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# **NSWP CONSENSUS STATEMENT ON SEX WORK, HUMAN RIGHTS, AND THE LAW**

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The NSWP Consensus Statement outlines fundamental rights for all sex workers and sets out the proactive measures governments and responsible authorities must take to fulfill and protect these rights.

This document summarises the 8 rights included in the Consensus Statement alongside images created by Molly Hankinson.



**Global Network of Sex Work Projects**  
Promoting Health and Human Rights

# NSWP CONSENSUS STATEMENT ON SEX WORK, HUMAN RIGHTS, AND THE LAW

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**ALL NSWP MEMBERS ENDORSE THE CONSENSUS STATEMENT WHICH IS GUIDED BY NSWP'S CORE VALUES:**

- 1** Acceptance of sex work as work.
  - 2** Opposition to all forms of criminalisation and all other legal oppression of sex work (including sex workers, clients, third parties\*, families, partners and friends).
  - 3** Support self-organisation and self-determination of sex workers.
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The following 8 human rights have been recognised and ratified by most countries as fundamental human rights.

Sex workers are rights holders and are entitled to these human rights: they are established in various international human rights treaties, as well as national constitutions. How these human rights are respected and protected depends on the local, national, and regional contexts: these fundamental rights are commonly accepted as those that governments are obligated to protect.

NSWP and other social justice groups argue that states are responsible to proactively protect fundamental rights and take measures that will help to protect, respect, and fulfil these rights for all.

The strategies used to fight for sex workers' rights may differ but sex workers' human rights in every country around the world remain the same.

\*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.

# 1 RIGHT TO ASSOCIATE AND ORGANISE



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Criminalisation and legal oppression make it unsafe or illegal for sex workers to form associations and undertake advocacy, peer support, and service provision, establish trade unions for collective bargaining or improving working conditions.

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## 2 RIGHT TO BE PROTECTED BY THE LAW



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Sex workers do not receive equal treatment before the law. They do not get the same protections from employment laws granted to other workers, are a target for arbitrary or unlawful arrest, detention, deportation, exploitation, and violence. They lack access to justice and are a target for discriminatory treatment.

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# 3 RIGHT TO BE FREE FROM VIOLENCE



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Criminalisation and stigma expose sex workers to violence both on a personal and institutional level, meaning they are more vulnerable to acts of violence, and perpetrators can act with impunity. It is difficult for sex workers to report acts of violence, or be taken seriously. They face mandatory testing and treatment, or forced rehabilitation.

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# 4 RIGHT TO BE FREE FROM DISCRIMINATION



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Sex workers are frequent targets of discrimination by civil society, states, and other authorities and social systems: forced registration, anti-trafficking laws, forced evictions, unequal treatment in family law, court proceedings, and treatment in prison, discrimination within employment, health services and access to justice.

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# 5 RIGHT TO PRIVACY AND FREEDOM FROM ARBITRARY INTERFERENCE



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Sex workers' right to privacy is often violated due to mandatory registration laws and medical interventions. Raids on sex workers' homes and the confiscation of sex workers' personal property, disclosure of private information, including health test results, violate sex workers' right to privacy.

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# 6 RIGHT TO HEALTH



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Criminalisation and the legal oppression of sex workers reduce their access to information, health services, and the ability to negotiate safe sex practices. Condom possession used as evidence of criminal activity, lack of access to health services, including affordable HIV testing, prevention, treatment and care, violate sex workers' right to health.

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# 7 RIGHT TO MOVE AND TO MIGRATE



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Migrant sex workers are even more vulnerable to abuse and exploitation due to restrictive migration legislation and anti-sex work policies. Sex workers lack access to legal channels of migration, and are often turned away from borders, deported, or removed and denied the right to work in a country.

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# RIGHT TO WORK AND FREE CHOICE OF EMPLOYMENT



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In most countries, sex work is not legally recognised as work, which restricts sex workers' ability to be recognised as workers with human and labour rights, and can lead to unsafe and exploitative working conditions.

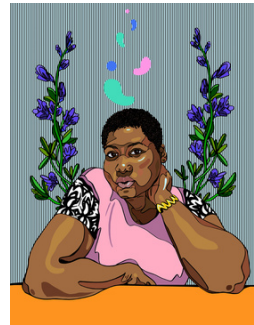
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# A NON-EXHAUSTIVE LIST OF PROACTIVE MEASURES TO REALISE & RESPECT THESE RIGHTS:

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- 1 Recognise sex work as work and include it within international labour standards and as part of the Decent Work Agenda.
  - 2 Repeal all laws that criminalise, oppress or penalise sex work, sex workers, clients, third parties, families, partners and friends of sex workers.
  - 3 Meaningfully involve sex workers on issues that affect their lives, and recognise them as experts.
  - 4 Provide funding and support for sex workers to mobilise, organise, and establish sex worker-led, comprehensive and accessible services.
  - 5 Provide access to justice, health and social services, and legal migration channels.
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## Read the full Consensus Statement:

[www.nswp.org/resource/nswp-consensus-statement-sex-work-human-rights-and-the-law](http://www.nswp.org/resource/nswp-consensus-statement-sex-work-human-rights-and-the-law)

