



Pre-meeting for sex workers and allies attending the 12th AWID International Forum (Istanbul, April 19-22 2012)

Briefing notes to help guide sex
worker engagement

Prepared by the Center for Advocacy on Stigma and
Marginalisation (CASAM)

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Introduction

The 2012 AWID Forum will explore how economic power impacts on women and the planet. It will facilitate connections among the very diverse groups working on these issues from both human rights and social justice approaches so that together we contribute to stronger, more effective strategies to advance women's rights.

This set of background notes has been prepared for the pre-meeting of sex workers and their allies. We see this as a continuation of the conversations that are happening in many places around the world about how feminism, economic justice, labour rights, sexuality, governance, culture, violence and religion intersect with issues related to sex work.

These notes provide an introduction to the conference themes and map out how they are relevant to people working for sex workers rights, particularly in developing countries. The 'Sex Worker Speak' boxes in each section give some examples of how sex workers rights relate to each of the issues.

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Labour and Work

Sex Worker Speak

- Sex work is work and should be afforded the same protections as other forms of work and should be part of the mainstream debate on rights of workers.
- Stigma and discriminatory laws and policies prevent sex work considered a legitimate livelihood option. Reform is needed.
- Minimum standards with regard to working conditions in the sex industry, and safeguards against discrimination and violence must be clearly laid down.
- Participation of sex workers' unions in broader federations of labour unions must be improved.
- Sex worker organisations themselves are often at the forefront of driving up standards in the industry.

Summary of the issue

Women work in many areas ranging from the well-recognized formal sectors like manufacturing, to informal work such as making food packets at home to supply lunches to office workers. More and more women in poorer countries are forced to take up informal work, which is not well-paid, in which trade unions are absent and women have few legal protections or rights in the workplace.

Some women work at home, while others may be engaged in community work or voluntary work. Women may be working in a factory and also performing the valuable task of giving birth to and raising children. In many instances, women take responsibility for the home and raising children, in order to enable men to work and earn money. Often women do many types of work at the same time, for example, working as a sex worker, in addition to formal jobs as e.g. a housemaid or cleaner, as well as raising a family.

A lot of the work which women do is not recognised as work, such as looking after the home, the cattle, or raising the children and nurturing the sick and aged. Many new types of technologies like the Internet have made it possible to work in more flexible ways. Work which used to earlier require going to office can now be often done from home. However, modern technologies also pose a risk to job security as mechanisation replaces the role of women in the workplace. The demands of 'productive' work which provides a living wage has led to a 'crisis of care' - with women having less time to care for children, the elderly or other caring duties - because the burden of caring is most often borne by women in society. Changing trends in migration are also affecting the work patterns of women.

There is need to change what is considered as 'work' and therefore valued in society, for women to be able to earn their livelihood more fairly and safely.

Even when women's labour is counted as work, it is more often not valued and paid at a lesser rate than male counterparts doing the same job. Domestic maids often get paid as little as US \$8 per month. Women may cook at home, whilst men get formal work cooking in big hotels and are highly paid. In construction work women stereotypically work as unskilled labour, and the skilled work is more often done by men who get paid more. Even those women who work in large companies in the service sector are often prevented from rising up the career ladder into management positions. This is often called the "glass ceiling". In a large number of areas ranging from road construction to garment stitching and even sex work, women doing the same work as men are paid less. Most often, there are no crèche or child care facilities in the workplace to enable more women to work. Women also face more exploitation, including sexual abuse and more often work in unsafe conditions and get paid poorly. Sex workers who are street-based are constantly exposed to higher risks of violence and abuse from men.

Sex work involves negotiation and the provision of sexual services for money. Commercial sex is an income-generating activity and a form of employment for women, men and transgender persons. Sex work needs to be considered as work along with other forms of economic activity, be afforded the same protections as other forms of work and be part of the mainstream debate on rights of workers and women's rights. The interpretation of many of the standards agreed by the United Nations and International Labour Organisation (such as the ILO Recommendation 200 on HIV/AIDS and work) can be expanded to give sex workers access to the rights concerned and promote respect for these rights in the sex industry. Minimum standards must be laid down with regard to working conditions in the sex industry, like the right to refuse a client to perform a particular sexual service and to prevent abuses against sex workers. The stigma, laws and criminal penalties need to be removed and sex work considered a legitimate livelihood option. In a sign of gradual change and recognition of sex work as part of labour, sex workers unions in some places are part of a broader federation along with unions working in other industries.

“Sex work is work and should be afforded the same protections as other forms of work and should be part of the mainstream debate on rights of workers.”

Sexuality

Sex Worker Speak

- Sex workers challenge the norm of female sexuality that dictates that sex should remain within the bounds of monogamous heterosexual marriage.
- The gender, class and racial bias of colonial laws aimed at controlling “diseased” and deviant prostitutes in the 19th Century continues in present day laws in some countries.
- Despite commercialization of most aspects of life, the exchange of sexual services for money is viewed with a moralistic lens.
- The interface of economy and sexuality - in sex work, pornography and trafficking - must be examined from the perspectives of sex workers’ movements.

Summary of the issue

Society has many ways of controlling women. An important area of control is in sexual and reproductive rights. There are also strong attempts to control the rights of persons from the Lesbian, Gay, Bisexual, Transgender, Queer and Intersex (LGBTQI) and other marginalized sexualities. Heterosexual people are also affected by these controls. The state, family, community, caste and clan play a central role in controlling sexuality. The market economy also controls sexuality. Sex workers provide certain sexual services for money. However, moral judgments impact on sex work, as it is singled out as ‘bad’ and ‘immoral’ and in most countries, sex work is criminalised in some form.

The suppression of female sexuality and the stereotyping of women’s roles as mothers whose focus should be reproduction leads to the attachment of labels such as ‘immoral’ and ‘impure’ to sexual acts other than monogamous heterosexual sex for the purposes of procreation. This comes sharply to the fore in the arena of sex work and homosexuality, both of which are not procreative i.e. sex for pleasure and not for reproduction. It is believed by some that women must not use their bodies to make money through selling sex. There is often discomfort with the concept of detaching ‘love and emotion’ from sex as a physical activity.

The silence around sexuality in most societies has been broken with the spread of the HIV epidemic. Sexual minorities, sex workers and people living with HIV have been pushed to the margins by a society that has condemned their very existence. Sexuality and sexual relationships have now come under tremendous public scrutiny. The epidemic has forced societies to acknowledge and confront the myriad and complex world inhabited by people who are in monogamous relationships within and outside marriage, as well as people who are in multiple sex partnerships within both commercial and non-commercial contexts. The interface between economics and sexuality is seen very clearly in the areas of sex work and trafficking. At times of economic crisis, there is often a greater attempt to control sexuality and limit access to health services. The impact is

often felt more by women who are poor and other marginalized groups. Under the guise of ‘protection’ of both the individual and the family, sexuality that does not conform to the norm is considered a ‘vice’ and pushed underground. ‘Moral’ agendas are often followed which campaign against ‘deviance’: be it single motherhood, pre and extra-marital relationships, multiple sex partnerships, commercial sex. Punishment and sanctions for such ‘illicit sexual conduct’ include forced migration, or even death.

Discrimination and harassment of women, transgender, gay, lesbian and bisexual people in the workplace show how sexuality affects the economic system. While the new social media provide space for sexual and gender experimentation, they also predominantly tend to promote gender stereotypes. At times, issues relating to sexuality are used to deflect debate on important economic policies. A policy restricting sexual rights may be brought to take away attention from a cut being made in the money for social services or an important trade agreement. Some other examples of economics affecting access to health services and sexuality are the limitations of efforts to cope with HIV and AIDS; discrimination in some of the programmes and the lack of sensitive response taking into consideration the gender identity of the individual.

Efforts need to be made to include sexuality in discussions of economic and development policies. Strategies to influence economic policies to advance sexual rights need to be developed. We need to see in what way the lack of connection between sexuality and economic policy affects women’s rights and equality. We need to explore whether looking at economic and development policies from the viewpoint of sexual rights can influence policies to focus not only on harm but also take into account pleasure. Unravelling the concepts of sexual morality, sexual sacredness, sexual pleasures, sexual preferences, sexual diversity, sexual health and sexual rights is essential.

“Strategies to influence economic policies to advance sexual rights need to be developed.”

The Role of the State

Sex Worker Speak

- Under new economic policies, the reduced role of the state in providing welfare services means that sex workers' access to health, education and other services can be even more restricted.
- Simultaneously, laws relating to public decency, obscenity, morality and public health are increasingly used to harass sex workers.
- Even social welfare measures which view sex workers as victims end up denying them their rights.
- Sex workers' organisations efforts at combating trafficking must be promoted, and sex between consenting adults not criminalized.

Summary of the issue

The role played by the state and government in society is changing. Now, new policies are being brought in at an international level. Policies being pushed by institutions with huge influence, such as the World Bank and International Monetary Fund (IMF), are often described as “neo-liberal”. Neoliberalism advocates free trade, open markets and deregulation, often including privatization of nationalized industries, and essentially involves less state control of the economy. This model seeks to confine the role of government to matters of social control and policing - a limited role that is claimed to benefit trade and investment. This school of thought advocates that government should not exercise control over the price of food and basic necessities (to ensure they are available at affordable prices to the vast majority of the poor.) It also advocates for restrictions in public spending on health services, education and housing. Neo-liberal policies advocate a reduction in the role of the state in providing subsidized welfare services, and promoting the idea that these services such as health and education be paid for directly by citizens.

In many countries the state has been providing free medical treatment for the poor in hospitals; hot meals in schools for students; job security for workers and other such social welfare measures. In some other countries along with protectionist policies the role and size of the state has grown.

After the collapse of the communist Soviet Union, the post-socialist states have struggled to provide benefits to citizens whilst making the transition to capitalist democracy. Recent years have seen various crises such as the financial crash of big institutions like banks in the US and all over Europe, and the resulting economic downturn has posed a challenge for many countries.

Even where some governments have attempted to address the demand for equality by women, there has not been a comprehensive policy to address many aspects. Often adequate money has not been provided for the implementation of such policy, or there has been no proper recognition of women's contribution to the

national revenue. These factors have acted as obstacles to the achievement of independence and autonomy of women and prevented full and equal participation. The lack of legitimacy under the law has resulted in little or no acknowledgment of the contribution of sex workers to the economy.

The state impacts sex work in a many major ways. The making and working of a number of laws by the state contributes directly to persecution of sex workers. Laws relating to public decency, obscenity, morality and public health are often used to target sex workers. Provisions criminalizing homosexuality are also employed to harass male and transgender sex workers. Instead of working towards ensuring safe conditions of work and ensuring access to health services, the state often develops laws conflating trafficking and sex work, adding to stigma and discrimination against sex workers. Even laws made as social welfare measures which view sex workers as victims and targeting traffickers and pimps, in practice are primarily used to harass sex workers.

Strategies and policies must be evolved which ensure that states work for the protection of the economic, social and human rights of women, and other exploited sections, including state-less people like Roma communities, pastoralists and refugees. Mechanisms to increase women's participation at local and national level and in decision-making with regard to redistribution of natural resources and budget allocations need to be devised. We need to explore alternative visions for a society with greater promotion of the rights of women and other marginalized sections of society.

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Financial Flows

Sex Worker Speak

- Lack of recognition of sex work means that sex workers' financial transactions are not counted in the national economy and they get second-class citizen status.
- Restriction on free movement of women contributes to trafficking and concentration of money and power in the hands of a few.
- Free Trade Agreements and patent regimes that favour pharmaceutical companies block access for HIV+ people to generic ARVs, and restrict access to affordable medicines in developing countries.

Summary of the issue

In a modern economy the flow of capital can involve individuals, governments, creditors, banks and international financial institutions as well as corporations, funding agencies and people who give money as charity (philanthropists). The terms and conditions for the transfer of money are normally laid down in the financial policies made by governments, governed by the terms put down in loans, debt, and trade and aid agreements. Money given as philanthropy for social causes is ordinarily governed by the terms of the contract made between the beneficiary and the donor.

In some cases foreign remittance (the money sent from abroad by people who have gone to another country to earn a livelihood, or migrated) may be more than the entire foreign investment or aid given to a country. Sometimes money given by philanthropists like Bill Gates may be more than the total monetary value of products generated called Gross Domestic Product (GDP) in a country or even the combined GDP of several low income countries. In countries where sex work is illegal, the income earned by sex workers is not accounted for in the national economy. The lack of recognition to sex work has led to sex workers' financial transactions not being counted and a resultant second-class citizen status. There is a view that money given by international donor agencies does not effectively advance development. The conditions attached to the giving of the aid many times reduce the ability of the recipient country to take policy decisions in their best interests. The myth of "population explosion" led grants and loans to be tied to the condition of reducing population of poor countries by any means. This had an adverse impact on women who bore the brunt of coercive population control policies.

International agreements as well as regional and bilateral agreements between two countries made in the past decades have cut down actual production of goods and promoted financial markets. Money invested in a country is not used for manufacture of products. It is moved from one country to another to seek maximum returns in a changing financial market. Globalization has come to mean

money flowing across countries, but has gone hand in hand with stricter checks on people moving across borders in search of livelihood. Moving across borders within a country and across nations has played a crucial role in sex work. The check on open and free movement of people, especially women, contributes to trafficking or forced movement of people and concentration of money and power in the hands of a few vested interests.

Though the lives of women and other marginalized sections are impacted, they are mostly excluded and have no say in the agreements made and money flows. For example, Free Trade Agreements and patent regimes that favour pharmaceutical companies could severely block the access for HIV+ people to generic ARVs, and in general could restrict access to affordable medicines in developing countries. Trade agreements need to be linked to advancing sustainable development and respect of human rights. Many diverse organisations and movements have proposed that a tax be imposed on each international financial transaction and the money be used for development. It is popularly referred to as the 'Robin Hood tax' - meaning taking money from the rich to give it to the poor. Micro-credit, initially hailed as a solution to women's cash flow problems, is not an unadulterated blessing. Unless control is in the hands of women's collectives, micro-credit controlled by banking institutions can lead women into further debt and bondage. We need to explore how technologies can be used for greater transparency and accountability to advance women's access to the flow of money. We also have to evolve strategies by which women can influence tax policy. Mechanisms need to be devised to regulate and tax powerful players like big corporations and financial institutions such as the World Trade Organisation. Women's rights organisations and activists have to join up with other social movements to demand regulation of financial market and flows to make for a more just international monetary and financial system.

“Lack of recognition of sex work means that sex workers' financial transactions are not counted in the national economy.”

Access to and Control of Resources

Sex Worker Speak

- Sex workers living and working in core urban areas are systematically being displaced by land mafias.
- Micro-credit schemes work only when women have direct control, such as shown by sex workers' organisations.
- Even sex workers who earn enough cannot cross the social threshold of poverty due to the moral positions about sex work.
- Poverty of accessibility can be broken by challenging the stigma of discrimination attached to the sex industry.

Summary of the issue

Women have been denied access to education, health services, land, credit and technologies due to a number of factors. A woman who tends the land and looks after the crops might have no say in how the money earned is spent. A woman keen to study may have had to drop out of school early to look after younger siblings, and today might be working as a helper in a factory rather than fulfilling her dream of being a doctor.

In looking at the position of women in society, access to and control of resources has been a fundamental tool of analysis. The division of labour along gender lines, with the simultaneous de-valuation of the work that women do is a major factor in denial to women of access to resources. Similarly, cultural practices and norms favouring men, laws discriminating against women and economic inequalities are other factors contributing to lack of access to resources. Resources like land and water are limited and the race to get access and control is getting fiercer. 'Land grab' where land is being forcibly taken by governments and industrial corporations is taking place rapidly in many poor countries (referred to as the 'global south'). In a number of cities across the world, the neighbourhoods - usually at the core of the city - where sex workers live and work have become valuable prime land eyed by developers and builders. Increasingly sex workers are being dispossessed and driven away from their homes to make place for high-end offices and malls. Simultaneously, due to the stigma of 'immorality', and lack of economic empowerment, sex workers cannot buy houses in many neighbourhoods considered to be 'decent'. Access to credit, for example in the shape of loans for housing or cars is also denied to sex workers. Often sex workers have to buy or get loans in the name of third parties, and are then at the mercy of their whims. While sex workers might be able to earn enough to lift themselves out of poverty, they still face a "poverty of access" or lack of access to healthcare, banking or legal help. It is very difficult to cross the social threshold of poverty due to the stigma attached to sex work.

The disputes with regard to access to basic resources like land, oil, forests and water, are increasing among communities and countries. There is an urgent need to think of new strategies, tools and ways to tackle this situation of increased

conflict for basic resources. Land reforms like putting a limit on the amount of land that can be owned by the rich, and redistribution to landless are also tasks which have to be completed, especially in societies which were colonies but are now independent and no longer ruled by other countries.

Along with the women's movement, we need to look at the strategies being evolved to gain access to a more equal distribution of resources by other diverse and allied movements like that of the sex workers, the indigenous peoples, the landless, the migrants, the marginal farmers and the disability rights movement. Campaigns by women with regard to Right to Food, against displacement and ecological destruction by big corporations and against land grabs are illustrations of the ways in which women are contributing in these struggles for resources. There is need to put together and consolidate the experiences of giving women access to credit including microcredit. We need to explore and develop the economic alternatives women are building from the village grassroots to the international level to change the present inequality and get greater access to and control over resources.

“While sex workers might be able to earn enough to lift themselves out of poverty, they still face a “poverty of access” or lack of access to healthcare, banking or legal help.”

Private Sector and Corporate Power

Sex Worker Speak

- The majority of sex workers in poor countries are unable to access costly diagnostics and treatment for sexually transmitted infections.
- The current patent system that allows big drug companies in the private sector to sell antiretroviral medicines (ARVs) at prices unaffordable for HIV+ sex workers must be challenged.
- Campaigns must be launched to force big corporations to be accountable to the public.

Summary of the issue

Big corporations and multinational companies influence national economic policies within countries as well as wider international policies. These involve decisions as to how money is to be spent for different areas like housing, education, health, industry and infrastructure or whether to subsidize electricity for farmers or food for the poor. This is often referred to as the 'national economic agenda' for individual states or the 'global economic agenda' internationally. The ability of corporations to influence national and global economic agendas is increasing. Despite this, elected governments still have to answer to people, and even dictatorships cannot ignore people's power for too long.

Trans-national corporations have immense control over natural, technological and human resources but are not answerable to people. The corporations are answerable and accountable only to the owners and shareholders. At times, women may be trafficked to work in sweat shops with poor wages and dismal working conditions in developing countries, making products for big multi-national corporations. In other situations, women may be doing sex work in order to supplement their income from their work in a garment factory or shoe factory. Corporations have an impact on a wide variety of areas like development, food security, depletion of natural resources and labour rights.

The prevailing patent regime under the agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) introduced in 1995 is biased towards the pharmaceutical industry. Laws were introduced favouring the pharmaceutical industries' right to patent their drugs, which means drug companies get an exclusive right to make the drug and sell it at a high price. This has made the newer and more effective antiretroviral drugs unaffordable for the majority of HIV+ people. Likewise, sex workers in most developing countries are unable to access expensive diagnostic and treatment facilities for sexually transmitted infections (STIs) and are campaigning to make generic drugs accessible and affordable.

The teaming up of governments and public sector with private companies - referred to as 'Public-private partnerships' is seen by some as a desirable option for society. We need to critically look at 'public-private partnerships' from the

point of view of women's rights and environmental sustainability. However, all of the private sector is not the same. It provides employment to a number of women, and at times small businesses have helped women's rights campaigns. In some areas things are changing for the better and campaigns for fair and safe working conditions for women are meeting with some success.

We need to use human rights standards and develop mechanisms to hold corporations and private companies more accountable to society. We need to look at the strategies in the area of labour organizing and successful campaigns targeted at industries which deplete natural resources. Some of these campaigns and protest actions have even resulted in changing the course of corporations.

“We need to use human rights standards and develop mechanisms to hold corporations and private companies more accountable to society.”

The Planet and Ecological Health

Sex Worker Speak

- During natural disasters like cyclones, tsunamis or earthquakes, sex workers are the last to get assistance and services from governments and NGOs.
- Migrant sex workers can lose their papers and ID documents during a natural calamity, thus limiting their access to services.
- Marginalized communities, including sex workers, are building alternatives which cause less damage to environment and are more in harmony with nature.

Summary of the issue

Human civilization developed on the assumption that there was an unlimited supply of natural resources like coal, oil, water, forests and air. We now know the impact of this on the environment and on the health of our oceans and rivers and the atmosphere of the planet. Forests are reducing at a drastic rate and many types of plants and animals are becoming extinct, thus reducing biodiversity. Due to global warming, the climate of earth itself is changing. Richer countries, and rich people in poor countries, are using up a disproportionate amount of natural resources due to their unsustainable lifestyles. There have been international agreements aimed at protecting the environment, however governments and institutions have not made enough efforts to reduce the human impact on the environment by reducing consumption. Governments and corporations have based their responses on the impact on the financial markets and profit rather than on the well-being of the planet.

The present high levels of energy consumption and use of natural resources remains largely unchallenged. The degradation of the environment threatens the livelihood and has a particularly disproportionate impact on women, poorer communities and indigenous tribal communities who are more directly dependent on natural resources for their survival. The undertaking of ecologically unsustainable mega-projects, such as huge dams and mining can result in displacement and loss of livelihood for large communities of people. In many instances, governments are too concerned with satisfying the needs of big corporations than of depriving traditional communities of their ancestral land, rivers and forests. Meagre compensation is paid, and no fixed assets given in return for land. Having lost their traditional occupations, many migrate in search of work and take up various alternative jobs. The increased incidence of 'natural' disasters like floods and cyclones are a warning that we need to put communities over market interests and take stronger steps to protect the planet. We also need to question whether disasters like floods, drought and famine are really "natural", or have a human cause related to exploitation of the environment. When natural disasters strike, sex workers are often the last to get assistance and services from

governments and NGOs. Furthermore, during disasters, migrant sex workers can lose their papers and ID documents, thus limiting their access to services.

We need to explore the ways in which marginalized communities such as indigenous peoples and sex workers are building alternatives which cause less damage to environment and are more in harmony with nature. Promoting and developing the technologies for renewable energy e.g. solar, wind and water energy ought to be prioritized. Strategies to check environmental degradation need to be developed taking into account the perspectives of various social movements like the ecological, the women's movement, the movement for climate justice and the indigenous peoples' movements.

“The degradation of the environment threatens livelihoods and has a particularly disproportionate impact on women, poorer communities and indigenous tribal communities who are more directly dependent on natural resources for their survival.”

Militarism, Conflict and Violence

Sex Worker Speak

- Sex workers are as affected as other citizens by conflict, militarism and violence.
- Violence against sex workers as a form of gender-based violence must be recognized, especially in conflict zones.
- Making a livelihood providing sexual services to the military and/or the 'enemy' in conflict zones must not be condemned as 'anti-national'.
- Sex workers' involvement in anti-war and peace campaigns must be recognized.

Summary of the issue

Governments spend billions of dollars on weapons, maintaining armed forces and fighting wars. The amount spent makes up a major proportion of the national budget of many countries. Huge profits are made by companies manufacturing weapons such as tanks, planes, helicopters, missiles and guns. A strong army equipped with modern weaponry is viewed as key to remaining one of the global economic powers. Wars and conflicts are often intrinsically linked to economic interests, such as maintaining control of territory and natural resources e.g. oil, water or other valuable minerals.

Women are specially affected in many ways by the increased militarization, wars and other conflicts. There is a steep rise in violence against women before, during and after wars. Some forms of violence like rape are recognized as war crimes. The specific targeting of women, feminized men or transgender persons is referred to as 'gender-based violence' (GBV). However, violence against sex workers (VASW) has hardly been considered in global discussions on GBV. It has not been mentioned in any treaties, declarations on VAW or been part of investigations on GBV by the international community. Indeed, there is a deafening silence around the prejudicial violence against sex workers. Furthermore, even when militarism, violence and conflict are discussed, while there might be some amount of discussion about comfort women (especially in the context of Korea and Japan), sex workers per se are rarely considered. Yet, in conflict zones, sex workers are targets of public ire in the articulation of patriotic nationalism. For example, in Sri Lanka and in Manipur, while sex workers are forcibly shifted many times over, and have to undergo the trauma of dislocation, they are discriminated against for "sleeping with the enemy". Solidarity even from human rights and democratic forces is not forthcoming, since sex workers in conflict zones who make their livelihood selling sexual services to the military, are seen as anti-national.

In many territories, physical, sexual and psychological violence against sex workers often goes un-reported to the police due to fear of discrimination, poor treatment or indeed violence being perpetrated by law enforcement officers/agencies. In countries where sex work remains criminalised, or is 'legalized' but often subject

to a range of control measures, sex workers are often afraid to report crimes to the police. In many instances violence perpetrated by troops goes unaddressed when for example local police have no jurisdiction over troops from an occupying power, or are reluctant to investigate the actions of those troops.

Sex work and the military have a long history of association. In the past there have often been red light areas near the army camps. Health concerns for the armed forces have led to attempts to provide 'clean' women to the troops. The first laws with regard to contagious diseases, compulsory health testing and licensing of sex workers were introduced by the British in their former colonies. In recent times many red light areas have sprung up in Thailand, The Philippines and Korea to serve US bases and troops. Indeed, given the fact that in some areas sex workers make their living from the military, ways should be evolved to work together with sex workers in anti-war and peace campaigns, rather than regard them as "anti-national".

“Violence against sex workers has hardly been considered in global discussions on gender based violence.”

Culture and Religion

Sex Worker Speak

- Exclusion of sex workers from organised religion which has created the “whore stigma” also leads to exclusions outside the religious sphere.
- Sex work is generally considered ‘sinful’, and sex workers are denied their status as citizens.
- Campaigns to challenge religious and cultural practices which reinforce women’s secondary status must also join hands with sex workers’ movements for change.

Summary of the issue

In all societies there are certain cultural practices that can block women from fully realising their human rights. Sometimes such customs and traditions can prevent the enjoyment of rights for entire communities. Many forms of gender-based violence (GBV), that is, an individual being targeted only because of their gender, are justified in the name of culture, tradition or religion. Religion and culture are sometimes manipulated to deny women rights and equality. In many religions the leaders are traditionally male and thus the interpretation of scripture lacks a female perspective and at times this can mean women are treated unfavourably in those teachings and interpretations of religious texts.

‘Norms’ of behaviour for women, which are restrictive and discriminatory, can all too easily become ingrained in culture and unless challenged, can result in ongoing discrimination against women in some societies. At times, narrow identity politics is promoted by a state, based on excluding or stigmatizing that which is considered different. This is often disguised as ‘patriotism’ and ‘nationalism’ when in fact it is simply prejudice and discrimination against people based on their religion, ethnicity, or cultural identity. Ultra-nationalism often goes hand in hand with ‘idealizing’ the role of women for example as a “pure loyal wife” or “woman as mother”. Sex in this context must be within marriage, and only for reproduction. Viewed from this perspective, sex work is therefore seen as a sin and immoral. Sex workers are therefore excluded from many organized religions. This in turn has a major impact on many aspects of sex workers lives, outside of religion: sex workers are treated as lesser citizens. The children of sex workers are often denied admission to schools due to the nature of their mothers’ work. The lack of identity documents makes them easy targets e.g. for eviction from their homes, viewed as ‘corrupting outsiders’ polluting the neighbourhood and society.

Many family laws treat men and women unequally, giving more rights to the husband and sons. Some policies restrict the reproductive choices of women. For example, terms and conditions for employment stating that women are not allowed to take maternity leave. Conversely, some policies aim to pressure women to have children, or sons, in particular. Some women are denied

employment or elected office if they have more than a specified number of children. The absence of laws prohibiting violence, genital mutilation or other harmful practices also serves to deny women their human rights.

Cultural and religious norms are, however, not necessarily fixed and are subject to change based on the changes in how people live, their experiences and beliefs. If under duress or pressure, religious communities tend to become more insular and more conservative, and this can also impact negatively on women, in terms of additional sanctions e.g. dress codes, mobility, employment prospects and autonomy. However, in any religion there are also pressure groups and people who challenge discrimination against women and campaign for alternative interpretations which favour equality and justice. Women have struggled against being treated unequally, and changed many cultural practices and traditions which were restricting their human rights.

Women's organisations, human rights groups and sex workers' organisations have struggled against religious and cultural interpretations which block women from being financially independent and exercising their fundamental rights. We need to explore ways in which women can work for change in the cultural and religious practices and towards greater enjoyment of economic, social and other human rights.

“Cultural and religious norms are not necessarily fixed and are subject to change.”

Global Governance

Sex Worker Speak

- Conflation of trafficking and sex work is detrimental to the interpretation of international Conventions that could be helpful in protecting the rights of sex workers.
- This conflation continues to derail discussion about how to advance sex workers rights into a moral and ideological debate over sex work/prostitution: de-criminalization, regulation and abolition.
- The challenge by sex workers' organizations of the disproportionate influence of certain countries in international policies that affect sex workers (such as the U.S anti-prostitution pledge) demonstrates successful international lobbying and advocacy.

Summary of the issue

All countries try to promote their interests and increase their influence in the world - this is referred to as geopolitics. The world of geopolitics is rapidly changing, with the private corporate sector now a powerful player. The changes are partly triggered due to the systemic financial crisis and new powers are emerging on the world stage. The coming together of countries to promote their interests is referred to as power blocs. The collaboration between Brazil, Russia, India and China called 'BRICs' is one such new power bloc. The twenty most developed countries have got together in a grouping called G20. The European Union, the Association of South East Asia Nations (ASEAN), the African Union and the Southern African Development Community (SADC) and the South Asian Association for Regional Co-operation (SAARC) are some other examples of blocs.

At the same time, social movements, civil society organisations - including networks of sex workers and activists are coming together across countries. These social groups are using the new tools of social media to influence international and national policy and the agendas of the new power blocs to be more accountable to the demands of women and other excluded groups like sex workers.

The United Nations (UN) has passed several Conventions to recognize and promote human rights. Meanwhile many powerful nations as well as corporations have undermined the ability of the UN to protect the human rights of marginalized groups. They have also weakened the power of the UN to influence global economic and development policies and function as a negotiating body amongst nations on various issues. International financial institutions like the World Bank and the International Monetary Fund (IMF) continue to push market oriented policies. They have also imposed Structural Adjustment Programs (SAPs) on developing countries, which are now burdened with huge debts. Money poured into these institutions due to the financial crisis has given them a new life.

The UN has played a major role in influencing sex work policy. Several international instruments contain provisions that condemn sexual exploitation: the

United Nations Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others of 1949, which linked trafficking exclusively to prostitution; the Convention on the Elimination of All Forms of Discrimination Against Women of 1981 (CEDAW), which called on governments to take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women; and the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which while condemning the exploitation of the prostitution of others and other forms sexual exploitation also extended the definition of trafficking to other forms of labour exploitation such as *forced labour or services, slavery or practices similar to slavery, servitude*. Each of these Conventions could potentially be helpful in promoting sex workers' rights but interpretation of their provisions have proved detrimental in many circumstances due to the on-going conflation of sex work and trafficking. Many countries have passed laws limiting the definition of trafficking to only those acts involving prostitution. This conflation continues to derail discussion about how to advance sex workers rights into a moral and ideological debate over sex work/prostitution: de-criminalization, regulation and abolition.

The United States in 2000 passed the Trafficking Victims Protection Act which laid down that organisations which took the view of prostitution as an employment choice were not suitable for giving anti-trafficking grants or contracts by USAID. In 2003 the U.S. passed legislation referred to as the 'anti-prostitution pledge' which required organisations receiving funds from PEPFAR and USAID to oppose prostitution and sex trafficking. The impact of this was felt in the closing down of drop-in centres for sex workers by NGOs fearing that it could be interpreted as promoting sex work. Some NGOs hesitated to attend rallies for rights of sex workers, others were hesitant to take up issues of violence against sex workers apprehending that it could be seen as working for legalisation of sex work.

In 2007, UNAIDS released a draft "Guidance Note on HIV and Sex Work". The Network of Sex Work Projects (NSWP) successfully coordinated a global response challenging UNAIDS failure to support a rights based response to sex work. A revised UNAIDS Guidance Note was issued in March 2009, which while greatly improved remained ambiguous on some key issues. In May 2009 Michel Sidibé, UNAIDS Executive Director, established an Advisory Group, to be co-chaired by NSWP and UNAIDS, which drafted clarification on those issues from a perspective that was informed by human rights principles, the best available evidence and the lived experience of sex workers to be released as annexes in a revised Guidance Note to be launched shortly. Other UN agencies have not been so willing to work with sex workers in developing policy and guidance.

We need to understand the ways in which the influence which certain countries carry and the policies of international bodies impact different areas of life. Geopolitical changes have to be analysed to see how they affect the exercise of economic power in the world. The changes have to be examined from the standpoint of advancing sex workers' rights, equality and justice for women. We need to explore the role which the newly formed UN Women could play in supporting sex workers' rights. We need to look at the ways in which feminists, sex workers and women's rights activists are engaging with the new power blocs being

formed including those between poor nations - referred to as 'South-South' cooperation. We need to ask ourselves if the process and formation of these new power blocs advances or restricts sex worker and women's rights. Sex workers' organisations need to constantly review these partnerships to ensure that they meet the needs of sex workers.

“We need to understand the ways in which the influence which certain countries carry and the policies of international bodies impact different areas of life.”

No Sex *Work* Please, We're Feminists!

Sex Worker Speak

- Morality, double standards, a discomfort with the erotic, accompanied by an unwillingness to listen to sex workers themselves has hindered alliances between what should have been “natural” allies.
- Sex work must be included in mainstream feminist analysis, challenging as it does several basic foundations of patriarchal control: sexual, financial and reproductive.
- Sex workers recognize the ills of trafficking and can combat it, when they are strengthened as workers with a right to fight against criminalization of the trade.

Summary of the issue

What is it about sex work that arouses much passion amongst many feminists? From outrage over the exploitation of women's bodies to pity for the hapless victims of male lust, it has been difficult to view sex workers as going about the daily business of earning a livelihood by providing sexual services for money. While victimhood and exploitation are easy to empathize with and mobilize around, money for sex has engendered not just noisy public debate, but quiet squeamishness even among feminists. Even feminists who advocate liberation from restrictive sexual mores have generally not viewed commercial sexual transactions as “work”.

Feminists and sex workers have only recently begun to talk to each other. The dialogue has been difficult due to the awkwardness, hesitation and hostility from feminists towards sex workers and those working for their rights. The notion that sex work debases women and transforms them into objects of control and exploitation is premised on the belief that a cash transaction strips a supposedly intimate act like sex of its inherent worth. It is therefore believed that no ‘good’ woman would actually opt for sex work as a viable livelihood option and those women who ‘readily’ do so do not comprehend the inherent patriarchal sexual exploitation of their body and self and are therefore labouring under “false consciousness”. The growing recognition of male and transgender sex workers has not led to much rethinking or reframing of classic feminist positions around the “poor helpless prostituted victim woman”.

The women's movement has for several decades engaged with issues related to the body. The conflation of sexuality and reproduction, the reduction of women into uteruses and vaginas and the fragmentation of women in reproductive health policies demanded an engagement with the construction of the female body and ‘control’ over it. Where contraception and fertility control mark the intersection of female sexuality and reproduction, sex work marks the intersection of female

sexuality and work. This is a convergence that has demanded a complex response that is still evolving. Morality, double standards, a discomfort with the erotic as well as unease about multiple sex partners, accompanied by an unwillingness to listen to sex workers themselves has hindered alliances between what would have been “natural” allies. Feminist theory and practice - a powerful liberatory force challenging inequities in every sphere - seemed to have faltered, and even failed, when it came to the issue of commercial sex.

The debates around trafficking further bolster the idea of sex work as violence. Anti-trafficking rhetoric holds that bodies are unwillingly ‘sold’ and transported across borders. Exchanging sexual services for money [sex work] is conflated with selling of a body to another [trafficking]. Feminist activists thus talk of prostitution as ‘female sexual slavery’ and ‘sexual victimhood’. These perceptions echo the early reformist discourse, which views women as needing to be protected, preferably by laws, from lustful men. The victim trope has engendered several positions on prostitution and trafficking.

However, trafficking, in addition to the element of force and deception which doubtless is a serious issue, must also be viewed as an issue of poverty that causes many women to willingly enter into agreements with traffickers because they desperately seek better livelihoods, escape from home-grown violence, poverty, conflict, or displacement - in short, a better life.

Sex workers are increasingly articulating sex work as work, as a business, and do not consider themselves as either criminals or victims. Because feminism posits prostitution as violence, this viewpoint forecloses any discussion over whether sex work can be chosen as a livelihood option. In order for the stigma of discrimination to end and fundamental rights to be extended to sex workers to pursue their livelihood in safety and dignity, societal perception must be transformed. Sex workers in the business recognize the ills of trafficking and child sexual abuse and are taking measures to combat these crimes. This is only possible if sex workers are strengthened as workers with a right to fight against criminalization of the trade.

There is a need to examine the troubled relationship between mainstream feminism, the human rights discourse and sex workers’ rights in negotiating the knotty terrain of sexual politics. Over the years, collectivization, community mobilization and fighting for the right to a ‘voice’ has helped centre the debate on sex work by the people in sex work themselves. The women’s movement is not a monolith, and there is need to forge alliances between those working towards autonomy, dignity and fundamental rights, re-defining these to include the most marginalized of individuals and communities.

“Because feminism posits prostitution as violence, this viewpoint forecloses any discussion over whether sex work can be chosen as a livelihood option.”

SEX WORKERS ARE TRANSFORMING ECONOMIC POWER TO ADVANCE SOCIAL JUSTICE!

