



Global Network of Sex Work Projects
Promoting Health and Human Rights

**Brief to the House of Commons Standing Committee on Justice and Human Rights
on
*Protection of Communities and Exploited Persons Act - Bill C-36***

Submitted 5 September 2014 by the Global Network of Sex Work Projects
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NSWP, The Global Network of Sex Work Projects, heralded the decision made by the Canadian Supreme Court in December 2013 to strike down laws related to sex work that were recognised to be unconstitutional and in violation of the Charter of Rights and Freedoms. The striking down of provisions that restricted sex workers' ability to implement crucial security strategies in their work was seen by NSWP members and allies around the world as a significant step forward in advancing the health and human rights of sex workers in Canada. Following this ruling however, the space that opened for dialogue and debate has been dominated by a misinformed, ill-founded and a moralistic agenda that makes a rhetorical commitment to the protection of sex workers, while conversely ignores sex workers' agency and experiences and turn introduces sweeping criminalisation of the sex industry that will serve to undermine sex workers' human rights including the right to health.

These legislative proposals are completely out of line with international evidence-based recommendations and will seriously endanger the lives and health of sex workers. NSWP urge the Canadian Government not to implement these laws on the grounds that the approach represents a severe violation of the rights of sex workers. For a full statement of the rights of sex workers that governments should protect, respect and fulfil see the NSWP Consensus Statement¹. The draft legislation proposed in Bill C-36 provides a legal model that criminalises the purchase of sexual services, the advertisement of sexual services, and communication in public for the purpose of prostitution by anyone, and it effectively prohibits indoor sex work. This proposed model fails to address the initial problems identified by the court in Bedford that centred on concerns for sex workers' safety and access to rights of health, security, equality and human rights. The proposed legislation gives rise to new issues of constitutionality and the Charter rights engaged by this draft law include life, liberty, security of the person, freedom of expression, and equality – all of which are arguably breached.

Drawing on international guidelines, irrefutable evidence and the experiences of NSWP members worldwide, this brief highlights the flawed logic behind such an “end demand” approach and illuminates the harmful implications for sex workers of the proposed legislation in Bill C-36. NSWP urge this brief to be taken seriously in considerations to protect the health, human and labour rights of sex workers and implore the Canadian Government to align itself with governments at the forefront of world interest that have decriminalised or are considering the full decriminalisation of sex work for the protection of those involved and to contribute to the halting of the global HIV epidemic.

¹ Global Network of Sex Work Projects 'Consensus Statement' (2012)
<http://www.nswp.org/sites/nswp.org/files/ConStat%20PDF%20EngFull.pdf>

The flawed logic behind ‘end demand’ approaches from a Global perspective

The inauspiciously titled *Protection of Communities and Exploited Persons Act* proposes legislation that falls in line with an “end demand” approach to sex work through the application of a matrix of laws that claim to target clients and other third parties in the interest of protecting communities and exploited people. This theoretical position aligns with the Swedish approach to sex work law that posits sex work as violence and exploitation of women at the expense of recognising sex work as a form of labour and sex workers as deserving of associated labour rights and protection. Whilst the Swedish government and its’ supporters claim this approach as unique, sex workers’ experiences of the criminalisation of clients echo sex workers’ experiences of a wide range of criminalisation in a multitude of contexts, adding to the growing body of data about the detrimental lived consequences of such measures.

Guised under the rubric of protection through an overt focus on criminalising the purchase of sex and other third parties, this Bill would undoubtedly lead to increased legal oppression and criminalisation of sex workers, an approach that is completely out of line with expert recommendations globally. The report released followed the UNAIDS Advisory Group on HIV and Sex Work for example notes that, “there is no evidence that these ‘end demand’ initiatives reduce sex work ... or improve the quality of life for sex workers. These laws do not reduce the scale of sex work, but they do make sex workers more vulnerable”². There is no conclusive evidence to suggest that legal measures like this Bill that are introduced as part of an “end demand” approach will eliminate or significantly reduce sex work. There is however, a wealth of evidence that suggests such measures are increasing repression, marginalization and violence against sex workers and contributing to widespread human rights violations globally. This brief aims to illuminate some of this evidence in the overall goal to encourage the Canadian Government to fully consider the implications of such an approach on the lives and human rights of sex workers, and the associated risks on public health.

The Implications of Bill C-36 on the lives and human rights of sex workers

It is disingenuous for proponents of Bill C-36 to suggest that the new legal framework proposed retargets criminalisation away from sex workers and towards those who purchase sex, when clear evidence exists to invalidate this theory based on accounts of the reality of this approach. Legal frameworks that centre on an “end demand” approach may explicitly target criminal sanction at those who purchase sexual services and other third parties, however implicit and overt criminalisation of sex workers evidently increases on the ground and it is widely common for sex workers to be disproportionately targeted for arrest and/or harassed under unrelated laws. In Sweden and Norway for example, although selling sex is not a criminal offence and criminalisation seems from the outset to focus on the purchaser and other third parties, the intensity of police repression against sex workers has *increased*. Sex workers in both country contexts have noted higher levels of harassment due to the policing of clients on the street³. Police officers in Sweden have been reported to clandestinely film women engaging in sexual acts to obtain evidence against clients. The women are then subjected to invasive searches⁴. Sex workers have neither the rights of the accused nor of victims in trials against clients⁵. In South Korea and Sweden where both legal models follow an end

²UNAIDS Guidance Note on HIV and Sex Work (2009 updated in 2012)

http://www.unaids.org/en/media/unaids/contentassets/documents/unaidspublication/2009/JC2306_UNAIDS-guidance-note-HIV-sex-work_en.pdf

³ Norwegian Ministry of Justice and Police Affairs (2004), *Purchasing Sexual Services in Sweden and the Netherlands*.

⁴D. Kulick (2003), Sex in the New Europe: The Criminalization of Clients and Swedish Fear of Penetration, *Anthropological Theory* 3(2), pp. 199–218.; S. Dodillet & P. Östergren (2011), *The Swedish Sex Purchase Act: Claimed Success and Documented Effects*, paper presented at Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges International Conference, The Hague.

⁵ Norwegian Ministry of Justice and Police Affairs (2004), *Purchasing Sexual Services in Sweden and the Netherlands*.

demand/criminalisation of clients approach, police stake out the homes and workplaces of women suspected of engaging in sex work⁶.

As these examples evidence, the increasing of criminal sanctions targeting clients of sex workers forces sex workers to work in more clandestine ways to avoid increased police harassment. The recent Human Rights Watch Report in reference to criminalised drug users and sex workers notes the harmful implications of such an approach:

“...driving participants into the shadows is usually highly counterproductive to efforts to treat, mitigate, or prevent harm. Criminalization in both cases can cause or exacerbate a host of ancillary human rights violations, including exposure to violence from private actors, police abuse, discriminatory law enforcement, and vulnerability to blackmail, control, and abuse by criminals. These severe and common consequences, and the strong personal interest that people have in making decisions about their own bodies, mean it is unreasonable and disproportionate for the state to use criminal punishment to discourage either practice.”⁷

The notion of increased criminalisation and police harassment as drivers in the displacement of sex workers has been evidenced in several countries that have implemented an “end demand” legal approach to sex work. Increased police surveillance and arrest of clients has led sex workers to work in more clandestine ways, including an increasing use the internet to solicit customers or moving to venues that masquerade as other businesses such as massage parlors, hair dressers and hotels⁸. It follows therefore that the overall objective behind such an “end demand” approach of abolishing the sex industry is likely to prove extremely difficult to measure. Whilst a major claim of the Swedish government is that criminalising clients has significantly reduced the number of sex workers, this assertion is based on a decline in the number of street-based sex workers, a fact which a number of researchers attribute to the growth of other ‘hidden’ forms of sex work⁹. This increased marginalisation and displacement of sex workers is extremely dangerous, particularly for sex workers whose living conditions are precarious and are often unable to work in sectors of the sex industry that require set routines, start-up funds or familiarity with technology. For example, in Sweden, street based sex workers have reported greater competition, declining prices and harsher conditions¹⁰. To compensate for fewer clients, sex workers accept clients who are drunk, aggressive or refuse condom use¹¹.

Specific to the context of Canada, Provision 286:4 in Bill C-36 proposes criminalisation of the advertisement of sexual services by any third parties. This provision severely restricts the ability of sex workers to work even through this more ‘discreet’ way of advertising online and in newspapers. This provision would create a significant barrier for sex workers to working independently who will be left without traditional portals for advertising services and openly

⁶ A. Rendland & P. Jakobsson (2011), *The Nordic Model: Norwegian and Swedish Experiences*, paper presented at the International Harm Reduction Conference, Beirut;

⁷ World Report of Human Rights Watch (February 2014) Available at: <https://www.hrw.org/world-report/2014>

⁸ This is reported in Sweden, South Korea, Norway and Canada. According to the Korean Institute of Criminology, 60% of those who said they purchased sex in 2005 claimed to have done so in massage parlours. The Financial Supervisory Service of Korea reported credit card spending in massage parlours to have increased 23% in 2005 as compared with 2004 (the year of passage of the law criminalising clients). Quoted in N. Schwartzmann (2008), *Special Law on Prostitution Turns Four Years Old*, *Asian Correspondent*, retrieved from asiancorrespondent.com; A.L. Crago (2011), *Legal Barriers to Fighting Violence Against Sex Workers: The Montreal Experience*, paper presented at the CRI-VIFF Conference, Montreal

⁹ Swedish National Board of Health and Welfare (2007), *Prostitution in Sweden 2007*; S. Dodillet & P. Östergren (2011), *The Swedish Sex Purchase Act: Claimed Success and Documented Effects*, paper presented at Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges International Conference, The Hague.

¹⁰ Norwegian Ministry of Justice and Police Affairs, *op. cit.*; Swedish National Board of Health and Welfare, *op. cit.*; Dodillet & Östergren, *op. cit.*

¹¹ This is reported in Canada and Sweden. Norwegian Ministry of Justice and Police Affairs, *op. cit.*; Swedish National Board of Health and Welfare, *op. cit.*; Dodillet & Östergren, *op. cit.*; Crago, *op. cit.*

advertising services by way of clearly specifying what services are and are not available to clients. This limitation on advertising increases the risks of misunderstandings about what services sex workers provide and restricts open discussion with clients prior to an appointment surrounding safe sex practices. Limitations on advertising within a context of increased police harassment on clients will in summary serve to marginalise sex workers and force clandestine working practices. As noted by the Report of the UNAIDS Advisory Group on HIV and the Law (2012):

“There is very little evidence to suggest that any criminal laws related to sex work reduce demand for sex or the number of sex workers. Rather, all of them create an environment of fear and marginalisation for sex workers ... In Sweden, sex workers who were unable to work indoors were left on the street with the most dangerous clients and little choice but to accept them”¹²

Published research from a number of countries documents widespread abuses of human rights of sex workers perpetrated by both state and non-state actors, including homicide, physical and sexual violence. The criminalisation and legal oppression of sex work included in the proposed Bill C-36 create significant barriers for sex workers to report violence. Accounts of violence against sex workers are often not taken seriously within this context of sex work being seen in and of itself violence automatically rendering sex workers as victims, and this system gives people who are violent towards sex workers state-impunity. Structural and institutional violence through state-based ‘exit interventions’¹³ to rescue and rehabilitate sex workers where they are viewed in law as “exploited people” mean that sex workers regularly face violence through arrest, forced detention and rehabilitation programmes. This approach of rescue and rehabilitation often takes places in the name of ‘anti-trafficking measures’, an approach that is condemned by the Global Alliance Against Traffic in Women (GAATW) who have stated that they ‘strongly oppose[s] criminal penalties against clients’ and that:

‘End demand for prostitution’ approaches not only threaten the effectiveness of anti-trafficking efforts, they can often place sex workers at greater risk of violence and exploitation’ and further that: “end demand” not only fail[s] to reduce trafficking and sex work, but [has] also resulted in further harms and human rights violations against sex workers’¹⁴

When facing violence through anti-trafficking and other rescue/rehabilitation/exiting measures, sex workers are often forced to assume a label of ‘trafficking or exploited victim’ when reporting violence against them: this falsely represents their work and experience of violence. Furthermore, framing sex work as violence or as inherently exploitative as is evident in Bill C-36, renders sex workers’ realities invisible by not recognising sex work as work. Such framing also portrays sex workers as victims by denying sex workers the agency and capacity to make their own decisions around work and their lives. On the conflation of sex work with sexual exploitation and trafficking, UN Women in their response to the ‘Equality Now’ campaign stated;

The issues of sex work, sexual exploitation and trafficking are complex issues which have significant legal, social and health consequences. Due to such complexity, it is important that we do not conflate these three issues which deserve to be considered in their own right. We cannot consider sex work the same way we consider trafficking or sexual exploitation which are human rights abuses and crimes....The conflation of consensual sex

¹²UNAIDS Guidance Note on HIV and Sex Work:

http://www.unaids.org/en/media/unaids/contentassets/documents/unaidspublication/2009/JC2306_UNAIDS-guidance-note-HIV-sex-work_en.pdf

¹³ Exit interventions have been included in Bill C-36 as a measure to be funded to assist women exit sex work

¹⁴ Julie Ham. Moving Beyond ‘Supply and Demand’ Catchphrases. *Global Alliance Against Traffic in Women*. Bangkok, (2011.) http://www.gaawt.org/publications/MovingBeyond_SupplyandDemand_GAATW2011.pdf

work and sex trafficking leads to inappropriate responses that fail to assist sex workers and victims of trafficking in realizing their rights... Furthermore, failing to distinguish between these groups infringes on sex workers' right to health and self-determination and can impede efforts to prevent and prosecute trafficking...Sex workers are right holders like all other women and men and should be recognized as such¹⁵.

The detrimental impact of the proposed legal approach and its moralistic and ill-informed theoretical underpinnings must be considered in relation to these human rights abuses and violations of sex workers that have been documented as a result of such approaches in other legal jurisdictions, including Sweden, Norway and South Korea. Positing all sex work as exploitation and violence renders the experience and agency of sex workers invisible and negates sex workers and their clients' rights to self-determination. As noted in the UNAIDS Briefing note on the legal status of sex work:

'Criminalising sex workers therefore is a negation of this right to self-determination, autonomy and agency. Criminalising the clients of sex workers has a similar impact to criminalising sex workers as it directly affects the ability of sex workers to earn a living based on the expression of their agency over their own body and it perpetuates the stigma and prejudice against sex workers.'¹⁶

In place of exiting interventions and other rescue projects, sex work must be recognised as work in line with standards recommended by the International Labour Organisation Recommendation 200¹⁷. The ILO's recommendation 200, which applies to sex workers, notes "the important role of the workplace as regards information about and access to prevention, treatment, care and support in the national response to HIV and AIDS" and afford sex workers the recommended labour rights within the workplace context. The ILO emphasises that the role of the workplace becomes more crucial when workers are in at-risk groups ("especially in occupations most at risk"), as sex workers are.

The ILO also states that, "prevention of all means of HIV transmission should be a fundamental priority; workers, their families and their dependants should have access to and benefit from prevention, treatment, care and support in relation to HIV and AIDS, and the workplace should play a role in facilitating access to these services." Recommendation 200, in calling for workers to have the right to access workplaces that provide workplace protection from HIV transmission (as well as support and relevant healthcare for workers living with HIV), and in acknowledging that sex workers are included in the recommendation, highlights that the international community has already accepted that a) sex workers deserve workplace protection against HIV and b) that rights-based programming (rather than criminalisation) is the way to deliver that workplace protection.

The criminalisation of third parties including clients as proposed in Bill C-36 directly limits the access that sex workers have to safe workplaces. In South Korea, where managers and clients are criminalised for example, sex workers suffer the effects of this criminalisation. Indoor sex work venues such as brothels or massage parlours decline to keep condoms on the premises, as these will be used by the police as evidence of sex work, thus criminalising the manager. Therefore, the manager's desire not to be prosecuted is in conflict with their ability to provide adequate workplace protections, and a result, researchers estimate a large increase in sexually transmitted infections - including HIV, since the introduction of the law. These examples of the negative health impacts of criminalisation, demonstrate that globally the

¹⁵ UN Women Response to 'Equality Now' Campaign Available at: <http://www.nswp.org/resource/un-womens-note-sex-work-sexual-exploitation-and-trafficking>

¹⁶ UNAIDS Briefing Note on the Legal Status of Sex Work. Available at: <http://www.nswp.org/news-story/unaids-briefing-note-the-legal-status-sex-work>

¹⁷ International Labour Organisation. Recommendation 200. http://www.ilo.org/ilc/ILCSessions/99thSession/texts/WCMS_142613/lang-en/index.htm

criminalisation of third parties prevents an effective response to HIV, in direct contravention of public health best practice, and the ILO's recommendation 200. Laws that criminalise third parties put sex workers' health at risk.

Public Health implications of Bill C-36

Alongside the failure of this approach to protect, respect and fulfil sex workers' human rights, a serious concern exists with regards to the detrimental impact on sex workers' access to health should this Bill become legislation in Canada. Human rights and access to health are intertwined, and the causal relationship between human rights violations and vulnerability to HIV are well evidenced. Social determinants of health such as stigma, poverty, criminalisation, legal oppression and gender discrimination, can negatively impact on sex workers' health, including increased vulnerability to HIV. Medical Journal, The Lancet, recently joined an ever growing number of international health and human rights organisations calling for the full decriminalisation of sex work in order to address the HIV epidemic more effectively in a new series of papers on sex workers and HIV. The central importance of decriminalising sex work is reinforced by the Series' examination of sex workers' human rights, which suggests that global commitments to achieving an AIDS-free generation will not be possible unless the human rights of sex workers receive global recognition. The authors review over 800 recent studies addressing human rights violations against sex workers, HIV, law and policy, concluding that criminalisation of sex work fuels and fosters human rights violations and increases sex workers' susceptibility to HIV, including by reducing sex workers' access to HIV prevention, treatment and care. Furthermore, the study finds that partial criminalisation, and other criminalisation of clients and third parties, like the proposed legal framework presented in Bill C-36 reproduces many of the same harms as full criminalisation¹⁸.

Criminalisation in the form of criminalising the purchase of sex (Provision 286.1(1)); communication for the purpose of offering or providing sexual services (Provision 213); sweeping criminalisation of third parties (Provision 286.2); and laws that restrict sex workers' ability to work together indoors (all Provisions proposed in the Bill will restrict the ability of sex workers to work safely together indoors, through restrictions on advertising, communicating and criminalisation of those living on the avails); will alone and together combine to impede sex workers' ability to protect their health at work. In Sweden, a study by the Norwegian National Police Board has found that many street-based sex workers compensate for loss of earnings, as a result of client criminalisation, by not using condoms¹⁹. Police harassment compels many sex workers to frequently change areas or work from hidden locations. This hinders their ability to connect with health and social services. In South Korea and Sweden, health authorities have expressed concern about negative consequences of the law on sex workers' health. In addition, researchers in South Korea have found a correlation between the new prostitution acts and an increase in sexually transmitted infections.

The most successful health and HIV interventions to date have been those that are peer-led, relying on individual and collective empowerment to improve sex workers' working and living conditions²⁰. In the most recent guidelines from the World Health Organisation, the following good practice recommendations are put forward²¹:

¹⁸ The Lancet 'HIV and Sex Work' <http://www.thelancet.com/series/HIV-and-sex-workers>

¹⁹ Norwegian Ministry of Justice and Police Affairs, *op. cit.*

²⁰ See C. Jenkins (2000), *Female Sex Worker HIV Prevention Project: Lessons Learnt from Papua New Guinea, India and Bangladesh*, UNAIDS Best Practice Collection, Geneva: UNAIDS; D.T. Swendeman, I. Basu, S. Jana, M.J. Rotheram-Borus, S.J. Lee, P.A. Newman & R.E. Weiss (2004), *Evidence for the Efficacy of the Sonagachi Project in Improving Condom Use and Community Empowerment Among Sex Workers: Results from a cohort-control study*, presented at the International AIDS Conference, Bangkok.

²¹ WHO Recommendations on the prevention and treatment of HIV and other sexually transmitted infections for sex workers in low and middle-income countries: Available at: http://apps.who.int/iris/bitstream/10665/77745/1/9789241504744_eng.pdf

- *All countries should work toward decriminalisation of sex work and elimination of the unjust application of non-criminal laws and regulations against sex workers*
- *Governments should establish anti-discrimination and other rights respecting laws to protect against discrimination and violence, and other violations of rights faced by sex workers in order to realise their human rights and reduce their vulnerability to HIV infection*
- *Health services should be made available, accessible and acceptable to sex workers based on the principles of avoidance of stigma, non-discrimination and the right to health*
- *Violence against sex workers is a risk factor for HIV and must be prevented and addressed in partnership with sex workers and sex worker led organisations.*

Furthermore, these recommendations are promoted as a minimum global standard with the accompanying Implementation Tool stating that, ‘*the principles that underlie this tool, and the operational approaches it presents, are no less relevant to high-income countries, and should be seen as a minimum global standard*’. However in other contexts where a similar criminalisation of clients/end demand approach is in place, these types of projects are severely hampered and are not encouraged under legal models that construe sex work as violence. In South Korea and Sweden for example, only projects which target women leaving sex work receive funding. These projects are inherently discriminatory as access to educational and vocational training, health and counseling services is contingent upon stopping sex work. Evidence from Sweden has shown that when social service provision is contingent on sex workers exiting the sex industry harm reduction activities are curtailed and the safety and security of sex workers are undermined and sex workers’ access to information and safer sex supplies reduced. Swedish social services agencies have reported less contact with sex workers making it much harder to identify those in situations of exploitation.²² The focus on ‘exiting’ by Justice Minister Peter MacKay is reminiscent of this Swedish approach to saving women from ‘prostitution’ and will seriously hamper health and harm reduction initiatives and seriously undermine public health in Canada.

Decriminalisation as an alternative approach to protect the human and health rights of sex workers

In light of the irrefutable evidence presented in this brief and others of the harms of an “end demand” approach as presented in Bill C-36, NSWP urges the Canadian Government to step in line with international recommendations to fully decriminalise sex work for the protection of the human rights of sex workers and in the interests of public health. In passing the Prostitution Reform Act (PRA) in 2003, New Zealand put itself at the forefront of world interest as to whether this strategy has been effective in reducing harm and ensuring the health and human rights of sex workers are adhered to. The results of the Prostitution Law Review Committee made the success of this model clear:

"The Committee concludes that the PRA has had a marked effect in safeguarding the right of sex workers to refuse particular clients and practices, chiefly by empowering sex workers through removing the illegality of their work."²³

²² Levy, J (2011) “Impacts of the Swedish Criminalisation of the Purchase of Sex on Sex Workers”

²³ Report of the Prostitution Law Review Committee on the Operation of the Prostitution Reform Act 2003 <http://www.justice.govt.nz/policy/commercial-property-and-regulatory/prostitution/prostitution-law-review-committee/publications/plrc-report/executive-summary>

The Prostitution Reform Committee also noted that there had been little impact of decriminalisation on the numbers of people working in the sex industry; and that sex workers were now more likely to report incidents of violence to the Police. Furthermore, the Committee did not consider the PRA has increased under age involvement in prostitution and found that the passage of the PRA has raised awareness of the problem of under-age prostitution, which was recognised by the Committee as a positive consequence²⁴. These positive outcomes of decriminalisation should be noted in this debate alongside other international experts on sex work that have recently joined a growing stage of those recommending this approach. As noted in the recent Lancet Series, decriminalisation of sex work is not the same as legalisation of sex work. Decriminalisation of sex work applies to laws that criminalise adult consensual sex and related activities, including laws criminalising sex work; buying, soliciting, or procuring; brothel-keeping and management of sex work; and vagrancy, loitering, and public nuisance that are also used to target sex workers or clients. The objective of legalisation is containment, control and taxation of sex work, whereas the objective of decriminalisation is to uphold human rights and the occupational health and safety of sex workers. Decriminalisation does not repeal laws against trafficking, child sexual exploitation, or other forms of violence.²⁵ NSWP strongly recommends that this Bill is not accepted in its current form and dialogue should be reopened that meaningfully includes sex workers and respects international expert guidance that recommends the decriminalisation of sex work. An alternative Bill should be developed that engages with the specific provisions of the Prostitution Reform Act passed in New Zealand in 2003.

In summary to this Brief, NSWP wishes to make clear that there is no conclusive evidence to suggest that legal measures implemented as part of an “end demand” approach to sex work have eliminated or significantly reduced sex work in the jurisdictions where this approach has been translated into law. This highlights a significant flaw in the “end demand” approach that underpins this proposed Bill in Canada. The available evidence suggests instead that such measures increase repression, marginalisation and state-endorsed violence towards sex workers; all contributing to the ongoing and systematic human rights violations of sex workers. Far from being a health and human rights-based approach to sex work, this proposed legal framework will undoubtedly infringe upon the rights and safety of sex workers in Canada. Furthermore, as stated by one of the world’s leading medical journals, The Lancet, ‘Prostitution should be decriminalised to protect the health of sex workers’ and as a public measure to reduce the risks of HIV and other diseases amongst sex workers. By failing to recognise this evidence, the Canadian Government will not only be failing sex workers in Canada in relation to health and human rights, but will be impeding the global effort to halt the HIV epidemic.

NSWP exists to uphold and amplify the voice of sex workers globally, and connect regional networks advocating for the rights of sex workers of all genders. We have a growing membership of over 210 sex worker-led organisations in over 70 countries worldwide.

²⁴Report of the Prostitution Law Review Committee on the Operation of the Prostitution Reform Act 2003 <http://www.justice.govt.nz/policy/commercial-property-and-regulatory/prostitution/prostitution-law-review-committee/publications/plrc-report/executive-summary>

²⁵ The Lancet ‘HIV and Sex Work’ <http://www.thelancet.com/series/HIV-and-sex-workers>