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Global Network of Sex Work Projects
Promoting Health and Human Rights

Reviewing Sex Worker-led Organisations' Use of International Guidelines

case **STUDY**



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Introduction

Around the world, different countries have adopted various legal frameworks to control the sex industry. Some, such as Sweden, Norway, Iceland, Northern Ireland, Canada, France, and Ireland adopted the Nordic Model, which criminalises the clients of sex workers. This model has been shown to undermine and violate the human rights of sex workers.¹ Others, such as Senegal and Germany have legalised sex work but introduced measures such as mandatory registration and/or testing that violates the human rights of sex workers. While New Zealand decriminalised sex work, there are still challenges, as migrant sex workers cannot work legally. NSWP members in all five regions oppose the criminalisation of sex work and all other forms of legal oppression of sex work.

The Global Network of Sex Work Projects (NSWP) and its members have advocated for the development of international guidelines and policies that use evidence-based research to ensure the respect, protection and fulfilment of the human rights of sex workers. NSWP calls for the meaningful involvement of sex workers in policy development, as they are best placed to inform and develop legislation, policies and programmes that will affect their lives and work.

NSWP is conducting a five-year case study to monitor and document the impact of international guidelines and policies on sex work that NSWP and NSWP members have helped develop. NSWP will also monitor how members use these international guidelines in local, national and regional advocacy efforts. These case studies will be published annually.

NSWP

The Global Network of Sex Work Projects (NSWP) is a membership organisation with 267 members in 79 different countries.² NSWP members are sometimes small volunteer-led sex worker organisations, or large sex worker-led organisations representing the interests of tens of thousands of sex workers. NSWP is committed to amplifying the voices of sex workers from both the Global North and South. NSWP is a sex worker-led network, and female, male and transgender sex workers are meaningfully involved at all levels.

All NSWP members endorse the NSWP Consensus Statement on Sex Work, Human Rights and the Law and confirm their commitment to three core values:

- Acceptance of sex work as work.
- Opposition to all forms of criminalisation and other legal oppression of sex work (including sex workers, clients, third parties³, families, partners, and friends).
- And finally, supporting self-organisation and self-determination of sex workers.

1 Global Network of Sex Work Projects, 2014-2015, Advocacy Toolkit: The Real Impact of the Swedish Model on Sex Workers available at <http://www.nswp.org/resource/the-real-impact-the-swedish-model-sex-workers-advocacy-toolkit> (last accessed 16 March, 2015).

2 Calculated in March 2017.

3 The term 'third parties' includes managers, brothel keepers, receptionists, maids, drivers, landlords, hotels who rent rooms to sex workers, and anyone else who is seen as facilitating sex work.



The Global Secretariat is responsible for the implementation of the NSWP Strategic Plan and the day-to-day running of the organisation. The Global Coordinator, under the direction of the NSWP Board of Directors, leads the Secretariat. First and foremost, the NSWP Board is accountable to the sex worker-led organisations that are NSWP members.

The NSWP Board includes sex workers from all five regions of the world. The majority of NSWP's staff and consultants are sex workers, and NSWP takes affirmative action to ensure sex workers are not disadvantaged in the recruitment process. NSWP does not require that all staff, consultants, or board members disclose their sex worker status. However, the Global Coordinator, the President, and Vice-President are required to be public as sex workers.

The requirement that NSWP members support sex worker self-determination is interpreted as placing an obligation on members and NSWP itself to take all practical steps to ensure that sex workers are meaningfully involved within member organisations and NSWP activities.

Background

On 26 May 2016, Amnesty International passed a Policy on State Obligations to Respect, Protect, and Fulfill the Human Rights of Sex Workers. Amnesty International joined The Joint United Nations Programme on HIV/AIDS (UNAIDS), UNFPA, WHO, UNDP, Human Rights Watch, the Global Commission on HIV and the Law, the World Bank, Open Society Foundations, the Global Network of People Living with HIV, the Global Forum on MSM and HIV, the International Women's Health Coalition, the Association for Women in Development, the American Jewish World Service, the Global Alliance Against Traffic in Women (GAATW), The Lancet, The Global Fund for Women, the Elton John Foundation and the International Community of Women Living with HIV in the call for the decriminalisation of sex work. Sex workers and sex workers' rights organisations have used these policies and statements in a variety of ways in their advocacy work and programme development and delivery.

In 2015, NSWP conducted a case study entitled Measuring the Impacts of Amnesty International's Resolution on Protecting the Human Rights of Sex Workers including Full Decriminalisation of Sex Work: a Global Perspective.⁴ The case study reflected on how Amnesty International adopted its resolution at its International Council Meeting in August 2015, and its impact on NSWP and NSWP members.

On 7 September 2016, NSWP received an invitation from UN Women to participate in a formal e-consultation to inform the development of their policy on sex work. NSWP has since launched a petition to ensure UN Women engages in a meaningful consultation process in the development of their policy. NSWP has also worked with women's rights organisations and other human rights organisations to write a joint letter to UN Women about the lack of transparency around their policy development process.

NSWP continues to partner with regional networks to build capacity of sex worker-led organisations across the world to engage in local, national, regional and global policy and programmes. This ensures that the best practices included in the Sex Worker Implementation Tool (SWIT) are adopted and implemented at national and local levels. NSWP and NSWP members were meaningfully involved in the development of the SWIT, which informs much of the advocacy undertaken by NSWP members and the capacity building undertaken by regional networks. This has been documented in the NSWP Case Study on the SWIT and the NSWP Case Study on the Sex Worker Academy Africa.⁵

4 Global Network of Sex Work Projects, 2015, Measuring the Impacts of Amnesty International's Resolution on Protecting the Human Rights of Sex Workers including Full Decriminalisation of Sex Work: a Global Perspective available at <http://www.nswp.org/resource/measuring-the-impacts-amnesty-international-s-resolution-protecting-the-human-rights-sex> (last accessed 16 March, 2017).

5 Global Network of Sex Work Projects, 2015, SWIT Case Study available at <http://www.nswp.org/resource/swit-case-study> (last accessed 16 March, 2017) and Global Network of Sex Work Projects, 2015, Sex Worker Academy Africa Case Study available at <http://www.nswp.org/resource/sex-worker-academy-africa-case-study> (last accessed 16 March, 2017).



One of NSWP's actions to achieve its mission is to promote rights-based policies and programming for and by sex workers globally. Sex workers are the experts on their own lives and must be meaningfully involved in the development of legislation, policies and programmes that impact upon their lives and work.

NSWP will monitor how NSWP and NSWP members use the international guidelines and policies in their advocacy and seek to document the impact that such guidelines and policies have on the lives and work of sex workers at local and national levels.

Objectives

NSWP identified the following objectives for this five-year study:

Objective #1

Monitor and reflect on the impacts at the local and national level of various policies that support the protection of sex workers' human rights and the full decriminalisation of sex work.

Objective #2

Monitor and reflect on the impacts at the local and national level of various policies that hinder sex workers' access to rights as outlined in the NSWP Consensus Statement.

WHY? International policies on sex work impact sex workers' lives at a grassroots level. Some policies support sex workers' human rights, and some policies hinder sex workers' abilities to realise their human rights.

Actions Monitored and Documented in 2016

Action #1

Call on UN Women to engage in a meaningful consultation with sex workers in the development of their policy on sex work by creating an online petition to draw attention to the lack of meaningful participation from sex workers in the development of their policy on sex work, submitting a formal response to the UN Women e-consultation,⁶ submitting a Draft Framework for a UN Women Human Rights Affirming Approach to Sex Work in response to UN Women E-Consultation,⁷ co-authoring a joint letter with women's rights, human rights, and sex workers' rights organisations in response to UN Women's e-consultation,⁸ and launching the #AreWeNotWomen social media campaign.⁹

Action #2

Create and maintain relationships with women's rights organisations that have rights-based policies on sex work to demand UN Women meaningfully consult sex workers in the development of their policy.

Action #3

Advocate for International Non-Governmental Organisations (INGOs) and Governmental Organisations such as The Global Fund and USAID to adopt the SWIT in their programme development and implementation.

6 Global Network of Sex Work Projects, 2016, Formal Response to UN Women Consultation available at <http://www.nswp.org/resource/nswp-formal-response-un-women-consultation> (last accessed 16 March, 2016).

7 Global Network of Sex Work Project, 2016, Draft Framework for a UN Women Human Rights Affirming to Sex Work in Response to UN Women E-Consultation available at <http://www.nswp.org/resource/draft-framework-un-women-human-rights-affirming-approach-sex-work-response-un-women-e> (last accessed 16 March, 2017).

8 Joint response from sex worker rights, women's rights and human rights organisations to UN Women's consultation, 2016: "Consultation seeking views on UN Women approach to sex work, the sex trade and prostitution," available at <http://www.nswp.org/resource/joint-response-un-women-consultation> (last accessed 16 March, 2017).

9 Global Network of Sex Work Projects, 2016, #AreWeNotWomen Campaign available at <http://www.nswp.org/news/arewenotwomen-campaign> (last accessed 6 April, 2017).



Building alliances to support NSWP's mission

There are many formal and informal partnerships that have been formed to enable NSWP to advance its mission of upholding the voice of sex workers globally and connect regional networks advocating for the rights of female, male and transgender sex workers.

As of 31 December 2016, the UN Women Petition had over 2050 signatories in support of NSWP's call to meaningfully consult sex workers in the development of their policy and adopt a rights-based approach to sex workers' rights.

NSWP co-authored a joint letter signed by 190 women's rights, human rights, and sex workers' rights organisations. These partners were instrumental in pressuring UN Women.

As of 31 December 2016, the #AreWeNotWomen campaign that was initiated on 9 December 2016 has been shared on social media over 300 times, with one tweet by an NSWP member receiving 125 retweets.

The Asia Pacific Network of Sex Workers created images to accompany the #AreWeNotWomen Campaign.

NSWP has previously outlined the formal and informal partnerships for the development of the SWIT, the Sex Worker Academy Africa, and the Amnesty International policy in the various NSWP case studies mentioned above.

Impact on Sex Workers

UN Women

From interviews with sex workers, sex workers' rights activists, NSWP members and staff that have been involved in advocacy with UN Women, it is clear that UN Women is not interested in meaningfully including sex workers in the development of their policy. This is very concerning.

This is in contrast to the Amnesty International policy, the Sex Worker Implementation Tool, and other international guidelines, which adopt a rights-based approach to sex workers' rights and meaningfully included sex workers in their development. If UN Women develops a policy that is not rights-based, there will be disastrous consequences for sex workers at a grass-roots level.

“If the UN women decide to adopt the Swedish Model I would have two major concerns. First of all, I would find it extremely problematic that a UN agency would make policy decisions based on gut-feelings, emotions, ideology and false claims rather than on evidence and existing work by the UNAIDS. I know there is no real evidence supporting the law in either Sweden or Norway, the two countries that have had the legal model the longest.

Secondly, it would support Sweden's claim that the UN system supports the Swedish Model, something which is not true but is regularly repeated on a national level to emphasise the law's success. An already obsessive focus on exporting the law would most likely turn into regular slaughter on sex workers' human rights.”

Pye Jakobsson, President of NSWP



“It would be terrible [if UN Women adopt a policy that is not rights-based] because we already do not have our rights guaranteed, and if other policies that criminalise clients are adopted, it would be even worse. It is inadmissible that we would accept something like this. The Warrior Women Association works hard for women’s rights, and criminalising clients would deeply harm our work.”

Betania, The Warrior Women’s Associated (Brazil)

The harms of criminalising the clients of sex workers have been documented by NSWP in the Swedish Model Advocacy Toolkit.¹⁰

Amnesty International

NSWP was heartened to see Amnesty International take a stance in support of sex workers’ rights.

Approximately half of the organisations that submitted a response to UN Women’s e-consultation used Amnesty International’s policy as an advocacy tool. These responses were shared on NSWP’s social media platforms and through NSWP’s member-only listserv.

Other International Guidelines

NSWP, with support from UNAIDS and co-sponsors, successfully lobbied for the uptake of the Sex Worker Implementation Tool (SWIT) as the international normative guidance for sex worker programming. In 2016, the Global Fund adopted it. The sex worker programme module of the Global Fund uses the SWIT in developing country funding requests. LINKAGES also adopted the SWIT and other key population implementation tools as the programmatic guidance that their in-country partners should reflect in their work plans.

NSWP members have used the SWIT, the Lancet Special Issue on Sex Work and HIV, and other international guidelines in their advocacy work. The list of guidelines and resources developed with the meaningful input from sex workers is growing, and these tools are invaluable to sex workers. As discussed in the Sex Worker Academy Africa Case Study, the SWIT is used as the basis for the curriculum. The SWAA has had many impacts in countries across Africa, which were discussed in the case study published in 2015 and will be discussed further below.

Country-Specific Impacts

AMNESTY INTERNATIONAL SECTIONS

Since the Amnesty policy was adopted in May 2016, work has begun to integrate sex workers rights more fully into the movements’ body of human rights work. Amnesty International has told NSWP this will take time and will need to evolve over the coming years. In addition, it is important to note that Amnesty International chooses two global campaigns every three to four years. The next two global campaigns that Amnesty International will be working on are Human Rights Defenders and Refugees.

Some recent activities that NSWP has collaborated on or is aware of include:

AI UNITED STATES: wrote a [blog post](#) on the decriminalisation of sex work during the Blog Carnival cohosted by NSWP.

AI NORWAY: AI Norway, in collaboration with PION, ICRSE, and NSWP’s Board President Pye Jakobsson, organised a public seminar with various stakeholders in Norway on 13 December 2016. The goal of the meeting was to discuss and promote the Amnesty International report on Norway and the policy.

¹⁰ Ibid, 1.



The report *The Human Cost of "Crushing" the Market*¹¹ has been criticised by some journalists and abolitionist activists in Norway, Denmark and Sweden.

"They attack the methodology of the report, and their attacks have been successful in terms of making the report look suspicious. [...] In 2016, we organized meetings with the Oslo Police, the Ministry of Justice, the Prosecutor General, the Committee of Justice in Parliament, the Equality and Anti-Discrimination Ombudsman, as well as other institutions, to present our research report and policy. Several of the institutions we met with referred to the criticism of the report's methodology. Some did not accept that our findings were accurate. The police even questioned some of the findings in the report where the source of the information was the police. For example, how the police identify places from where sex is sold by calling ads on the internet, getting the sex workers' location, and waiting outside until a customer enters the premises. When we presented this as a problem the police denied this was happening. They also denied that forced evictions with the instigation or acquiescence of the police still are taking place. By criticizing the methodology of the report, some public institutions like the police don't think they have to take the well documented human rights violations in the report seriously."

Patricia Kaatee, AI Norway

A representative from the Ministry of Justice and Public Security, who also spoke at the seminar on 13 December 2016, heavily criticised the report.

"He said the report was not scientific and representative [...] He said we exaggerated and are spreading rumours, and that the report is not accurate."

Thierry Schaffauser, STRASS and ICRSE

In 2017, AI Norway intends to continue to promote the report and do more political lobbying, since there is a general election in 2017. NSWP will continue to monitor this work in Norway.

AI CHINA: Amnesty International published *China: Harmfully Isolated: Criminalizing Sex Work in Hong Kong*.¹²

AI ARGENTINA: Amnesty International published *Argentina: "What I'm Doing is not a Crime."*¹³

AI PAPUA NEW GUINEA: Amnesty International published *Papua New Guinea: Outlaws and Abused: Criminalizing Sex Work in Papua New Guinea*.¹⁴

AI IRELAND: participated in two parliamentary briefings with Sex Workers Alliance Ireland (SWAI) to inform policy makers of the AI policy, research in Norway and issues affecting sex workers in Ireland.

AI RESEARCH TEAM TUNISIA: included sex workers in their report: *Assaulted and Accused: Gender- based violence in Tunisia*.¹⁵

AI THAILAND: has been working with NSWP member EMPOWER Thailand, including exploring potential support from Amnesty International Thailand against the Nataree raids¹⁶ in Bangkok.

11 Amnesty International, 2016, *The Human Cost of "Crushing" the Market* available at <https://www.amnesty.org/en/documents/eur36/4034/2016/en/> (last accessed 4 July 2017).

12 Amnesty International, 2016, *Harmfully Isolated: Criminalizing Sex Work in Hong Kong* available at <https://www.amnesty.org/en/documents/asa17/4032/2016/en/> (last accessed 4 July 2017).

13 Amnesty International, 2016, *Argentina: "What I'm Doing is not a Crime,"* available at <https://www.amnesty.org/en/documents/amr13/4042/2016/en/> (last accessed 4 July 2017).

14 Amnesty International, 2016, *Papua New Guinea: Outlaws and Abused: Criminalizing Sex Work in Papua New Guinea* available at <https://www.amnesty.org/en/documents/asa34/4030/2016/en/> (last accessed 4 July 2017).

15 Amnesty International, 2015, *Tunisia: Assaulted and Accused: Sexual and Gender-Based Violence in Tunisia* available at <https://www.amnesty.org/en/documents/mde30/2814/2015/en/> (last accessed 4 July 2017).

16 Global Network of Sex Work Projects, 2016, *121 Sex Workers Detained during Nataree Brothel Raid in Bangkok* available at <http://www.nswp.org/news/121-sex-workers-detained-during-nataree-brothel-raid-bangkok> (last accessed 16 March, 2017).



In addition to these country-specific impacts, The Opportunity Agenda conducted a study on social media discussions of sex workers' rights, workers' rights, and human trafficking between 1 January 2014 and 30 September 2016. The study demonstrates the sex workers' rights movement is gaining momentum globally and a number of top influencers on Twitter are advocates for sex workers' rights. Over the past few years, there have been significant shifts in how sex work is discussed online, with more and more people adopting a rights-based approach. The study states:

“Amnesty International’s pro-sex workers’ rights declaration resulted in a significant spoke in discussions concerning sex work and human trafficking, demonstrating the important role some NGOs are playing in shaping narratives concerning sex work and human trafficking. Amnesty’s August 2015 intervention may provide an important model for other organizations or advocates seeking to shift the narrative on sex work and human trafficking.”¹⁷

IMPACT IN BRAZIL (DAVIDA)

In May 2016, the President of Brazil, Dilma Rousseff, was suspended from political office. On 31 August 2016, she was impeached and replaced by Michel Temer. According to sex workers in Brazil, the impeachment of Dilma Rousseff was a political coup by the right wing in Brazil. Once in office, Temer appointed only white men to his cabinet and eliminated “several ministries, including the Ministry of Women, Racial Equality, and Human Rights. Temer’s neoconservative agenda is evocative of yet another period of heightened authoritarianism, which has historically been accompanied by increased State violence against sex workers,” Davida wrote in their submission to the United Nations Universal Periodic Review.¹⁸

Sex work is legal and recognised as a profession in Brazil. However, according to Laura Murray from Davida, “there is discriminatory application of other laws against sex workers in Brazil. A lot of sex work establishments are being closed for violating the fire code or for not paying their taxes. But other businesses are not being targeted in the same way.”

Joyce Oliveira Santos, a sex worker from Rio de Janeiro, has been on the run from the police since the 23 of May 2016. She spoke out against the police after they raided the brothel where she worked in Niterió.¹⁹ “I’m always on the run from the police, but I want to go to the UN to give them our report on human rights abuses in Brazil,” Joyce said.

“We use The Lancet and the research conducted by Amnesty International in our advocacy,” Laura said. Davida would like to work with Amnesty International in Brazil on a campaign about sex work, but given the political climate, it is not possible right now. AI Brazil “is very busy with other campaigns at the moment, particularly around violence against black people. It is becoming harder and harder to do advocacy work in Brazil because of police oppression,” she concluded.

17 The Opportunity Agenda, 2016, Sex Workers Rights, Workers Rights, & Human Trafficking available at <https://opportunityagenda.org/explore/resources-publications/sex-workers-rights-workers-rights-human-trafficking> (last accessed 4 July 2016).

18 Davida et al., 2016, Human Rights Violations of Sex Workers in Brazil Submitted to the United National Universal Periodic Review of BRAZIL available at <http://www.nswp.org/resource/human-rights-violations-sex-workers-brazil> (last accessed 17 March, 2016).

19 Nicole Froio, “The Violent Threat Police Pose to Brazilian Sex Workers,” Ravishly, 23 July 2015, accessed 17 March, 2017 at <http://www.ravishly.com/2015/07/23/violent-threat-police-pose-brazilian-sex-workers>.



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SWIT Training in Budapest

IMPACT IN HUNGARY (SZEXE)

The Sex Workers' Advocacy Network for Central and Eastern Europe and Central Asia (SWAN), in collaboration with the International Committee for the Rights of Sex Workers in Europe (ICRSE) and NSWP, hosted a Sex Worker Implementation Tool (SWIT) training in Budapest from 21–25 June 2016. Coincidentally, the SWIT training was during the week of Budapest Pride.

NSWP member SZEXE and an allied organisation, Transvanilla, proposed a panel on transgender sex workers' rights during Pride in collaboration with AI Hungary.

The Panel was accepted. One week later, Transvanilla received an e-mail from Budapest Pride stating the panel was rejected. The reason Budapest Pride provided for rejecting the panel was that “they rejected the idea of sex work as legitimate work. They said it did not fit their ideology,” said Demeter Áron of AI Hungary.

“TransVanilla was understandably very upset and tried to propose a meeting between sex workers and Budapest Pride to talk through the issues. I sent e-mails but received very little response from Budapest Pride – it showed that Budapest Pride was not willing to talk through this.”

Demeter Áron, AI Hungary

SZEXE organised a panel with Amnesty Hungary and the Association of Hungarian Women. The panel featured sex workers from Sloboda Prava (Serbia), STAR-STAR (Macedonia), SZEXE, ICRSE and SWAN. They produced a YouTube video about the panel.²⁰ “The panel was great. There were many stakeholders, and all of the opinions of sex workers and all of the shared information was quite useful and it was good to see. It was great to see sex workers on the panel. There are many workshops on sex work without sex workers. It was a great event,” concluded Demeter.

“We have a good relationship with Amnesty Hungary since they began developing their policy on sex work in 2014. [...] The Director of Amnesty Hungary spoke at SZEXE's 15th anniversary.”

Boglárka Fedorkó (Bogi), International Committee on the Rights of Sex Workers in Europe (ICRSE) Advocacy Officer and Association of Hungarian Sex Workers (SZEXE) Communications Officer

Prior to the development of Amnesty International's policy on sex work, there had been no collaboration between Amnesty Hungary and sex workers in the country.

“At SZEXE, we are writing a civil society manifesto, and we are including Amnesty Hungary in its production. We are looking forward to continuing to work with Amnesty Hungary in support of sex workers' rights.”

Bogi

²⁰ Drug Reporter, “The Sex Workers Workshop that was Banned from Budapest Pride 2016,” YouTube Video, 9:19, posted by “Drugreporter,” 29 June, 2016 <https://www.youtube.com/watch?v=B65FAQTElDI&feature=youtu.be>.



IMPACT IN GERMANY (HYDRA & BESD)

On 2 September 2016, Germany passed a law requiring the mandatory registration of sex workers, as well as a mandatory bi-annual meeting with government health counsellors. Clients will also be required to wear a condom with sex workers, and brothel owners are obligated to inform clients about this law. The law also bans sex workers from living where they work. Before the law was introduced, AI Germany published a press release on their website in collaboration with sex workers against the law.²¹

“We want Amnesty Germany to do a campaign against this law [...] We are fighting this law, but a parallel campaign from Amnesty Germany would be very powerful. Amnesty Germany told us they do not have the resources to do a campaign or conduct any research on human rights abuses against sex workers in Germany, but we welcome the opportunity to learn from them. They have much more experience with lobbying governments than we do.”

P.G. Maciotti, Hydra (Germany)

AMNESTY INTERNATIONAL

KAMPAGNEN INFORMIEREN MITMACHEN SPENDEN AMNESTY

AKTUELL | DEUTSCHLAND | 07. JULI 2016

PROSTITUIERTENSCHUTZGESETZ SCHÜTZT PROSTITUIERTE NICHT

07. Juli 2016 – Mehrere zivilgesellschaftliche Organisationen haben das heute vom Bundestag beschlossene Prostituiertenschutzgesetz als unvereinbar mit internationalen Menschenrechtsstandards kritisiert. Zu den Organisationen zählen unter anderem der Berufsverband erotische und sexuelle Dienstleistungen e.V., die Koordinations- und Beratungsstelle gegen Menschenhandel Ban Ying e.V. sowie Amnesty International.

Auf besondere Kritik stößt die mit dem Gesetz neu eingeführte Anmeldepflicht für Prostituierte. "Die Anmeldepflicht wird diskriminierend, ist datenschutzrechtlich bedenklich und birgt die Gefahr eines Zwangsgoutings", sagt Fabienne Freymad, Vorstand des Berufsverbandes für erotische und sexuelle Dienstleistungen. "Dadurch werden viele Sexarbeiterinnen und Sexarbeiter in die Illegalität gedrängt, wo sie verstärkt von Menschenrechtsverletzungen bedroht sind."

Zudem diene die Anmeldepflicht nicht dem erklärten Ziel, den Menschenhandel zu bekämpfen. "Unsere jahrelange Erfahrung zeigt, dass Betroffene von Menschenhandel oft einen längeren Zeitraum und ein Vertrauensverhältnis brauchen, um sich gegenüber Dritten zu öffnen. Gespräche, die im Rahmen der zwingenden Anmeldung stattfinden, werden diese Voraussetzungen nicht erfüllen", so Paula Riederhann von der Koordinations- und Beratungsstelle gegen Menschenhandel Ban Ying.

"Dieses Gesetz verfehlt den Zweck, Sexarbeiterinnen und Sexarbeiter, Zwangsprostituierte und Betroffene von Menschenhandel vor Menschenrechtsverletzungen zu schützen", erklärt Maja Liebing, Expertin für Frauenrechte bei Amnesty International in Deutschland. "Die entsprechenden Einwände der Betroffenen wurden zwar angehört, finden im Gesetzestext aber kaum Beachtung." Amnesty International hat am 25. Mai 2016 eine Position zum Schutz der Menschenrechte von Sexarbeiterinnen und Sexarbeitern veröffentlicht.

Zu den zivilgesellschaftlichen Organisationen, die das Prostituiertenschutzgesetz gemeinsam kritisieren, gehören:

- Berufsverband erotische und sexuelle Dienstleistungen e.V.
- Bundesverband Sexuelle Dienstleistungen (BSD) e.V.
- Frauenreff Olga
- Ban Ying Koordinations- und Beratungsstelle gegen Menschenhandel
- HYDRA e.V. Treffpunkt und Beratung für Prostituierte
- ICRSW (International Committee on the Rights of Sex Workers in Europe)
- bufas e.V. - Bündnis der Fachberatungsstellen für Sexarbeiterinnen und Sexarbeiter
- Amnesty International Deutschland

AI Germany press release

IMPACT IN KAZAKHSTAN (AMELIA NGO)

Amelia NGO is a sex worker-led organisation that is part of the regional network, SWAN. Natasha, a representative from Amelia NGO, said they were unaware of the Amnesty International policy and have not been contacted by any Amnesty representatives.

While the Amnesty International policy has not been useful to Amelia NGO, the Sex Worker Implementation Tool (SWIT) has been. Various representatives from Amelia NGO attended a SWIT training. After the SWIT training, Natasha went back to her community, and Amelia NGO decided to do advocacy work with the regional AIDS centre that did outreach to sex workers. "If the centre offers condoms and lubes, they should offer good quality condoms and lube," said Natasha. "When they offer medical services, they need to be affordable and good quality," she continued. Amelia NGO started providing their own outreach services after the SWIT training, and someone from the AIDS Centre accompanies them.

IMPACT IN RUSSIA

On the night of the 17 May 2016, Viacheslav Datsik, a vigilante and right-wing white supremacist, attacked a brothel in St Petersburg, Russia.²² The human rights abuses that were experienced by sex workers were filmed and aired publicly in the Russian media. NSWP member Silver Rose, a sex worker-led organisation in the city, has been working with Amnesty International on this issue.

21 Amnesty International Germany, 2016, Prostituiertenschutzgesetz Schützt Prostituierte Nicht, available at <https://www.amnesty.de/2016/7/7/prostituiertenschutzgesetz-schuetzt-prostituierte-nicht> (last accessed 17 March, 2017).

22 Global Network of Sex Work Projects, 2016, Russian Sex Workers Violated during Illegal Brothel Raids available at <http://www.nswp.org/news/russian-sex-workers-violated-during-illegal-brothel-raids> (last accessed 16 March, 2017).



AI Russia translated the policy into Russian, as well as some of the accompanying research, in December 2016. Silver Rose intends to use the policy and research in the region to advocate against the legal oppression of sex work. Silver Rose sent an invitation to AI Russia for the launch of the report and hopes to begin collaborating with them more formally.

“Amnesty International Russia came to our offices and did outreach with us, they spoke to sex workers and saw our offices. Our hope is that Amnesty Russia will include our cases in their reports and publicise these cases, such as the 17 of May Nazi attack on sex workers.”

Irina, Silver Rose

SEX WORKER IMPLEMENTATION TOOL TRAINING

Impact in Nepal

The Asia Pacific Network of Sex Workers (APNSW), in collaboration with NSWP, hosted a SWIT training from the 21–23 of September 2016 in Nepal. Participants from JMMS, Blue Diamond Society, and SWIN participated in the training.

“We contacted the coordinators to sit with us and informally go through the training and ascertain what the representatives had expertise and interest in. We encouraged them to co-facilitate various sections of the training. We make the training as inclusive as possible. It’s not just the APNSW staff that delivers the training. We build the capacity of other sex workers during the training too.”

Nicolette Burrows, Asia Pacific Network of Sex Workers staff member

Impact in Jakarta, Indonesia

APNSW, in collaboration with Indonesia’s national sex worker network, Organisasi Perubahan Indonesia (OPSI), conducted a national training programme on the SWIT in Jakarta from the 15–16 of November 2016. A total of 16 participants attended.

Both participants and facilitators remarked that the atmosphere generated within the training program was friendly and welcoming. The enthusiasm of younger sex workers in learning about the fundamentals of sex worker organising was reflected in their engagement and active participation in discussion and learning modules, and their desire to exchange ideas, experiences and perspectives. One of the major discussions involved challenges sex worker communities face in working with external stakeholders to implement the best practice principles for community engagement and meaningful participation as reflected in the SWIT.

Sex workers reported that they drew inspiration and direction from the principles contained within the SWIT, and that they hope to use these principles in the future. Sex workers also reported that they recognise the value in the SWIT and hope to pass the principles of the SWIT onto their peers within the community.

SEX WORKER ACADEMY AFRICA

In 2015, NSWP wrote a case study on the Sex Worker Academy Africa (SWAA). The SWAA is an initiative from the African Sex Workers Alliance (ASWA) implemented by the Kenya Sex Workers Alliance (KESWA). This case study provided an in-depth analysis of the impacts of the academy at a local and national level on the sex workers who attended the training. The SWAA uses the SWIT as a basis for the curriculum.



In 2016, there were five academies with over 70 participants, including participants from Zambia, Kenya, Ivory Coast, Botswana, Togo, Cameroon, Swaziland, Senegal, Lesotho, Mozambique, and Ghana. Since the beginning of the academy, approximately 200 sex workers have graduated from the SWAA. These sex workers have implemented the knowledge they learned at the academy in various ways, building and strengthening the sex workers' rights movement at local, national, and regional levels.

ASWA produced a video on the Sex Worker Academy Africa.²³

Impact in Lesotho (Lesotho Sex Workers' Alliance)

A new sex worker-led organisation was formed in Lesotho in 2016. The legal name of the organisation is the Key Affected Populations Network of Lesotho, but the unofficial name of the organisation is the Lesotho Sex Workers' Alliance.

Lepheana Mosooane, the Advocacy and Human Rights Officer, told NSWP that four sex workers in Lesotho and one ally attended the Sex Worker Academy Africa from the 2–9 October 2016. According to Lepheana, the Sex Workers Academy Africa has helped Lesothian sex workers advocate for sex workers' rights at a local and national level.

“We are working with the Ministry of Health to sit down with health service providers to say ‘we know our daily challenges. We don’t want the government to say ‘these are the challenges faced by sex workers and these are the solutions. We are actually the community of sex workers. We know the challenges. We are the people who experience the challenges on the ground. We can provide the solutions to our problems.’ We are telling the government that we have seen sex worker-led organisations from other countries [at the Sex Worker Academy Africa], and we are promoting rights for sex workers.”

Lepheana Mosooane, Lesotho Sex Workers' Alliance

Reflections

In 2017, NSWP will continue to lobby UN Women to adopt a rights-based approach to sex work. It is very important for global organisations to support sex workers' rights. Organisations that do not support sex workers' rights, as articulated by sex workers themselves, intentionally harm sex workers. The policies of these organisations give leverage to governments, legislators, policy makers, and programme implementers who do not want to protect sex workers' rights, but rather, wish to eradicate sex work or sex workers themselves. They fuel stigma and discrimination and encourage violence.

In 2016, the NSWP Board of Directors requested the NSWP secretariat to prioritise building alliances with women's groups to support the promotion of the sex workers' human rights within the women's movement. Traditionally, some sections of the women's rights movement have excluded sex worker rights activists and viewed sex work as violence against women. However, there are women's rights organisations that recognise that sex workers' rights are women's rights, and that sex workers should not be left behind. NSWP will continue to work towards building an alliance with women's groups to amplify the voices of sex workers within the women's' movement.

According to many sex workers and sex workers' rights organisations contacted by NSWP, most Amnesty International country sections say they do not have the capacity to run a campaign on the protection of sex workers human rights. NSWP will continue to monitor how the Amnesty International policy is rolled out at the national level.

The Sex Worker Academy Africa and the other regional SWIT workshops have been very successful in empowering sex workers to advocate for rights-based programming. NSWP will continue to monitor the impact of this capacity building on rights-based programming at country level.

²³ African Sex Workers Alliance, “The Sex Work Academy Africa/l’Académie Africaine des Travailleurs du Sexe Africain,” YouTube Video, 5:00, posted by “African Sex Workers Alliance,” 10 October, 2016, <https://www.youtube.com/watch?v=y-XN7-CVQpE&feature=share>.



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