafficking but also for threatening sex workers' right to privacy. The bill was eventually withdrawn in 2013.⁶³ However, Dutch municipalities continue to erode sex workers' rights by using their authority for municipal regulation with numerous arbitrary by-laws, particularly in bigger cities, such as Amsterdam, Rotterdam, The Hague, and Utrecht. In Germany, the ruling coalition of Conservatives and Social Democrats is close to completing an overhaul of the German Prostitution Act of 2002, allegedly in order to prevent exploitative labour situations in the sex industry. Their proposal, dubbed "Prostitutes Protection Law", includes plans to for the mandatory registration of sex workers, an assessment of their cognitive faculty to consent to working as sex workers, reliability checks for brothel owners, as well as outlawing flat rate sex and gang bang parties.⁶⁴ The bill has met with massive resistance from sex worker communities and their allies, including several high-ranking politicians. That regardless, the coalition plans to forge ahead with its plans and in light of resistance from several German states, e.g. where the costs of implementing the new law are concerned, will attempt to bypass a vote in the upper house of the German parliament.

THE IMPACT OF ANTI-TRAFFICKING AND ANTI-MIGRANT POLICIES

Sex workers across the region are also adversely affected by anti-human trafficking and repressive migration policies implemented in most European and Central Asian countries. More than often not, they are based on the erroneous conflation of human trafficking with sex work, as well as on growing anti-migrant sentiments.

The conflation of sex work and human trafficking, whilst lacking any factual evidence, has been institutionalised for many years through international treaties and bolstered by sensationalist media reports and misinformed popular discourses. Most international conventions dealing with human trafficking and violence against women, including the International Convention for the Suppression of the Traffic of Women of Full Age (1933), the Convention on Suppression of all Forms of Trafficking in Persons and the Exploitation of the Prostitution of Others (1949), and the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW, 1979), have defined prostitution as an inherent form of exploitation and univocally called for an end of the exploitation of women in prostitution.⁶⁵ Although the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, adopted in 2000, recognises that trafficking in human beings can occur in many different labour markets and is not unique to the sex industry, many governments, policy-makers, anti-trafficking organisations, and women's rights advocates are focusing their anti-trafficking campaigns solely on sex work. Additionally, the framing of human trafficking under the UN Convention against Transnational Organized Crime as an issue of law enforcement and prosecution, rather than one of protecting people's human rights, has informed many national laws and led to the development of anti-trafficking policies that promote aggressive policing of sex work businesses and the criminalisation of third parties and sex workers' clients.⁶⁶



Members of Hydra protest against anti-trafficking policies, which victimise migrant sex workers in Germany during a flashmob on Women's Rights Day, Berlin, Germany, 8 March 2014, photo credit: Simon Kowalewski

Anti-trafficking policies implemented throughout the region have significantly contributed to sex workers' vulnerability and exacerbated their working conditions. Repeated police raids and so-called rescue operations in sex work settings continuously undermine sex workers' safety, deprive them of their earnings, and force them to work underground or in isolation whenever their workplaces are shut down following police actions. Although actual victims of trafficking are rarely found, these kinds of actions continue, as illustrated by the Soho Raids in London in late 2013.⁶⁷ In 2009, "the largest ever police crackdown on human trafficking" was carried out by 55 police forces in England, Wales, Scotland and Northern Ireland, together with the UK Border Agency, the Serious and Organised Crime Agency, the Foreign Office, the Crown Prosecution Service and various NGOs. They raided a total of 822 brothels, flats and massage parlours over a 6 month period. The operation "failed to find a single person who had forced anybody into prostitution."⁶⁸ However, even if trafficked persons are found, their needs and vulnerabilities are typically addressed through so-called rehabilitation programmes, rather than empowerment through providing them with access to labour and civil rights. Moreover, it has been reported in many parts of the region that (undocumented) migrant sex workers working in exploitative settings and apprehended in such rescue operations are in fact subject to arrest and deportation, if they refuse to identify themselves as victims.

The vulnerability of (undocumented) migrant sex workers also results from increased xenophobic and racist sentiments prevalent in most countries of the region. Conservative pushbacks in relation to migration and moral panics surrounding the current influx of refugees has led to the implementation of increasingly repressive migration laws and stricter border controls. In its briefing paper focusing on the situation of migrant sex workers in contemporary Europe, the TAMPEP International Foundation reports that migrant sex workers, especially those who lack documents or work in irregular situations, are particularly exposed to violence and abuse by the police and criminals posing as clients. In several countries, anti-migration laws are being used as a justification to arrest and deport migrant sex workers, as in the case of Chinese sex workers in Paris in 2014, or even EU sex workers threatened by deportation from Sweden.⁶⁹ Many migrant sex workers in France testified that due to racial profiling and increased police surveillance of migrant communities, they even fear leaving their flat to go to work or buy groceries or medications. The fear of police raids on sex work venues, imprisonment or deportation forces migrant sex workers to work in clandestine settings, further contributing to their insecurity and precarity, and exposing them to violence as well as unfair and exploitative workplace practices.

Sex workers, their national organisations and regional or global networks have called for an end to the conflation of sex work with human trafficking both in law and practice, the recognition of migrant sex workers' agency, and the use of a labour rights framework in regards to exploitation in the sex industry.

CRIMINALISATION OF VULNERABILITY

In addition to policies directly addressing the sex industry, the living and working conditions of sex workers in our region can only be understood when taking into consideration the wider socio-economic conditions and processes affecting Europe more generally.

Austerity

Since sex work is, at its root, an economic activity, ongoing austerity policies across Europe impact sex workers in multiple ways. Firstly, due to the declining availability of well-paid jobs in the formal economy – or indeed of any employment at all in countries such as Greece – many more people are entering the sex industry.⁷⁰ An increase in street-based sex work in Greece has led to a backlash from conservative forces, stirred up by far-right groups such as Golden Dawn, who argue that a large number of these sex workers are Eastern European immigrants in order to generate support for their violent and racist political platforms. Secondly, state retrenchment of services disproportionately impacts women and those already in vulnerable situations, including people with complex health needs, mental health needs, single parents, LGBT and non-binary people, as well as migrants.

The transfer of wealth from the hands of the many into those of the few through austerity are further reflected in intense processes of gentrification taking place in cities across the continent. Rising house prices and rents have created a European-wide housing crisis, with particularly significant impacts on Amsterdam, London, and other major cities. Attempts at “urban renewal”, which commonly equate to little more than social cleansing, frequently result in situations where there is no longer a place for sex workers in the newly “regenerated”, shiny spaces. In Amsterdam, buildings that once used to be brothels have now turned into boutique stores, fashion shops and art galleries, and working flats in London’s Soho are being closed to make way for a new multi-million pound housing development. Gentrification produces a “double whammy” for sex workers, stripping them of safe workplaces while dramatically increasing the rents they have to pay to work and live in their working premises and homes.⁷¹

Homelessness

LGBT people make up a disproportionate share of the homeless population, but housing services, both specialised and otherwise, have nevertheless faced serious cuts across Europe, leading to dramatic increases in homelessness and leaving LGBT people particularly vulnerable. While sex work offers a way to escape homelessness for many people who find themselves in this situation or may represent the only form of employment open to those without a fixed address, many people already finding themselves increasingly vulnerable, are also criminalised via public order ordinances and laws used to criminalise those who are excluded from finding a roof over their heads.

Regressive social policies and criminalisation

In addition to economic factors, a wave of regressive social policies across the region has also undermined sex workers' situation in general. Repressive and punitive drug policies mean that sex workers who use drugs experience interconnected layers of risk and vulnerability.⁷² A growing tide of anti-migrant sentiment, in part due to austerity measures and the influx of refugees, has resulted in migrants facing increasing levels of aggression, violence and social exclusion.

Contrary to popular belief in a growing liberalism, in many countries, restrictive regulations framing drug use as a criminal offence rather than as a public health issue, as is the case in Georgia, Kazakhstan, Russia, and the Ukraine, or penalising same-sex relationships through criminal laws, as in Northern Cyprus, Turkmenistan and Uzbekistan, or laws prohibiting the "promotion of homosexuality", introduced recently in Moldova and Russia, all negatively affect the living and working conditions of sex workers who use drugs as well as male and transgender sex workers, and render them particularly vulnerable to legal cautions or prosecution.

Understanding vulnerability intersectionally

Alongside the usual social vectors which shape people's power and life experiences, e.g. gender, race, class and (dis)ability, a large number of sex workers are mothers, single mothers, members of the LGBTQ community, migrants, or any combination thereof.

Sex workers are not a monolithic group and belong to many communities and populations.⁷³ Naturally, these factors should not be understood in a simplistic "add and stir" formulation. Instead, it is important to understand the social vulnerability of sex workers as shaped by a variety of intersecting factors. A young trans person, for instance, who has been evicted by their family due to their gender identity, faces problems of homelessness, transphobia, poverty and, potentially, violence and mental health problems, which are co-constitutive of one another. Sex workers who use drugs or undocumented sex workers, on the other hand, can at once be victims of police repression, xenophobia and anti-sex work policies and attitudes.

In summary, this constitutes a criminalisation of vulnerability, further exacerbating the overall degradation of economic conditions in which sex workers make decisions to survive.

Together, criminalisation and austerity increase sex workers' existing vulnerabilities to violence, discrimination and exclusion, rendering them particularly vulnerable along multiple vectors of their social identities, categories and locations.



Members of PROUD protest against closure of their workplaces in Amsterdam's Red Lights District, Amsterdam, the Netherlands, 10 April 2014, photo credit: PROUD

DEMANDS OF SEX WORKERS IN EUROPE

The following recommendations were formulated by sex workers and their allies. They contain key recommendations addressing the protection of sex workers' human and labour rights, violence against sex workers, migration and human trafficking.

SEX WORKERS DEMAND REFORMS OF SEX WORK POLICIES

Policies that aim to render sex work invisible and remove sex workers from the public sphere add to the stigma, social exclusion and vulnerability of sex workers. We reject the double standards that seek to allow prostitution only when it is hidden. All laws and measures that undermine the dignity and self-determination of sex workers should be abolished. Sex workers have the right to represent themselves. They should be part of any and all debates on laws, policies and measures that affect their lives. The self-organisation of sex workers should be supported.

SEX WORKERS DEMAND THAT OUR HUMAN RIGHTS ARE RESPECTED

Governments should protect the human rights of all sex workers, including female, male and trans sex workers, whether they identify as female, male or non-binary, (un-)documented) migrant sex workers, sex workers who use drugs and those living with HIV.

Human rights are accepted as universal rights that apply to every citizen and governments have already have ratified them, but continue to deny them to sex workers.

SEX WORKERS DEMAND THE RECOGNITION OF SEX WORK AS WORK

Sex work is work and a profession; sex workers are workers and must be recognized as such. We demand the protection of our labour, social and human rights on an equal footing with other workers, especially social rights such as access to social security, health care and minimum wages.

Sex workers, including migrant workers, should be able to work legally.

Governments should not render the creation of safe and healthy working conditions for sex workers impossible, just as they wouldn't do so in other industries. Mandatory medical checks and mandatory registration with the police, to which only sex workers are submitted, and all other discriminatory measures should be abolished.

SEX WORKERS DEMAND AN END TO VIOLENCE AGAINST

SEX WORKERS

Sex workers should have the right to unite and work together to protect themselves from violence. Laws that prohibit sex workers to work together should be abolished. Sex workers should have the right to support and legal protection when faced with violence, irrespective of their immigration status.

SEX WORKERS DEMAND RESPECT FOR MIGRANTS' HUMAN RIGHTS

The EU should integrate a human rights impact assessment into all anti-trafficking and migration policies and programmes in order to protect and promote the rights of migrant sex workers and trafficked persons. In order to protect their human rights, in particular the right to legal remedy, the EU should provide migrant sex workers and trafficked persons with appropriate residency permits in order to ensure their effective access to justice.

In order to protect their human rights, migrant sex workers and trafficked persons, regardless of their immigration status, should have access to support services, including housing, education, vocational training, psycho-social counselling and legal assistance.

CONCLUSIONS

Reflecting on ten years of sex workers' rights, activism, and advocacy, one can observe both negative and positive trends in sex work-related policies across Europe and Central Asia.

Without a doubt, sex workers have faced an increasing level of scrutiny and criminalisation through laws and by-laws criminalising them, their clients and third parties. The so-called Swedish Model has been exported to or debated in several European countries, often increasing both the criminalisation and stigmatisation of sex workers. The faulty conflation of human trafficking with migration and sex work has led to flawed policies targeting sex workers in general and migrant sex workers in particular, leading to deteriorating relations with the polices as well as to arrests and deportations. The impact of the economic crisis and the resulting austerity measures implemented by governments as well as a trend to further criminalise sex workers' existing vulnerabilities has led to a deterioration of their lives.

Confronted by this increase of criminalisation, sex workers have continued to mobilise and organise to fight for their rights. The increase in the number of sex worker-led organisations, from a handful of organisations in 2005 to more than 40 in 2015, has contributed to a strengthened movement that is more inclusive and reflective of the diverse members of the communities it represents. The increasingly strong voice of sex workers has led to very noticeable changes in many sectors of society: a large number of NGOs have expressed their solidarity with the sex workers' rights movement; academics and researchers have continued to produce evidence in support of the decriminalisation of sex work; and elected officials from parties of the entire political spectrum have spoken in support of sex workers. From Amnesty International's headquarters to the corridors of the European Parliament the voices of sex workers and their demands resonate calling for an end to criminalisation and stigmatisation, the right to work and migrate, free from fear and violence.

In 2005, sex workers in Europe said: "We demand that our voices be heard, listened to and respected. Our experiences are diverse, but all are valid, and we condemn those who would steal our voices and say that we do not have the capacity to make decisions or articulate our needs."

In 2015, as our communities face increased stigmatisation and criminalisation, we applaud those who have taken a stance to support our rights. Sex workers will continue to organise themselves and welcome the support from those who recognise sex workers' demands for lives free from stigma, violence, and legal oppression.

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REFERENCES

- ¹ Bassermann, L. (1993). *The Oldest Profession: A History of Prostitution*. New York: Dorset Press.
- ² Ross, J. (2012). Between Normalization and Resistance. Prostitutes' Professional Identities and Political Organization in Weimar Germany, [in:] S. Spector, H. Puff, D. Herzog (eds.), *After the History of Sexuality. German Genealogies with and Beyond Foucault*, New York: Berghahn, pp. 139-155.
- ³ Kırmızı Şemsiye (Red Umbrella Association for Sexual Health and Human Rights), personal communication.
- ⁴ Mathieu, L. (2001). An Unlikely Mobilization: the Occupation of Saint-Nizier Church by the Prostitutes of Lyon, *Revue française de sociologie* 42(1): 107-131.
- ⁵ See, for example, ICPR (International Committee for Prostitutes' Rights). (1985). *World Charter for Prostitutes' Rights*. Retrieved from: http://nothing-about-us-without-us.com/wp-content/uploads/2010/11/World-Charter-For-Prostitutes_First-World-Whores-Congress-Amsterdam-1985.pdf
- ⁶ Gall, G. (2012). *An Agency of Their Own: Sex Worker Union Organizing*. Winchester: Zero Books.
- ⁷ Sorfleet, A. (ed.) (2007). *Sex Workers' Rights: Report of the European Conference on Sex Work, Human Rights, Labour and Migration*, Amsterdam: ICRSE. Retrieved from: <http://walnet.org/csis/groups/icrse/brussels-2005/SexWorkersRights.pdf>
- ⁸ ICRSE (2005). *The Declaration of the Rights of Sex Workers in Europe*. Retrieved from: http://www.sexworkeurope.org/sites/default/files/userfiles/files/join/dec_brussels2005.pdf
- ⁹ ICRSE (2005). *Sex Workers in Europe Manifesto*. Retrieved from: <http://www.sexworkeurope.org/sites/default/files/userfiles/files/join/manbrussels2005.pdf>
- ¹⁰ <http://jasmineanddora.wordpress.com/>
- ¹¹ Honeyball, M. (2014). Report on sexual exploitation and prostitution and its impact on gender equality (2013/2103(INI)). Committee on Women's Rights and Gender Equality, European Parliament. Retrieved from: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+REPORT+A7-2014-0071+0+DOC+PDF+V0//EN>
- ¹² ICRSE (2013). *Hands off our clients! Advocacy and Activism Toolkit against the Criminalisation of Clients*. Retrieved from: http://www.sexworkeurope.org/sites/default/files/resource-pdfs/hands_off_sections_1-3.pdf
- ¹³ ICRSE (2015). *Structural violence: Social and institutional oppression experienced by sex workers in Europe. Community report*. Retrieved from: <http://www.sexworkeurope.org/sites/default/files/userfiles/files/ICRSE%20CR%20StrctrlViolence-final.pdf>
- ¹⁴ ICRSE (2015). *Underserved. Overpoliced. Invisibilised. LGBT Sex Workers Do Matter*. Retrieved from: http://www.sexworkeurope.org/sites/default/files/resource-pdfs/icrse_briefing_paper_october2015.pdf
- ¹⁵ <http://www.sexworkersrightscommunity.org/en/home/>
- ¹⁶ SWAN (2014). *Guide for Sex Worker Human Rights Defenders*. Retrieved from: <http://www.swannet.org/files/swannet/A%20Guide.pdf>
- ¹⁷ SWAN (2009). *Arrest the Violence: Human Rights Abuses against Sex Workers in 11 Countries in Central and Eastern Europe and Central Asia*, Retrieved from: <http://www.opensocietyfoundations.org/sites/default/files/arrest-violence-20091217.pdf>
- ¹⁸ SWAN (2015). *Failures of Justice. State and Non-State Violence Against Sex Workers and the Search for Safety and Redress*. Retrieved from: <http://www.swannet.org/files/swannet/FailuresOfJusticeEng.pdf>
- ¹⁹ TAMPEP (2009). *Sex Work in Europe: A Mapping of the Prostitution Scene in 25 European Countries*, Amsterdam: TAMPEP International Foundation. Retrieved from: <http://tampep.eu/documents/TAMPEP%202009%20European%20Mapping%20Report.pdf>
- ²⁰ TAMPEP (2009b). *Sex Work. Migration. Health. A report on the intersections of legislations and policies regarding sex work, migration and health in Europe*. Amsterdam: TAMPEP International Foundation. Retrieved from: http://tampep.eu/documents/Sexworkmigrationhealth_final.pdf

- ²¹ <http://www.conectaproject.eu/>
- ²² <http://www.indoors-project.eu/>
- ²³ See, for example, NSWP (2013). The decriminalisation of third parties. Briefing paper. Retrieved from: http://www.nswp.org/sites/nswp.org/files/thirdparties3_0.pdf; NSWP (2013). Sex work in not trafficking. Briefing paper. Retrieved from: <http://www.nswp.org/sites/nswp.org/files/SW%20is%20Not%20Trafficking.pdf>; NSWP (2014), Sex Work and the Law: Understanding Legal Frameworks and the Struggle for Sex Work Law Reforms. Briefing Paper. Retrieved from: <http://www.nswp.org/sites/nswp.org/files/Sex%20Work%20%26%20The%20Law.pdf>; NSWP (2014). Advocacy Toolkit: The Real Impact of the Swedish Model on Sex Workers. Retrieved from: <http://www.nswp.org/resource/the-real-impact-the-swedish-model-sex-workers-advocacy-toolkit>
- ²⁴ CEDAW Committee (2013). Concluding observations on the combined seventh and eighth periodic reports of Hungary adopted by the Committee at its fifty fourth session, 54thSess, CEDAW/C/HUN/CO/7-8. Retrieved from: <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW.C.HUN.CO.7-8.pdf>
- ²⁵ Ördek, K. (2014). Violence against Sex Worker Trans Women in Turkey: An Existence Struggle in the Midst of Invisibility and Impunity. Ankara: Red Umbrella Sexual Health and Human Rights Association.
- ²⁶ Ördek, K. (2015). O Kadınlar: Trans Kadın Seks İşçilerinin Dilinden Şiddet Hikayeleri. Ankara: Kırmızı Şemsiye Cinsel Sağlık ve İnsan Hakları Derneği'nin
- ²⁷ Barcelona En Comú is a citizen platform currently governing in minority in the City of Barcelona; the platform has its origins in the new social and political movements that emerged in the wake of the Spanish economic crisis.
- ²⁸ The Candidatura d'Unitat Popular is a left-wing pro-Catalan independence political party active in the Catalan Countries.
- ²⁹ <http://www.strass-syndicat.org/le-strass/nos-revendications/ni-abo-ni-reglo-syndicalistes/>
- ³⁰ For example, STRASS has developed 'know your rights' sheets - summarising main sex work laws and policies - which are available not just in French but also Romanian, Bulgarian or English: <http://strass-syndicat.org/vos-droits/>
- ³¹ <http://www.strass-syndicat.org/?s=irregulier&lang=fr>
- ³² <http://www.sexworkeurope.org/campaigns/tell-european-parliament-vote-against-criminalisation-clients>
- ³³ UNAIDS (2009). Guidance Note on HIV and Sex Work, Geneva: UNAIDS. Retrieved from: http://www.unaids.org/en/media/unaids/contentassets/documents/unaidspublication/2009/JC2306_UNAIDS-guidance-note-HIV-sex-work_en.pdf
- ³⁴ WHO, UNFPA, UNAIDS, NSWP (2012). Prevention and Treatment of HIV and Other Sexually Transmitted Infections for Sex Workers in Low- and Middle-Income Countries: Recommendations for a Public Health Approach, Geneva: WHO. Retrieved from: http://apps.who.int/iris/bitstream/10665/77745/1/9789241504744_eng.pdf
- ³⁵ <http://www.thelancet.com/series/hiv-and-sex-workers>
- ³⁶ WHO, UNFPA, UNAIDS, NSWP, World Bank (2013). Implementing Comprehensive HIV/STI Programmes With Sex Workers. Practical Approaches from Collaborative Interventions. Geneva: WHO. Retrieved from: http://apps.who.int/iris/bitstream/10665/90000/1/9789241506182_eng.pdf
- ³⁷ <https://www.hrw.org/news/2013/05/14/china-end-violence-against-sex-workers>
- ³⁸ <https://amnestysgprdasset.blob.core.windows.net/media/10243/draft-sw-policy-for-external-publication.pdf>
- ³⁹ <http://www.sexworkeurope.org/news/general-news/icrse-1100-organisations-and-individuals-ask-amnesty-international-support>
- ⁴⁰ <http://lastradainternational.org/about-lsi/lsi-opinion/criminalising-the-clients-of-sex-workers>
- ⁴¹ <http://www.sexworkeurope.org/campaigns/tell-european-parliament-vote-against-criminalisation-clients>

clients/critique-report-prostitution

Lehmann, M., with Levy, J., Mai, N., and Pitcher, J. (2014). A Critique of the "Report on Prostitution and Sexual Exploitation and its Impact on Gender Equality" by Mary Honeyball, MEP. Retrieved from: <http://www.sexworkeurope.org/campaigns/tell-european-parliament-vote-against-criminalisation-clients/critique-report-prostitution>

⁴² <http://www.thelancet.com/series/hiv-and-sex-workers>

⁴³ http://media.wix.com/ugd/148599_9f63859e848a4a69af7e811508463f15.pdf

⁴⁴ https://www.youtube.com/watch?v=OpWPUFJBFE&ab_channel=DennisvanWanrooij

⁴⁵ <http://www.marinayannakoudakis.com/open-letter-to-mary-honeyball-mep-concerning-prostitution-and-sexual-exploitation-of-women/>

⁴⁶ Source: NSWP (2014). Europe Regional Report: Good Practice in Sex Worker-Led HIV Programming. Retrieved from: <http://www.nswp.org/sites/nswp.org/files/Regional%20Europe.pdf>

⁴⁷ SWAN (2009). Arrest the Violence: Human Rights Abuses against Sex Workers in 11 Countries in Central and Eastern Europe and Central Asia, Retrieved from: <http://www.opensocietyfoundations.org/sites/default/files/arrest-violence-20091217.pdf>

⁴⁸ SWAN (2009). Arrest the Violence: Human Rights Abuses against Sex Workers in 11 Countries in Central and Eastern Europe and Central Asia, Retrieved from: <http://www.opensocietyfoundations.org/sites/default/files/arrest-violence-20091217.pdf>

⁴⁹ <http://www.nswp.org/news/policy-mandatory-hiv-testing-sex-workers-repealed-greece>

⁵⁰ <http://www.nswp.org/news/sex-workers-targeted-tajikistan>

⁵¹ Dodillet, S., Östergren, P. (2011). The Swedish Sex Purchase Act: Claimed Success and Documented Effects, Conference paper presented at the International Workshop: Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges. The Hague, March 3 and 4, 2011. Retrieved from: <http://gup.ub.gu.se/records/fulltext/140671.pdf>

⁵² RPS (Swedish National Police Board) (2012). Trafficking in human beings for sexual and other purposes. Situation report 13. Retrieved from: https://www.polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking_1998_/Trafficking_report_13_20130530.pdf

⁵³ See, for example, ICRSE (2013). Hands off our clients! Advocacy and Activism Toolkit against the Criminalisation of Clients. Retrieved from: http://www.sexworkeurope.org/sites/default/files/resource-pdfs/hands_off_sections_1-3.pdf; NSWP (2014). Advocacy Toolkit: The Real Impact of the Swedish Model on Sex Workers. Retrieved from: <http://www.nswp.org/resource/the-real-impact-the-swedish-model-sex-workers-advocacy-toolkit>; Levy, J. (2015). Criminalising the Purchase of Sex: Lessons from Sweden. London: Routledge.

⁵⁴ <http://old.nswp.org/fr/news-story/positive-effects-swedish-sex-purchase-ban-heavily-exaggerated-new-report-finds>; <http://www.dn.se/nyheter/sverige/sexkopslag-far-underkant/>

⁵⁵ Huschke, S. et al. (2014). Independent research report into prostitution in Northern Ireland. Department of Justice. Retrieved from: <http://www.dojni.gov.uk/index/publications/publication-categories/pubs-criminal-justice/prostitution-report-nov-update.pdf>

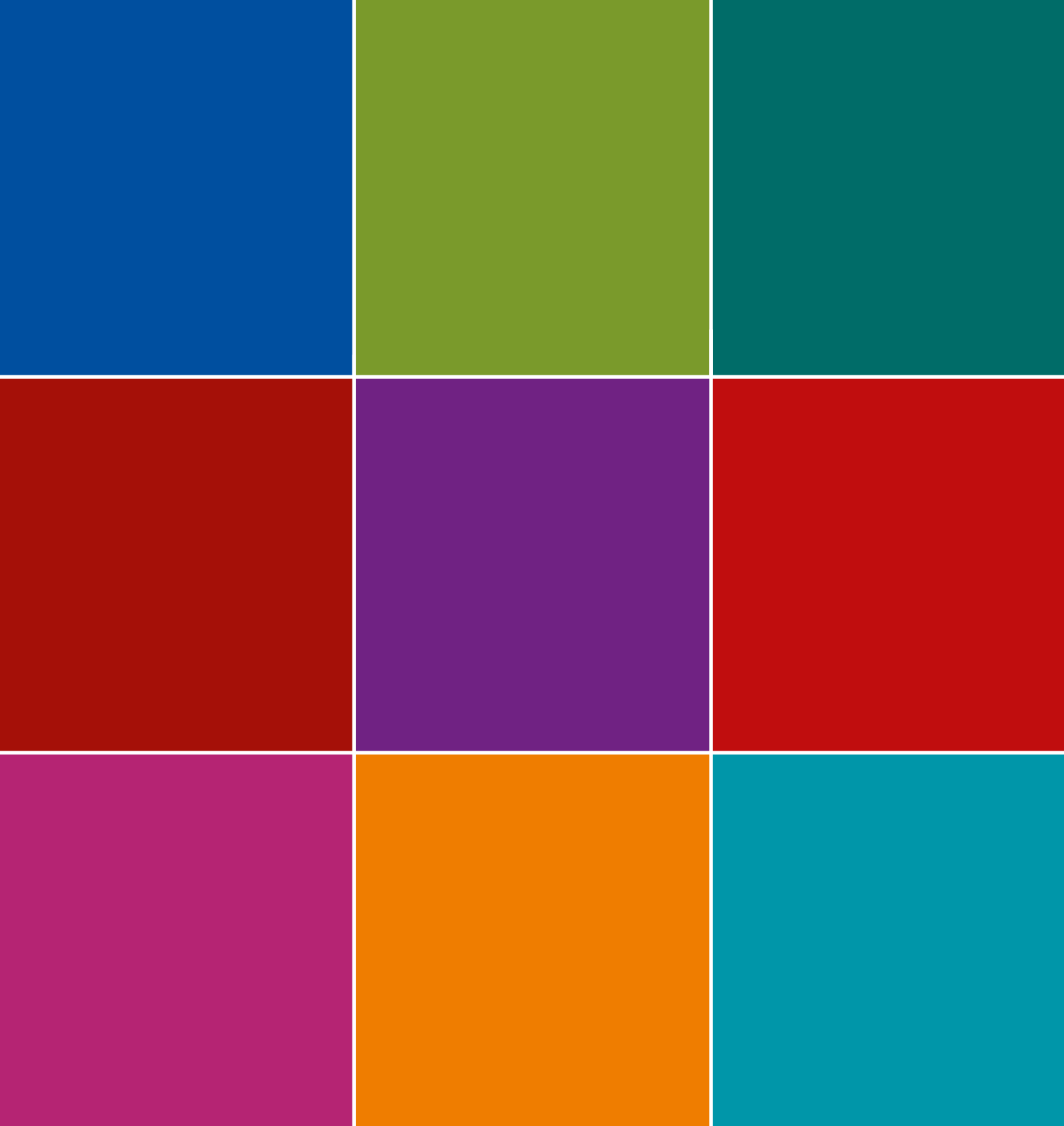
⁵⁶ <http://droitsetprostitution.fr/1/index.php>

⁵⁷ <http://www.sexworkeurope.org/news/general-news/icrse-letter-uk-members-parliament-regarding-criminalisation-client-modern-slavery>

⁵⁸ NSWP (2013). If my boss is criminalised, I can't keep condoms with me at work. Briefing paper. Retrieved from: http://www.nswp.org/sites/nswp.org/files/thirdparties3_0.pdf

⁵⁹ For more details, see: <http://feministire.com/2012/07/01/the-oslo-report-on-violence-against-sex-workers/>

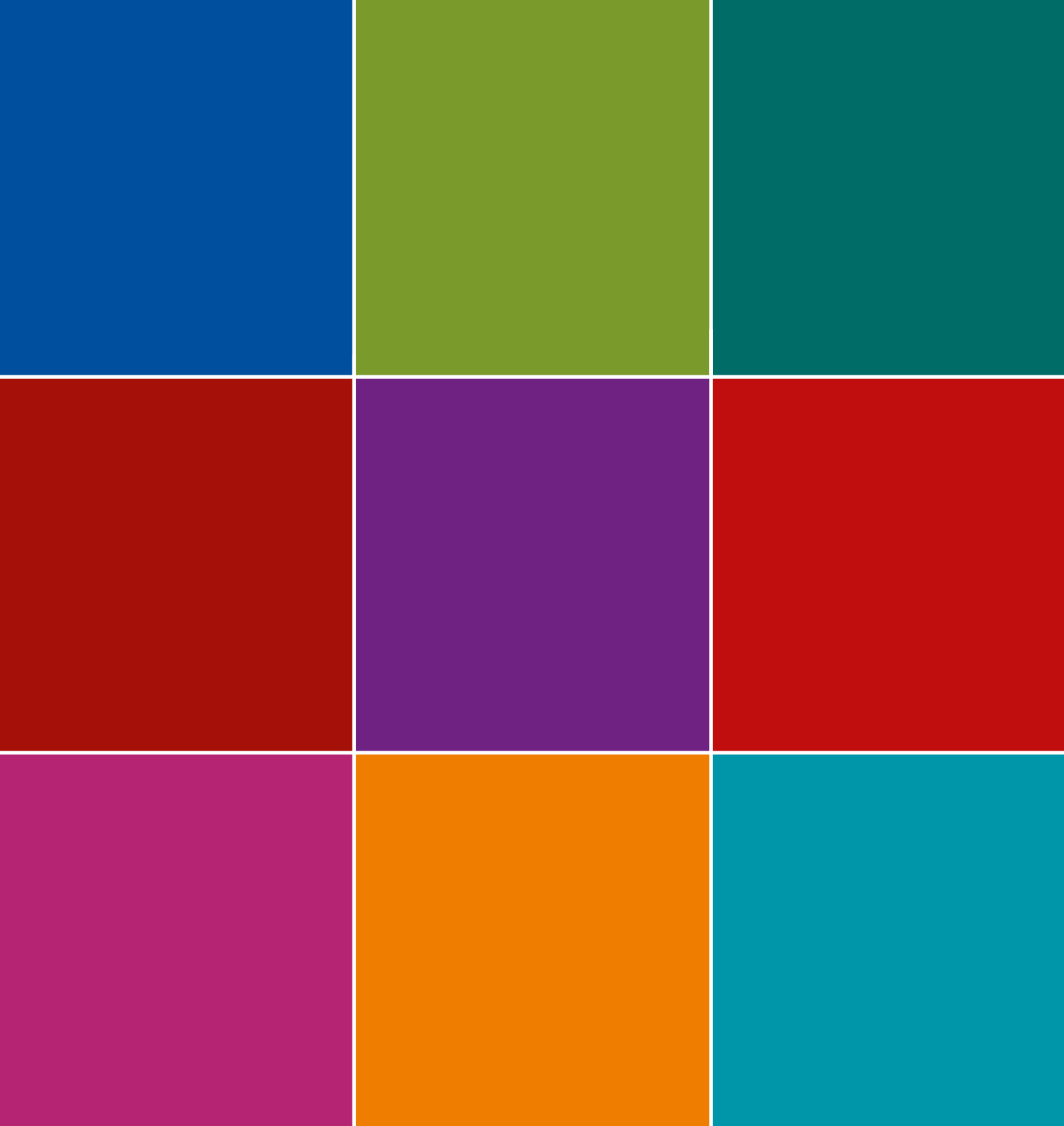
- ⁶⁰Coalition 'Sexual and Health Rights of Marginalised Communities' (2012). Report on the Sexual and Health Rights of Marginalised Communities: 2011, Skopje.
- ⁶¹Havelková, B. (2014). Právní úprava prostituce v České republice, [in:] B. Havelková and B. Bellak-Hančilová, Co s prostitucí? Veřejné politiky a práva osob v prostituci. Prague.
- ⁶²<http://swannet.org/en/content/draft-law-legalization-sex-work-ukraine-everything-about-us-without-us>
- ⁶³Wijers, M., Mandatory registration of sex workers and the right to privacy. Conference presentation, COST conference: Troubling Prostitution: Exploring intersections of sex, intimacy and labour, 16-18 April 2015, Vienna, Austria.
- ⁶⁴See, for example, <https://researchprojectgermany.wordpress.com/2015/09/14/ministers-from-4-states-demand-comprehensive-overhaul-of-prostitutes-protection-law/>; <https://researchprojectgermany.wordpress.com/2014/08/17/moralising-law-reform-proposals-for-the-german-prostitution-act/>
- ⁶⁵NSWP (2013). Sex work is not trafficking. Briefing paper. Retrieved from: <http://www.nswp.org/sites/nswp.org/files/SW%20is%20Not%20Trafficking.pdf>
- ⁶⁶x:talk project (2010). Human Rights, Sex Work and the Challenge of Trafficking. Retrieved from: <http://www.xtalkproject.net/wp-content/uploads/2010/12/reportfinal1.pdf>
- ⁶⁷<http://prostitutescollective.net/tag/soho/>
- ⁶⁸<http://www.theguardian.com/uk/2009/oct/20/government-trafficking-enquiry-fails>
- ⁶⁹TAMPEP (2015). TAMPEP on the situation of national and migrant sex workers in Europe. Briefing paper. Retrieved from: <http://www.nswp.org/sites/nswp.org/files/TAMPEP%20Briefing%20%20Paper%202015.pdf>
- ⁷⁰<https://www.google.com/url?q=http://www.ibtimes.co.uk/greek-crisis-thriving-sex-industry-shows-austerity-has-violated-womens-rights-1508814&sa=D&ust=1448375542765000&usg=AFQjCNGl1Yah9dvjoouLHhcOCPyL5JxMmA>; https://www.google.com/url?q=http://www.ibtimes.com/sex-sells-even-broke-greece-854673&sa=D&ust=1448375542766000&usg=AFQjCNH80Rp3S0Q_N4poEc_vpn8QrVJ6Uw
- ⁷¹<http://www.ieb.be/La-prostitution-dans-la-ville,8818>; <http://behindtheredlightdistrict.blogspot.nl/2015/03/another-108-million-euro-to-take-away.html>; <https://medium.com/@lalalalinder/amsterdams-plan-to-save-prostitutes-is-a-billion-euro-gentrification-project-375183088650>; <http://www.sexworkeurope.org/news/general-news/save-our-windows-save-our-jobs>
- ⁷²For more details, see: NSWP/INPUD (2015) Briefing paper: Sex workers who use drugs: Experiences, perspectives, needs and rights. Community Guide. Retrieved from: <http://www.nswp.org/sites/nswp.org/files/SWs%20Who%20Use%20Drugs%20Community%20Guide%2C%20NSWP%20-%20October%202015.pdf>
- ⁷³See, for example, ICRSE (2015). Structural violence: Social and institutional oppression experienced by sex workers in Europe. Community report. Retrieved from: <http://www.sexworkeurope.org/sites/default/files/userfiles/files/ICRSE%20CR%20StrctrlViolence-final.pdf>; ICRSE (2015). Underserved. Overpoliced. Invisibilised. LGBT Sex Workers Do Matter. Retrieved from: http://www.sexworkeurope.org/sites/default/files/resource-pdfs/icrse_briefing_paper_october2015.pdf



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