

THE IMPACT OF ANTI-TRAFFICKING LEGISLATION AND INITIATIVES ON SEX WORKERS

Due to conservative and anti-immigration ideologies, the conflation of sex work and trafficking persists with disastrous consequences. This dominant discourse is led by organisations in the global north, while women in or from the global south are perpetually victimised and made vulnerable by it.



'Rescue' initiatives often result in arrests of sex workers and forced 'rehabilitation', deportation or imprisonment.



Forcing the industry underground makes it more dangerous for sex workers and prevents sex worker-led efforts to improve working conditions.



Increased criminalisation of sex workers' clients and third parties leads to increased isolation and vulnerability to exploitation among sex workers.



Invasion of sex workers' privacy, including raids on their homes, confiscation of personal property, and disclosure of private and confidential health test results without consent.



Discriminatory immigration laws and visa conditions increase the vulnerability of migrants who decide to engage in sex work.



Indiscriminate raids on sex workers' workplaces do not effectively identify victims of trafficking, waste resources, and expose both sex workers and victims of trafficking to arbitrary detention, deportation and imprisonment.

These consequences result in dangerous working conditions, increased stigma and discrimination and violence against sex workers.

Sex workers' rights are human rights.

Their violation must not be viewed as acceptable collateral damage in the course of anti-trafficking work.

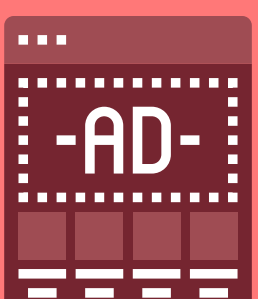


RECOMMENDATIONS:

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Immediately end rescue raids and forced 'rehabilitation' programmes.

Such programmes outside the context of sex work have long been recognised as a human rights violation. They must be replaced with voluntary, person-centred services that address the diverse economic, legal and health needs of sex workers.



End prohibition of sex work advertising.

It increases sex workers' reliance on third parties to find clients, and disrupts sex worker screening practices, increasing their vulnerability to exploitation, violence, and HIV.

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3

Take a worker-centred and human rights-based approach to preventing trafficking and exploitation in the sex industry.

Anti-trafficking frameworks based on criminalisation lead to human rights abuses. They fail to address the root causes which create vulnerability to trafficking in the first place - poverty, isolation, gender inequality etc.



Recognise trafficking, sex work, and migration as distinct phenomena.

These conflations produce anti-trafficking measures that further stigmatise, criminalise, and isolate both sex workers and migrants.

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Decriminalise all aspects of sex work.

Criminalisation creates structural barriers and promotes marginalisation that increases vulnerability to exploitative work conditions.



Meaningfully involve sex workers in the development of anti-trafficking policy, legislation, and initiatives.

While workers in other industries, including victims of trafficking, are increasingly included in the shaping of anti-trafficking policy, sex workers continue to be systematically excluded.

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Fund sex worker-led organisations to develop and expand their work to address trafficking and exploitation in sex work.

Such programmes would include labour organising, economic empowerment, social protection, legal services, and psychological support.



Increase sex workers' access to safe, legal, and equitable channels for work-related migration.

Discriminatory immigration laws often make regular migration impossible for sex workers.

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To learn more, read NSW's Policy Brief: The Impact of Anti-trafficking Legislation and Initiatives on Sex Workers www.nswp.org/resource/nswp-policy-briefs/policy-brief-the-impact-anti-trafficking-legislation-and-initiatives-sex or at <http://bit.ly/at-impact>



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