



Global Network of Sex Work Projects
Promoting Health and Human Rights

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

case **STUDY**



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“When I first found out [about Amnesty International]... I thought ‘yeah right, that’s never going to happen’ [...] on the day of the ICM [August 11, 2015] I fell asleep and Ruth [NSWP Global Coordinator] woke me up to say ‘they did it, they passed the resolution!’ and I was so tired... I was just sitting on the bed and I wasn’t even like ‘I’ve got tears in my eyes’ I was like, you know, ‘ugly crying’, sobbing because I’m like so tired and I can’t believe it. It’s such a shock. I was like ‘what?’ I was so prepared for failure. I thought it would go to a no-vote and they wouldn’t get anywhere with it.”

Pye Jakobsson, NSWP President

Introduction

On 11 August 2015 the International Council of Amnesty International voted in favour of a resolution, which authorised the International Board to develop and adopt a policy that protects the human rights of sex workers, including through calling for the full decriminalisation of all aspects of consensual sex work between adults. Amnesty International undertook a two-year internal consultation process to consider these issues and conducted four in-depth case studies to reach this decision. As stated by Salil Shetty, Amnesty International's Secretary General, “it was not a decision that was reached easily or quickly”.

From the moment Amnesty International's intention to work on a policy was leaked to the media to the present moment¹, Amnesty International and NSWP have been the

target of negative and sensationalist media attention worldwide. Many articles suggested the resolution itself was a violation of human rights, proposing sex workers themselves are not human and deserving of rights. When faced with such critics, one can understand that it was not an easy path for Amnesty and its members, but one worth fighting for.

Globally, sex workers face stigma, discrimination, criminalisation, imprisonment, and violence. Anti-sex work campaigners view sex work as inherently exploitative, assuming all sex workers are ‘victims’ regardless of whether sex workers feel that way or not. Sex workers, sex workers' rights advocates, and their allies recognise that the primary way to alleviate the wrongs against sex workers is to oppose the criminalisation of sex work, and fight stigma, discrimination and violence against sex workers. A major step to achieving rights for sex workers is the full decriminalisation of sex work.

Amnesty International joins other major international agencies such as UNAIDS, the World Health Organization, Human Rights Watch, The Lancet, and the Global Alliance Against Traffic in Women in the call for the full decriminalisation of sex work. NSWP and sex workers' rights advocates support the full decriminalisation of sex work to:

- Promote safe working conditions and labour rights for sex workers.
- Increase access to health services and reduce sex workers' risk of HIV and STIs.
- Increase sex workers' access to justice.
- Reduce police abuse and violence.
- Help to tackle exploitation and coercion when it does occur.

¹ This case study was published in November 2015. NSWP anticipates this negative attention will continue in 2016.



In this case study, NSWP will provide an overview of the processes undertaken by NSWP and its members in order to contribute to the consultation, and support the outcome of Amnesty International's final policy decision on sex workers' human rights, which includes support for full decriminalisation of sex work between adults. Furthermore, NSWP will evaluate the effects of this decision at a grass-roots level for NSWP members and sex workers.

NSWP

The Global Network of Sex Work Projects (NSWP) is a membership organisation with 240 members in 72 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. Sex workers lead NSWP, and female, male and transgender sex workers are meaningfully involved at all levels.

The NSWP Secretariat is in charge of the day-to-day operations of the organisation. The Global Coordinator, under the direction of the NSWP Board of Directors, heads the Secretariat. First and foremost, NSWP staff and Board Members are accountable to NSWP members who are working directly with sex workers at a grass-roots level.

The NSWP Board includes people from all over 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.

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.

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.

Amnesty International

Amnesty International is a membership-driven global human rights organisation. Globally, there are around 2 million paying members and supporters, and 5 million activists involved in Amnesty International activities. Amnesty International's core mandate is to undertake research and action focused on preventing and ending grave abuses of human rights enshrined by the *Universal Declaration of Human Rights*. Amnesty International mobilises members for advocacy, and lobbies governments to hold them accountable for human rights abuses.

British Lawyer Peter Benenson founded Amnesty International in London in 1961. He was outraged when two Portuguese students were jailed for raising a toast to freedom. He wrote an article in the UK's *Observer* newspaper and launched a campaign that provoked an incredible response. Reprinted in newspapers across the world, his call to action sparked the idea that people everywhere can unite in solidarity for justice and freedom.

2 Calculated in October 2015.

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.



Today, Amnesty International has staff members worldwide and offices in close to 70 countries. Amnesty International members are organised into sections – AI Peru, AI Senegal, and so on.

The overall decision-making body of Amnesty International is the International Council (IC). The IC consists of members of the International Board and elected representatives from its sections, structures, and the International Membership. It meets every two years, bringing together hundreds of Amnesty International representatives from around the world to meet and democratically vote on the direction of the movement. One of the key decisions made at the International Council Meeting is the election of the International Board – Amnesty International members who volunteer and work together to govern the international movement in-between Council meetings.

Amnesty International first produced draft documents on a potential policy on sex work in 2013, based on academic evidence, UN agency evidence, international human rights standards and human rights law. Before the International Council Meeting (ICM), the draft produced by Amnesty International was distributed to the movement for consideration.

In the intervening period, Amnesty International offices around the world consulted with their members, external agencies and rights holders and sent feedback to the International Secretariat in response to the content of the draft policy and whether or not they believed Amnesty International should adopt such a policy.

Amnesty International's national offices consulted with a wide array of individuals and groups including but not limited to: sex workers – including NSWP and its members, 'survivor' and sex work abolitionist groups, HIV agencies, women's and LGBTI rights activists, Indigenous women's groups, anti-trafficking groups and leading academics.

Alongside evidence gathered from hundreds of individuals and organisations, the International Secretariat also:

- Invited a sex worker and a 'survivor' representative to speak to the movement at the Chairs Assembly and Directors Forum in 2014.
- Undertook first-hand research into the lived experience of sex workers under different national and legal contexts.
- Held meetings with individuals opposing decriminalisation.
- Sent representatives to discuss the issue at the European Parliament.
- Invited open submissions through a dedicated email address.

During this time, documentation was consistently reviewed, rewritten and amended based on feedback received through the consultation process. The policy evolved substantially during this time, and greatly benefited from evidence and testimony collected from both internal and external stakeholders – including NSWP.

It was at the June Chairs Assembly and Directors Forum that the Amnesty International movement formally agreed to pursue the development of the policy for the protection of sex workers' human rights and commissioned further research. Amnesty International conducted country-based research on the impact that criminalisation of sex work has on the human rights of sex workers. Amnesty agreed the research:

- Should be conducted in countries from across different regions.
- Should include a country adopting the 'Nordic Model'.
- Should include the situation of high, middle and low-income countries.
- Should explore distinct legal and regulatory frameworks.

Norway, Papua New Guinea, Argentina and China (Hong Kong) were later chosen by Amnesty International as countries that satisfied these criteria. Amnesty International has not published this research yet.



It was the IC that voted on 11 August 2015 for the International Board to develop and adopt a policy for the protection of sex workers' human rights, including calling for decriminalisation of consensual sex work between adults. The International Board is bound by the decisions of the IC. For this reason, NSWP is moving forward to assess the impacts of the International Council decision to develop and adopt a policy for decriminalisation; however, it is important to note that while the Amnesty International Board is developing and implementing a policy on sex workers' human rights, this policy will not require national sections to work on issues related to sex work.

Timeline for NSWP Engagement

“But you begin to have some hope that along this crazy road [for sex workers' rights] at some point governments are going to have to start listening. This won't change the lives of people in-country so we still have a lot of work to do but I think with Amnesty, the UN, The Lancet, academics, all supporting the call for decriminalisation – we have the evidence of the impact of criminalisation – and that it violates human rights and it's bad for health – at some point I hope politicians and governments will start to listen. This is a victory, but it's not the end of the fight to have sex workers' rights respected.”

Ruth Morgan Thomas, NSWP Global Coordinator

- 1 24 January 2014:** Amnesty International's intentions to work on this issue were leaked to Julie Bindel at the [Daily Mail Online](#).
- 2 February 2014:** Amnesty International, with the assistance of sex workers' rights organisations, including NSWP, circulated a questionnaire to solicit information on the lived experiences of sex workers around the world.
- 3 April 2014:** NSWP encouraged allies to support Amnesty either publicly or privately. NSWP mobilised support from 38 individual signatories from 35 different allied organisations.
- 4 April 2014:** some regional and national Amnesty International sections held their Annual General Meetings. Many NSWP members, who are also Amnesty International members, mobilised and attended these meetings, putting pressure on Amnesty to support the proposal that Amnesty develop and adopt a policy that would support the full decriminalisation of sex work.
- 5 1 May 2014:** Amnesty International's deadline for responses to their consultation.
 - a** NSWP encouraged membership to provide input to counter the many responses anticipated from anti-sex work campaigners and individuals (promoted on the NSWP's closed Facebook group and through our Listservs).
 - b** NSWP also encouraged sex workers to reach out to individual Amnesty branches in their country to prepare them for discussion at the ICM. There are many different ways our members oppose criminalisation, and the NSWP encouraged sex workers' rights organisations to speak about their own views to Amnesty.



- 6 June 2014:** Amnesty International Chairs Assembly and Directors Forum met to consider how to work on a policy for the protection of sex workers' rights
- a** Pye Jakobsson (Rose Alliance) gave a presentation to Amnesty International (International Secretariat staff) on the Swedish model and sex workers' rights.
 - b** Daughtie Ogutu (ASWA) gave a presentation on sex workers' rights at a 'Chairs and Directors' Forum, alongside a 'survivor' and those who oppose decriminalisation of sex work.
 - c** One of the decisions made at the meeting was that Amnesty would carry out research and gather evidence during 2014 and 2015 in a number of selected countries (Norway, Papua New Guinea, Argentina, and Hong Kong were subsequently chosen) to present to ICM in August 2015.
- 7 July 2015:** Tasmanian Times critique of Amnesty available [here](#).
- 8 23 July 2015:** anti-sex work organisation's petition posted on Change.org available [here](#).
- a** The petition had received just over 8,000 supporters by the time of the ICM. This petition is still active and as of End of October had 10,935 supporters.
- 9 29 July 2015:** NSWP petition posted on Change.org available [here](#).
- a** Resulting in 10,072 supporters with hundreds of organisational endorsements, in less than 2 weeks. The petition was closed on 10 August 2015, so that it could be sent to the International Council Meeting.
 - b** NSWP asked allies to share the petition. The Global Network of People Living with HIV, the International Community of Women Living with HIV, the Global Forum on Men who have Sex With Men, the International Network of People who Use Drugs, the International Treatment Preparedness Coalition, all promoted the petition in their networks.
- 10 5 August 2015:** UNAIDS letter of support to Amnesty available [here](#).
- 11 8 August 2015:** The Lancet letter of support to Amnesty available [here](#).
- 12 6–11 August 2015:** ICM meeting.
- 13 11 August 2015:** ICM voted in favour of the resolution which authorises the International Board to develop and adopt a policy which supports the protection of sex workers' human rights, including the full decriminalisation of all aspects of consensual sex work. A draft of the policy itself was available with the resolution.
- 14 11 August 2015 to present:** national Amnesty sections start to reach out to sex workers' rights organisations and other constituencies to engage around the issues covered by the resolution, and those organisations also proactively reach out to Amnesty country sections.
- 15 Early 2016** (date to be determined by Amnesty International): International Board Meeting to develop and adopt the policy. The Board is obliged to abide by the resolution passed at the International Council Meeting.



Goals

One of NSWP's goals is to promote rights-based policies and programming for sex workers globally. All policy development initiatives related to sex work must meaningfully involve sex workers. Sex workers are the experts on the policies that would benefit sex workers and uphold their human rights.

When NSWP learned of Amnesty International's intention to develop a policy on sex workers' human rights, NSWP wanted to ensure Amnesty International was taking a rights-based approach and prioritising the voices of sex workers in its decision-making. It identified the following goals:

Goal #1

Support Amnesty International in their development of a rights-based approach to sex work and ensure sex workers voices are meaningfully included.

Why? Sex workers are the experts on policies and regulatory frameworks that uphold their human rights. A policy developed without the input of sex workers would be disastrous.

Goal #2

Monitor and reflect on the impacts at the national level of the International Council Meeting resolution for the International Board to develop and adopt a policy that supports the protection of sex workers' human rights and the full decriminalisation of consensual sex work.

Why? Policies such as this have a trickle-down effect on both Amnesty International sections and grassroots organising by NSWP members.

Goal #3

Support NSWP members in their work with Amnesty International.

Strategies to Achieve Goals

Strategy #1

Encouraged sex workers to participate in the Amnesty International consultation. NSWP shared the Amnesty International questionnaire on the members-only listservs and on the NSWP closed Facebook group.

Strategy #2

Connected Amnesty International with sex workers and sex workers' rights activists that would be willing to speak to the International Board about sex workers rights.

Strategy #3

Encouraged sex workers and sex workers' rights activists to speak to the media in support of Amnesty International.

Strategy #4

Created a petition urging Amnesty International members to vote in favour of decriminalisation at the August 11, 2015 International Council Meeting

Strategy #5

Contacted NSWP members to establish which organisations have been contacted by the Amnesty section in their country.

Strategy #6

Create an adaptable advocacy guide for NSWP members on how to approach the Amnesty section in their country (estimated completion date: December 2015).



Partnerships

In 2014 the Annual General Meetings (AGMs) held by Amnesty International sections marked an important moment for NSWP members, as many individual sex workers are also Amnesty International members. This means they have voting rights and can speak and vote either for or against resolutions at a national level.

Many countries used the AGMs to discuss their position on the proposed policy related to the protection of sex workers' human rights.

NSWP members in different countries mobilised and attended the AGMs. Some held demonstrations outside, some sex workers and allies joined Amnesty International as individual members so they could take part and influence the debate. For example, in the UK there were five or six sex workers who spoke at the Amnesty International UK AGM. Their arguments helped convince the AGM not to accept the Swedish model, which was proposed. In the United States the AGM was in Chicago and sex workers from SWOP-Chicago held a counter demonstration and stood next to the anti-sex work campaigners who were holding a protest against Amnesty International. As a result, Amnesty International USA's Board of Directors met with SWOP-Chicago members to discuss decriminalisation. They also spoke to anti-sex work campaigners.

While NSWP encouraged members through conversations on NSWP's private members-only listservs, this was almost entirely an organic process that originated at a grassroots level. It is impossible to know what the impact would have been if sex workers were not present during the AGMs, but sex workers felt this was an effective strategy to ensure their voices were heard in the debates.

These formal and informal partnerships were important in achieving a rights-based approach to sex workers' rights.

Impacts on Sex Workers

From interviews with sex workers, sex workers' rights activists, NSWP members and staff that were involved in this process, it was clear from the beginning that Amnesty International wanted to hear the voices of sex workers. Amnesty International recognised that sex workers are the experts of their own lives, and documented the struggles faced by sex workers in four key countries: Papua New Guinea, Hong Kong, Norway, and Argentina. Amnesty International interviewed sex workers from these countries, and these country-based reports informed Amnesty's policy development.

NSWP was heartened to see another large human rights organisation take a stance in support of sex workers' rights. Amnesty International joins many other non-governmental organisations in the fight for decriminalisation. With every non-governmental organisation that adopts a rights-based approach to sex workers' rights, the NSWP and its members have more research, reports, policies, and agencies to back-up what sex workers have known from the beginning: criminalisation of sex workers, clients, and third parties puts sex workers at risk.

Country-specific Impacts

NSWP is aware of twelve members that have been contacted either formally or informally by their national Amnesty International section since the International Council Meeting on 11 August 2015. These include:

- AI Norway
- AI Poland
- AI Germany
- AI USA
- AI Belgium
- AI India
- AI Turkey
- AI Canada
- AI Sweden
- AI Nigeria
- AI Hungary
- AI Italy



Sex workers, sex workers' rights activists, and NSWP members were instrumental in providing support to national Amnesty International sections as they dealt with backlash from anti-sex work campaigners at a national level after the resolution was passed. All NSWP members stated the Amnesty International sections in their region were underprepared for the backlash they would experience in the media, and did not know how to adequately defend the International Council decision.

EXAMPLE FROM NIGERIA:

“We had informal conversations with some members at Amnesty who are supportive. We want AI Nigeria to work on the harassment of sex workers by police in Nigeria.”

Amaka, National Coordinator of the Nigeria Sex Workers Association

According to Amaka, the National Coordinator of the Nigeria Sex Workers Association, the biggest issue facing Nigerian sex workers is police harassment. Before the 11 August International Council Decision, Amaka did not know much about AI processes. NSWA would like to work with Amnesty Nigeria formally to address the human rights abuses of sex workers in Nigeria.

EXAMPLE FROM POLAND:

“We provided AI Poland with informational [...] educational workshop during which we discussed relevant terminology – the category of sex work is not really common in Poland yet – myths, legal systems and common violations of sex workers' rights.”

Agata Dziuban, Member of Sex Work Polska

According to Agata, from Sex Work Polska, Amnesty Poland staff were underprepared to discuss decriminalisation in the community. Sex workers and allies in Poland organised a media training and workshop for AI Poland volunteers and staff. It was a 4-hour workshop and also included street-based Amnesty volunteers who solicit people for new memberships. AI Poland staff members that were soliciting for members on the street were experiencing harassment from those they approached. There were 15–18 people at the workshop. Some people who were present were abolitionists and they wanted to use the ‘conscience clause’ in Poland so they would not be forced to advocate on behalf of Amnesty’s policy. Doctors often use the ‘conscience clause’ in Poland to deny sexual and reproductive health services such as abortions.

EXAMPLE FROM THE USA:

After 11 August 2015, Amnesty International USA contacted SWOP-USA. Amnesty International USA organises regional conferences every year. Amnesty International USA wanted SWOP-USA to organise panels at the regional meetings to educate members about the importance of sex workers' rights and supporting decriminalisation. AI USA also asked SWOP-USA for contacts that would be able to speak to the media about sex workers' rights.



EXAMPLE FROM SWEDEN:

Within days of August 11, 2015 decision, Rose Alliance was contacted by Amnesty Sweden for a meeting. Once the vote happened, the media ‘was crazy in Sweden’ according to a Rose Alliance spokesperson. When Amnesty Sweden met with Rose Alliance, they clearly stated they voted against the policy because it did not represent the interests of their membership. However, they did not critique Amnesty International and confirmed they would respect the decision that was made by Amnesty International’s International Council. According to the Rose Alliance spokesperson, Amnesty Sweden said they would not campaign against the criminalisation of clients. They will, on the other hand, work on some of the other laws in Sweden that force sex workers to work alone and laws that increase their risk of eviction. This is a positive step for Rose Alliance and they intend to continue working with Amnesty Sweden.

Anti-sex work campaigns

Many Amnesty International offices globally have been the targets of anti-sex work campaigns.

On 23 October 2015, there was a ‘No Amnesty For Pimps Global Day of Action’. They had an online protest using the #NoAmnesty4Pimps hashtag on Twitter, and claimed to have physical protests in front of Amnesty sections across the globe. In reality, there was a relatively small protest outside the London International Secretariat of Amnesty International, as well as other protest activities on a small scale in Australia, Germany, Mexico, Norway, Canada and the USA. For NSWP, this demonstrates they are losing traction globally, and it is becoming more and more difficult for anti-sex work campaigners to gain support for their movement when the evidence consistently demonstrates that opposing the criminalisation of sex workers, clients, and third parties is one step towards eradicating the human rights abuses against sex workers globally.

Some sex workers’ rights organisations organised counter protests in support of Amnesty. The English Collective of Prostitutes asked NSWP members to counter the anti-sex work social media campaign through a #pledgedecrim campaign in support of Amnesty.



Reflections

The fight for sex workers' rights is exhausting. This long and arduous two-year process was worthwhile, but the costs were high for NSWP members, most of whom are unpaid volunteers. While NSWP recognises the immense gain to the sex workers' rights movement that this represents, it is not the end of the fight. Sex workers and sex workers' rights organisations have a long way to go to combat the day-to-day lived realities of violence, criminalisation, stigmatisation, and discrimination faced by sex workers and the endless battle with fundamental feminists who deny sex workers' rights.

Sex worker rights organisations are notoriously underfunded. Repeatedly, sex workers' rights organisations are called upon to share their experiences and build the capacity of allies to fight for sex workers' rights. Sex workers are rarely compensated for their expertise. Often, sex workers are called upon and expected to do this work for free because it is either directly or indirectly beneficial for them or the movement. This is

tiring work that depletes human and financial resources. Given the current trend, NSWP anticipates members will be called upon by the Amnesty International sections in their countries in the months to come to build their capacity to deal with anti-sex work campaigners, and build their strategies to address the media backlash. It is important to reflect on this reality faced by most sex workers and sex workers' rights advocates.

Simultaneously, it is incredible that another large mainstream human rights organisation has adopted a rights-based approach to sex workers' rights. Amnesty International has now been added to the list of non-governmental organisations that can be used to support the movements' call to end all legal oppression of sex work. When sex workers are in meetings with politicians and law makers who claim to know their lives better than they do, it is powerful to be able to say 'UNAIDS, WHO, The Lancet, Human Rights Watch, the Global Alliance Against Traffic in Women and Amnesty International all agree with me – decriminalisation saves lives and prioritises health'.



nswp

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