

STEPPING UP TO THE EVIDENCE ON HIV AND SEX WORK: DECRIMINALISE SEX WORK NOW!



SEX WORKERS AT AIDS 2014





PO Box 2167
Strawberry Hills NSW 2012
Australia



+61 2 9690 0551
info@scarletalliance.org.au
www.scarletalliance.org.au

Contents

Foreword	2
Executive summary	3
Background	5
Barriers to Sex Worker Participation	6
Left Behind Again	7
Advocating for Meaningful Inclusion	7
Stepping Up	8
Decriminalisation of Sex Work	12
Decriminalisation reduces HIV transmission; Criminalisation leaves us behind	18
Sex Worker Pre-Conference	25
Sex Worker Networking Zone	27
Global Village	35
Main Conference	37
Community Mobilisation March	42
Candlelight Vigil	43
Direct Action	44
Andrew Hunter Memorial	46
1. Biomedical developments	49
Summary of issues	52
2. Stigma and discrimination	54
Summary of issues	57
3. Human Rights issues including criminalisation of HIV and sex work	59
Summary of Issues	63
4. Migration and Mobility	65
Summary of Issues	69
5. Funding	72
Summary of Issues	73
Recommendations	78
Acknowledgements	79



#AIDS2014

DECRIMINALISE
SEX WORK
NOW!!

Twitter: @scalliance www.scalliance.org.au

Foreword

On behalf of Scarlet Alliance I am pleased to present, 'Stepping Up to the Evidence on HIV and Sex Work; Decriminalise Sex Work Now!' sex workers at AIDS 2014 report including outcomes from the Sex Worker Pre-Conference.

There are so few resourced opportunities for sex workers to come together in the Asia Pacific region or globally but when we have the chance I always leave inspired. I am inspired by sex worker communities and what we can achieve together. But I also leave disappointed that while the evidence is in on what will have the greatest impact on HIV amongst sex work communities, that is the decriminalisation of sex work, it continues to be lost under vague phrasing or completely left out of the outcomes. What we need and what would work for sex workers is left behind. Not by sex worker activists who continue the fight back in our countries but seemingly by everyone else.

The sex worker presence was strongly felt at AIDS 2014 as this report shows. Many remarked on the visibility of the red umbrellas, the vibrancy of our communities networking zones, the level of engagement and willingness to discuss and debate, our media presence, the diversity of our communities and when we given the opportunity the strong, thoughtful and well articulated analysis by sex workers on the podium.

As sex workers, sex worker activists and sex worker community members, we are familiar with taking up the few opportunities that come our way after extensive advocacy, and extending or stretching those opportunities to make our presence felt. However, our ability to do so much with so little doesn't take away from the challenge that AIDS 2014 in Melbourne has highlighted.

Whether it's an IAS conference, as this one was, or another international or regional AIDS Conference, sex workers must be central to determining future directions, policy and programs. While this centrality is widely espoused and recognised, current structures and approaches seem to continue to find it unachievable.

How do structures like the IAS develop processes, flexibility and undergo the significant shift and change necessary to ensure that rather than a tokenistic involvement, sex worker communities are truly central to the response to HIV. Along with other affected communities and people living with HIV, sex workers should be the key note speakers, should be invited to provide analysis on current and future prevention approaches, and the planning of where the next conference should be to ensure our communities are not left behind. Affected communities provide the experiences and context that is essential to progressing responses to HIV.

Evaluation has demonstrated significant shortfalls in the percentage of abstracts accepted for sex worker speakers at previous conferences and this was no different. What needs to change to tip the framework upside down? To ensure that we don't rely on ad hoc processes with a couple of individuals being selected by a funder to liven up their panel. Instead abstracts by sex workers should make it through the review process because the system gives merit to sex worker voices and analysis being heard on every panel and that when the list of essential delegates is developed sex worker names are on the list.

This report is an important contribution as we as sex workers document our achievements alongside the problems and create a platform for our voices and our community's voices to be heard clearly above the hype. As you review the report I hope you will consider the initiative and major effort by each sex worker that made it to the conference with many self funding to attend, camping out at immigration offices to push along visa applications, pooling and sharing resources and against the odds coming out with such essential contributions.

Regards,
Janelle Fawkes,
Chief Executive Officer

SOLICITING FOR CHANGE

Executive summary

This report pulls together the key themes and issues on sex work from the 20th International AIDS Conference (AIDS 2014) held during July, 2014 in Melbourne, Australia. Quotes, summaries and highlights of sex worker sessions, workshops, performances and actions have been included to showcase the sex worker perspectives and responses to key issues relating to HIV, human rights and sex work. Included are the '[Sex Worker Consensus Statement](#)' developed and agreed to by over 100 workers from 30 different countries who attended the sex worker pre-conference at AIDS 2014.

Consistent themes and priorities emerged throughout the Sex Worker Pre-Conference, the Sex Worker Networking Zone, and the main conference at AIDS 2014. Sex workers were clear about the need for decriminalisation of sex work. Importantly this year the consistent and coherent call for the full decriminalisation of sex work by sex workers was supported at the conference by research presented as part of the Lancet edition on 'HIV and sex workers' and resulted in key commitments made by parliamentarians at the conference to support changes to legal frameworks. Other key themes were around the human rights violations against sex workers that are a key concern and remain a major barrier for sex worker in protecting our rights, health and safety at work, impacting on HIV responses. Criminalisation is still pervasive and used actively against sex workers including criminalisation of our serostatus; our sexuality, sex and gender identity; our work, workplaces and our clients. Stigma and discrimination by services, society and in policy and practice continues for sex workers globally. Of great concern is the use of anti-trafficking as a means to further criminalise sex workers by restricting our freedom of movement. Anti-trafficking approaches have been used to promote a victim narrative that does not recognise the autonomy of sex workers and has been used to legitimise 'rescue and rehabilitation' approaches to sex work and shift away from approaches that see sex work as work and seek to progress our labour and migration rights.

With the current emphasis on biomedical prevention, sex workers are concerned that funding towards biomedical approaches will be taken from sex worker led community interventions and empowerment based prevention that is cost effective and works. Sex workers say that the impact of stigma, discrimination and legal barriers for sex workers are still so significant that unless we resolve those issues first, through the full decriminalisation of sex work, test and treat or treatment as prevention are abstract concepts that have no meaning for sex workers but will divert resources away from approaches that we know work.

Within these substantial restrictions sex workers have continued to work together and employed empowerment based responses that have helped overcome these barriers. However, despite the mounting evidence of the success of sex worker led, rights based responses to HIV, health and human rights, funding remains a major issue for sex worker communities globally. It has been reported that spending globally on HIV has reached record levels, but expenditure on sex worker programs has continued to decrease. In 2009, UNAIDS estimated less than one percent of global funds for HIV prevention was spent on HIV and sex work (UNAIDS, 2009). Included in the less than one percent are the programs targeted at us and not by us. Creating a rights-based environment where we can protect ourselves against HIV, have access to HIV prevention, quality voluntary testing, treatment and care is the most effective way to tackle the HIV epidemic amongst sex workers and within the wider community.

Despite these significant challenges, sex workers continue to organise and work together towards recognition of our health, rights and safety, the recognition of the legitimacy of sex work as work and towards the full decriminalisation of sex work.

UNAIDS 2009. UNAIDS Guidance Note on HIV and Sex Work. http://www.unaids.org/sites/default/files/sub_landing/files/JC2306_UNAIDS-guidance-note-HIV-sex-work_en.pdf





Background

AIDS 2014 is a biennial meeting for anyone researching, working in, and importantly anyone affected by or living with HIV. The stated aim is to bring together diverse communities, including academics, researchers, medical professionals, policy makers, governments, activists, advocates, people living with HIV (PLWHIV) and members of key affected communities, to share experiences, expertise, and strategies to optimise HIV prevention, care, treatment and support and progress the global HIV response. The program, sessions and events are intended to provide opportunities to raise awareness of the issues facing the global HIV response and create constructive dialogue on challenges.

The conference objectives, principles and values recognise the crucial role of affected communities in achieving effective, sustainable responses. Significantly, the conference recognises that solutions require meaningful participation and partnerships with affected communities.





"The voices of sex workers and sex worker organisations are still marginalised. Is the right to health able to develop independently from other interests? HIV prevention is not able to develop independently from the human rights of sex workers. I think it is impossible."

"People always forget that I am a human rights defender, they just remember that I was a sex worker. I want to be remembered as a sex worker, but I know that my identity will be remembered, but my contribution will be ignored"

I hope more human rights organisations, human rights defenders, as well as women's organisations can stand together with us."

– Ye Haiyan, China, 'Sex Workers are Human Rights Defenders'

Ye had planned and prepared to join sex workers from around the world at the Sex Worker Pre-Conference and to present at the opening of the Sex Worker Networking Zone on the current context in China for sex work, HIV, human rights and activism. Just days before the conference, Ye had her passport seized by the Chinese Government and was blocked from leaving China to attend AIDS 2014. Although unable to physically attend, Ye refused to be silenced and her presentation and speech was read out by APNSW Coordinator Kaythi Win.

Barriers to Sex Worker Participation

The IAS [Melbourne Declaration 'Nobody Left Behind'](#) focuses on inclusion and non-discrimination as "fundamental to an evidence-based response to HIV and effective public health programmes." It demands (among other things) that governments "repeal repressive laws and end policies that reinforce discriminatory and stigmatizing practices that increase the vulnerability to HIV, while also passing laws that actively promote equality."

However, holding the conference in Australia raised considerable concerns for community participants. The 2014 conference's declaration theme responded in part to the widespread exclusion of sex workers and drug users who risked being denied entrance at the US border to attend IAC 2012 held in Washington, DC as a result of discriminatory US entry and visa restrictions. The IAC stated that for AIDS 2014, "Crucially there is the need to involve KAPs and address the stigma and discrimination which they face, including punitive government policies."

Some of Australia's immigration policies present significant barriers for communities, particularly sex workers and drug users, attending the AIDS conference in Australia. Previous conferences and cases demonstrated that racial profiling, anti-trafficking stereotyping, and singling out of sex workers had occurred. These concerns were raised with the conference organisers prior to the conference.

Access to visas is a substantial barrier for sex workers in general but also for sex workers seeking to attend the conference. For many delegates coming from countries that criminalise and often impose significant sentences for sex work, drug use, sexual orientation, sex and/or gender diversity and activism, the visa requirements can prohibit entry to Australia. There are a range of other prohibitive requirements (such as proof of income and proof of employment) that for many sex workers are not possible even if their attendance was sponsored by an organisation. Despite assurances that these would not be issues for attendees to the conference, some sex worker activists were denied visas to Australia.

Left Behind Again

Of further disappointment for affected communities was the large number of sex workers who had been refused abstracts and scholarships to attend the conference. This meant that there was a likelihood of poor representation of sex worker issues at the main conference. Scarlet Alliance, along with Asia Pacific Network of Sex Workers (APNSW) and Global Network of Sex Worker Projects (NSWP), advocated for sex worker inclusion in the main program with limited success.

Until just a couple of months before the conference, it seemed there would be no sex worker pre-conference. Pre-conference events for affected communities are an important component of civil society preparation, yet despite many months of advocacy and lobbying, it seemed no one was stepping up to ensure sex workers were not left behind again.



Advocating for Meaningful Inclusion

Scarlet Alliance along with APNSW and NSWP as local, regional and global representatives of sex workers and sex worker organisations worked together to raise awareness about the pressing issue of severely limited opportunities for sex worker inclusion, representation and participation to the conference. Three key issues presented ongoing challenges for sex worker attendance and participation in the lead up to AIDS 2014. This was due to the impacts of three key factors:

1. No sex worker scholarship fund: previous international conferences have included a scholarship fund and other mechanisms specifically to facilitate sex worker attendance at the conference. However, none of them were available for AIDS 2014 and it appeared that sex worker attendance would be very limited.
2. Barriers to accessing IAC scholarships: while the IAC scholarship process did include some sex workers, this fund is very competitive. As has been the case with previous AIDS conferences, the representation of sex workers in the scholarships awarded have been very low. At AIDS 2012, out of the 851 awarded scholarships, only 24 were sex workers. There are significant barriers to sex workers accessing scholarships, especially for sex workers from non-English speaking backgrounds. At the very least mechanisms must be in place to support communities accessing the IAC scholarship processes. An outcome of the evaluation from AIDS 2012 was the notable underrepresentation of sex workers in the delegate and speaker profiles. A suggestion for improvement for AIDS 2014 was to "make sure that the conference is attended by key affected populations". Sex workers were nominated as the population who should be given priority in the selection of future scholarships in the evaluation of AIDS 2010, however this was again de-prioritised in 2012 and 2014.
3. No sex worker pre-conference meeting: pre-conference events for affected communities are an important component of civil society preparation. Until just a couple of months before the conference it seemed there would be no sex worker pre-conference. Without a pre-conference sex worker input and representation to AIDS 2014 would have been heavily impacted.



Stepping Up

The conference theme "Stepping Up the Pace" acknowledged the crucial need to involve key affected populations to advance the commitment, policy and practice aimed at ending the epidemic. Yet again it seemed that sex workers were being left behind.

Fortunately thanks to the sponsorship by the Australian Department of Health we were able to move forward with the Sex Worker Pre-Conference. This was especially crucial given that the numbers of sex workers attending the conference was likely to be very low so the need to consolidate and coordinate our advocacy became even more crucial. The Department of Foreign Affairs and Trade supported a small group of sex worker representatives from prioritised countries in the Asia Pacific region to attend.





www.scarletalliance.org.au

**DECRIMINALISE
SEX WORK**

**HEALTH
FOR OUR SAFETY &
RIGHTS**

PHOTO BOOTH

A main theme of sex worker participation in the pre-conference and the main conference was the call for decriminalisation of sex work.

The critical importance of decriminalisation to effective HIV responses was a resounding statement that was supported by research presented at the conference showing that globally decriminalisation of sex work would have the greatest impact on the course of HIV epidemics", averting 33-46% of HIV infections in the next decade.

Visitors to the Sex Worker Networking Zone demonstrated their support for the full decriminalisation of sex work, our clients and our workplaces by posing with feminist porn star Zahra Stardust in Scarlet Alliance's

'Decriminalise Sex Work Now!!'
photo booth.

**DECRIMINALISE
SEX WORK
NOW!!**

Twitter: @scarletalliance www.scarletalliance.org.au

Zahra Stardust xxx

We Support



**DECRIMINALISE
SEX WORK**
HEALTH
**FOR OUR SAFETY &
RIGHTS**



Decriminalisation of Sex Work



**IF YOU CRIMINALISE
SEX WORK
OUR WORKPLACES
OUR CLIENTS
YOU CRIMINALISE US!**

www.scarletalliance.org.au



HOW MUCH COULD HIV INFECTIONS BE AVERTED?

DECIMINALISING SEX WORK



33-46% reduction¹

SAFER WORK ENVIRONMENTS



21-45% reduction¹

SCALE-UP OF ANTI-RETROVIRAL THERAPY



9-34% reduction¹

ELIMINATION OF SEXUAL VIOLENCE



17-20% reduction¹

*modelled potential improvements in reducing HIV among female sex workers and clients within a decade

The Lancet released a Special Theme Issue on HIV and sex workers at AIDS 2014 that determined decriminalisation of sex work would have “the greatest effect on the course of HIV epidemics” across the world. The third in the series of *Lancet* special theme issues, the edition brought together scientists, researchers, clinicians and sex workers to investigate barriers and facilitators to HIV prevention, treatment and care amongst sex workers. The six papers in the series included sex workers as authors on all papers and cover epidemiology and structural determinants of HIV among female sex workers; combination prevention for female sex workers; community empowerment approaches to the HIV response among sex workers; human rights violations against sex workers; male sex workers; and HIV risk and preventive interventions in transgender women sex workers, with a further 5 commentaries on issues and responses to HIV for sex workers who use drugs, young sex workers, the impact of trafficking interventions on sex work and HIV, dispelling myths about sex workers and the need to bring sex workers to the centre of the HIV response. The series ends with a clearly defined agenda for action to halt and reverse the HIV epidemics among sex workers.

“Decriminalisation of sex work could have the largest impact on the course of HIV epidemics across all 3 settings (with different epidemic settings and history of interventions) averting 33-46% of incident HIV infections over next decade among female sex workers and clients. Findings confirm calls for multi-pronged structural and community-led interventions, alongside biomedical, to reduce HIV burden and promote human rights for sex workers globally.”

The Editor-in-Chief of the Lancet Richard Horton, who moderated the session, began with acknowledging that *“even at this conference individuals from this community have been prevented from leaving their own countries to attend.”*

Common themes echoed across many of the Lancet presentations. The research base on sex work and HIV risk is inadequate especially for male sex workers and transgender women sex workers. Major gaps in the research literature hinder responses in countries with the highest HIV burdens—in Africa, across Russia and in Eastern Europe. Structural interventions are critical to reduce HIV risk with the decriminalisation of sex work having the strongest impact on reducing HIV risk in both generalised and concentrated epidemics. Violence is pervasive in the lives of sex workers and at least half of the violence is promulgated by law enforcement actors. Community empowerment, sex worker mobilisation and supportive work environments reduce HIV risk for sex workers. Community empowerment is not an intervention but an approach that coordinates interventions and services within a human rights framework. Sex work and sex trafficking are distinct, and their conflation hampers community empowerment. Decriminalisation and other evidence-based interventions along with community empowerment would be cost-effective and cost-saving, benefiting the general population.

All papers highlighted that criminalisation of sex work increases HIV risk and that decriminalisation of sex work and sex workers is essential to reduce HIV risk among sex workers. They all identified violence, especially from police, and both the disproportionate burden of HIV and lack of access to treatment, prevention, care and support for sex workers. The papers all stated that the decriminalisation of sex work and sex worker led interventions would substantially and effectively combat these issues. The series highlights the significant lack of funding globally for HIV programming for sex workers, in particular for rights-based sex worker-led programs despite pervasive evidence of its success.



Male sex work is complex, influenced by an increasingly global world and versatile communication technologies....The majority of epidemiologic and HIV prevention studies on men who sell sex are actually focused on gay men and other men who have sex with men. Men who sell sex are not necessarily sexually attracted to men, and may or may not identify as gay or bisexual. Most studies report regular female partners or even heterosexual families. Adapting gay/bisexual community-driven HIV prevention approaches for men who sell sex many have limited value." - Stefan Baral, United States, The Lancet Special Theme Issue on HIV and Sex Workers, 'Male sex workers'

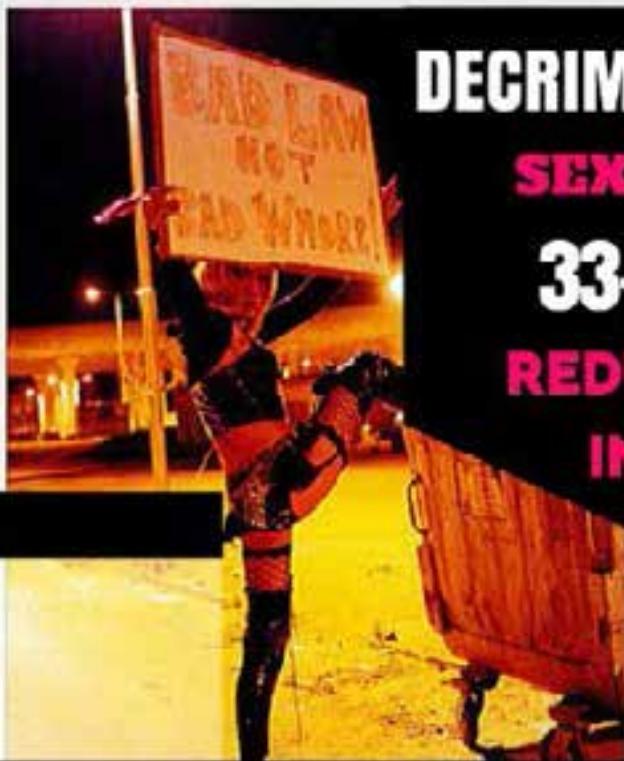
"A number of previous individual evaluations of community empowerment efforts have found significant associations between this approach and reductions in HIV risk among sex workers. Recent mathematical modelling has indicated that comprehensive, community empowerment based responses among sex workers can significantly reduce HIV incidence among BOTH sex workers AND the general population. However, despite this encouraging evidence, to date, investment in this approach has been relatively limited." - Deanna Kerrigan, United States, The Lancet Special Theme Issue on HIV and Sex Workers, 'Community empowerment-based HIV prevention among sex workers: effectiveness, challenges, and considerations for implementation and scale-up'

"Although limited, the current evidence suggests that the best interventions are those that address multi-level risks, including structural barriers as well as behavior change. They are grounded in community empowerment and best led by transgender sex workers." - Tania Poteat, United States, The Lancet Special Theme Issue on HIV and Sex Workers, Sex work among transgender women: HIV risk, prevention, and interventions

THE LANCET

HIV and sex workers • July, 2014

www.thelancet.com



**DECRIMINALISING
SEX WORK
33-46 %
REDUCTION
IN HIV**

Published July 2014

**HIV and
SEX WORK**
SPECIAL EDITION AIDS2014

"Globally, the most salient challenges included regressive discourses emphasizing the rescue and rehabilitation of sex workers and the conflation of sex work and the issue of human trafficking. Additionally, donor investment and funding conditions were found to limit the ability of sex worker groups themselves to receive and manage financial resources, impeding broader community empowerment efforts among sex workers. At the national level, laws criminalising sex work and associated behaviors, police harassment, and poor access to HIV, health and other services and benefits have hampered empowerment efforts. And at the community level, our review documented the significant impact of stigma, discrimination and violence against sex workers limiting their ability and motivation to engage in community empowerment initiatives. In response, sex workers have organised, formed groups, organisations and networks to advocate for their rights. They have sought inclusion in policy and planning processes at all levels. They have trained police and health care providers and they have built sustainable grass roots initiatives and forged relationships with key stakeholders across settings including with both governmental and non government allies and partners." - Deanna Kerrigan, United States, *The Lancet Special Theme Issue on HIV and Sex Workers, 'Community empowerment-based HIV prevention among sex workers: effectiveness, challenges, and considerations for implementation and scale-up'*

*"We reviewed evidence from more than 800 studies and reports on the burden and HIV implications of human rights violations against sex workers.... Such violations directly and indirectly increase HIV susceptibility, and undermine effective HIV-prevention and intervention efforts. ...Abuses occur across all policy regimes, although most profoundly where sex work is criminalised through punitive law. Protection of sex workers is essential to respect, protect, and meet their human rights, and to improve their health and wellbeing. Research findings affirm the value of rights-based HIV responses for sex workers, and underscore the obligation of states to uphold the rights of this marginalised population." – Michele Decker, United States, *The Lancet Special Theme Issue on HIV and Sex Workers*, 'Human rights violations against sex workers: burden and effect on HIV'*

*"Efforts to improve HIV prevention and treatment by and for people who sell sex can no longer be seen as peripheral to the achievement of universal access to HIV services and to eventual control of the pandemic. We must do better, and we can." - Chris Beyrer, *The Lancet Special Theme Issue on HIV and Sex Workers**



*"There is a critical need for structural change to have major impact on HIV response in sex work. The decriminalisation of sex work; elimination of violence, police harassment; safer work environments. Major gaps in coverage and equitable access to HIV prevention and treatment for female sex workers (and dearth of data) – scale-up must occur in tandem with structural change and sex worker-led efforts." - Steffanie Strathdee, United States, *The Lancet Special Theme Issue on HIV and Sex Workers*, 'The global epidemiology of HIV among female sex workers: structural determinants'*

"Effective HIV prevention interventions for female sex workers have not been taken to scale in most parts of the world. Stigma and criminalization form barriers to existing effective interventions. Female sex workers prevention packages MUST include sex workers in design and implementation. Newer biomedical technologies should be additive to and not replacements for established interventions... Tailored combination prevention interventions for female sex workers are likely to have greatest benefit for sex workers, clients and the wider population."

*-Linda-Gail Bekker, South Africa, *The Lancet Special Theme Issue on HIV and Sex Workers*, 'New prevention and treatment approaches facing old challenges: fulfilling the promise for sex workers'*

Need for
Law Reform



Decriminalisation reduces HIV transmission; Criminalisation leaves us behind

Decriminalisation is essential to improving the health, safety and human rights of sex workers. Evidence from places where sex work is decriminalised (such as New Zealand and New South Wales, Australia) reveals that labour rights for sex workers increases access to HIV and sexual health services and encourages condom use. Decriminalisation has resulted in low STI rates and low or non-existent HIV transmission in the sex work context. In contrast, there are higher rates of HIV in countries where sex work is criminalised. A number of studies have found laws against sex workers and sex work increase vulnerability to HIV by increasing stigma and discrimination, limiting access to health services and condoms and generally having a negative impact on sex workers' self determination and ability to make informed choices.

Removing criminal laws is essential, but it is not enough to prevent sex workers from being arrested, abused, harassed and mistreated by police and military. Laws are different in each country and even in each state/ or territory within countries. Sex workers are affected by many different laws and policies aimed at preventing or regulating sex work.

This may include:

- Criminal or punitive laws that make all or some parts of sex work illegal, such as criminalisation of clients and anti-trafficking laws;
- Regulations, civil and administrative regulations, local council regulations, decrees, executive orders, and local ordinances and policies, such as loitering, public offences and indecency;
- Laws or traditional practices around the 'protection' of morality, culture, and religion, such as sharia laws, laws against 'sodomy', 'sex against the order of nature' and adultery;
- Public health laws such as the detention of sex workers living with HIV or other STIs.

Sex workers face a range of issues that can transcend the culture or the legal status of sex work. Law enforcement and others in positions of power act in ways that have a negative impact on sex workers. Written laws and policies do not always reflect the actions of law enforcement and health officials. For example, in many countries the possession of condoms or money is assumed by police to be proof of sex work. Sex workers are regularly targeted for arrest and prosecution, resulting in barriers to accessing health care, services, support, testing, treatment, carrying condoms and justice.

In their 2012 report *Sex Work and the Law in Asia and the Pacific*, UNAIDS, UN Population Fund and UN Development Program found that "Positive public health and human rights outcomes have been achieved in jurisdictions that have decriminalized sex work."

UNAIDS, UNFPA, UNDP, *Sex Work and the Law in Asia and the Pacific*, 2012, UNDP Thailand, accessed at <http://www.snap-undp.org/elibrary/Publications/HIV-2012-SexWorkAndLaw.pdf> on 23 October 2012, page 6.



Photo by P.J. Starr



"A lot of the work of Rose Alliance is in supporting each other because of the isolation brought about by the laws (Swedish model). Sex workers who refuse to state they are victims or renounce sex work are accused of suffering 'false consciousness'. Sex workers are sent to sex worker rehab services or 'Prostitution Support Services'. You need to be 'off' sex work for 5 years to be considered to be in a good mental health place. - Carina Edlund, Rose Alliance, Sweden, 'Legal & enabling environments impact on sex workers': Scarlet Alliance, Rose Alliance, NZPC, SWOP NSW & friends

"Positives of decriminalisation have included being able to get police assistance if required. In NSW there have been cases where police assisted a sex worker to get unpaid wages from a brothel owner and a case where a client who was pretending to be a police officer, was dealt with by the police.

Decriminalisation has also meant that a peer based sex worker organisation such as SWOP can lobby government and other organisations to seek changes and services." - Kylie Tattersall, SWOP NSW, Australia, 'Legal & enabling environments impact on sex workers': Scarlet Alliance, Rose Alliance, NZPC, SWOP NSW & friends

"Since 2003 sex work was decriminalised in New Zealand to protect sex workers. Under decriminalisation in NZ the laws allow working in brothels with others, sex workers can work privately alone or collectively with up to 4 workers being able to work together and street based sex work is also permitted. Police can't arrest you for being a sex worker, selling sex or running a sex industry business.

There are OH&S guidelines and employment contracts in sex industry establishments and sex workers can't be fired without reason. As sex work is decriminalised there are protections specific to the occupation of sex work- as there would be for other legal occupations such as sex workers can say "no" to sex any time for any reason; we can say no with any client; brothel owners can't force you to have sex, sex workers can resign and go straight onto government unemployment benefits within 2 weeks (versus 13 weeks wait that is usual for people seeking to get onto benefits).

Importantly, unlike legalisation, decriminalisation in NZ means there is no mandatory sexual health tests and no forced testing or mandatory registration. Sex workers do have to pay tax however and the Taxation Office is active in pursuing taxes. Paying taxes does enable sex workers to have an official record of earnings for getting loans, real estate and credit cards. On the down side stigma still exists and there are still groups that try to create sex workers as "victim" that misinterpret all the results of sex work studies. It is not illegal to be a sex worker if you're under 18 – but it is illegal for clients to pay you and brothel can't employ you and young sex workers can still access complaint mechanisms without being criminalised." - Calum Bennachie, NZPC, New Zealand, 'Legal & enabling environments impact on sex workers': Scarlet Alliance, Rose Alliance, NZPC, SWOP NSW & friends



"The communicating laws are used against mostly street based sex workers, homeless black, indigenous and poor people. The serial killing of sex workers in Vancouver was a turning point that highlighted systemic incompetence and police incompetence. This sparked a commission of inquiry that found criminalisation of sex work was a major contributing factor". -Anna Louise Craig, Canada, 'Legal Frameworks Governing Sex Work and their Impact on Sex Workers; Recent Developments or Advocacy Campaigns in Response' Human Rights Networking Zone



"Currently sex workers in Uganda experience extreme levels of violence from the police. The 'Anti-pornography Act' controls what sex workers are permitted to wear, the 'Public Order Management Act' threatens sex workers ability to organise as you must inform the police prior to any gathering. The 'Anti-homosexuality Act' was recently signed and the government has introduced new laws to make it harder to access treatment. Not surprisingly this has resulted in sex workers being disproportionately affected by HIV. In 2011 a national AIDS survey found HIV affected 35% of sex workers in Uganda as opposed to 7.3% of the general population. This provides strong support for the negative impact of laws against sex workers that are deemed to be beneficial to HIV prevention. Evidence demonstrates that a rights based approach that recognises the legitimacy of sex work as work through the decriminalisation of our work, our workplaces and our clients has far greater outcomes, particularly in relation to HIV prevention. In contrast to the statistics in Uganda, in jurisdictions that have decriminalised sex work, sex workers have consistently recorded lower rates of HIV and STI's than the general population. Despite the overwhelming evidence, governments continue to implement harmful policy that reduces rights and increases HIV transmission." - Daisy Nakato Namakula, WONETHA Uganda, 'No one Left Behind; HIV and Sex Workers'



"China, Fiji, India, Malaysia, Myanmar, PNG, Laos all use condoms as evidence. Most countries in the region have criminalisation, mandatory detention and mandatory testing. Two reports, the UN report 'Sex Work and the Law in Asia Pacific' and the 'Global Commission on HIV and the Law' both recommend decriminalisation. We call for full decriminalisation of sex work". - Tracey Tully, APNSW, 'Legal Frameworks Governing Sex Work and their Impact on Sex Workers; Recent Developments or Advocacy Campaigns in Response' Human Rights Networking Zone

"As sex workers we have been clear about what needs to happen, we want decriminalisation. Many reports support this, however this is not affecting policy, we have evidence but we need leadership." - Janelle Fawkes, Scarlet Alliance, Australia, 'Legal Frameworks Governing Sex Work and their Impact on Sex Workers; Recent Developments or Advocacy Campaigns in Response' Human Rights Networking Zone

This Is A Film Made by Sex Workers In Australia About The Decriminalisation Of Sex Work

Photo by PJ Starr, 2014

"The new federal HIV strategy says we need to be improving the rights of sex workers yet the government has not put that into practice with funding or policy and currently in Australia each state and territory has its own laws and different models of sex work legislation. Decriminalisation is in NSW only, and there is still further work to be done there. We know decriminalisation works yet across the country we are still battling state by state with reform campaigns. Many policy makers still don't know what we are advocating for. The South Australian decriminalisation bill is currently before S.A. parliament and this would be the first FULL model of decriminalisation-full decriminalisation, of us, our workplaces and our clients." - Janelle Fawkes, Scarlet Alliance, Australia, 'Legal Frameworks Governing Sex Work and their Impact on Sex Workers; Recent Developments or Advocacy Campaigns in Response' Human Rights Networking Zone



"Since decriminalisation NZPC has had some success in advocating for workers rights resulting in settlements out of court. Even the police have been more helpful in protecting sex worker rights, including a recent incident where they drove a client who refused to pay home to get his wallet then escorted him to an ATM to get the cash, then the police took the cash and gave it to the sex worker." - Catherine Healy, NZPC, New Zealand, 'Legal Frameworks Governing Sex Work and their Impact on Sex Workers; Recent Developments or Advocacy Campaigns in Response' Human Rights Networking Zone

"UNAIDS, WHO and the Global Fund have adopted policies calling for sex work to be decriminalised. We are still waiting for them to step up the pace of this change. Evidence shows that decriminalisation of sex work is the best legal framework for reducing stigma and discrimination, increasing access to healthcare and services, improving human rights and reducing HIV". - Rose, SAN Fiji, Media workshop, Sex Worker Pre Conference



"In Fiji all aspects of sex works are criminalised. Recent changes under the Crimes Decree in 2009 further criminalised clients. But in reality, when police catch sex workers (including with clients), they usually let the client go and harass the sex worker." - Rani Ravudi, SAN Fiji, 'Legal & enabling environments impact on sex workers': Scarlet Alliance, Rose Alliance, NZPC, SWOP NSW & friends



"Swedish sex workers' have been in opposition to the Swedish Model and protested against the laws before they were implemented. However, the Swedish Government pushed on with the laws regardless as sex workers opinions are seen as irrelevant as all sex workers are either 'victims' or 'victims in denial'" - 'Experiences from Sweden, a community perspective': Pye Jakobsson & Carina Edlund, from Rose Alliance, Sweden

"Since the introduction of the laws, working conditions have deteriorated due to no longer being able to do in calls. If your neighbour suspects you are a sex worker, including if you bought and own your apartment they can dob you in and you will be evicted. Because I am a known sex worker there has been a police car outside my apartment for 6 months. The laws have resulted in sex workers living and working in fear and isolation. Our Rose Alliance members are so very, very afraid!" - Carina Edlund, Rose Alliance, Sweden, 'Legal & enabling environments impact on sex workers': Scarlet Alliance, Rose Alliance, NZPC, SWOP NSW & friends

A photograph showing a large number of red umbrellas hanging from a ceiling, creating a canopy effect. The umbrellas are open and overlap each other, filling the frame. The background is dark, making the red umbrellas stand out.

Conference Program Sessions and Highlights

Sex Workers

at AIDS 2014

Sex Worker Pre-Conference 18th & 19th July

Sex Worker Networking Zone 21st - 25th July

SWASH-Japan
&
Scarlet Alliance
Sex Worker Only
Peer Education
Skill Share
21st July
6pm - 8pm

20th
International
AIDS
Conference
Melbourne, Australia
(AIDS 2014)

Sex
Worker
Satellite
Session
20th July
11:15am - 1:15pm

Friday 18th July	Sat 19th July	Sunday 20th July	Monday 21st - Friday 25th July
Pre-Conference 10am-6pm Sex Workers ONLY All Day	Pre-Conference 10am-6pm Sex Workers ONLY 10am-3pm Sex Workers & Allies 3pm-6pm	Sex Worker Satellite Session 20th July 11:15am - 1:15pm Room 101-102 Registration Badge Required Governance Training Sex Workers ONLY 3pm-6pm 20th IAC Opening Ceremony 7pm-8.30pm	Global Village & Sex Worker Networking Zone NO Registration Badge Required AIDS 2014 Conference Sessions Registration Badge Required Monday 21 July Sex Worker Press Conference Media Centre Conference Room 2 12pm- 12:45pm
NO REGISTRATION BADGE REQUIRED			Monday 21 July Peer Education Skill Share 6pm - 8pm Clarendon Auditorium Sex Worker ONLY

For details and updates go to:

www.scarletalliance.org.au/events/AIDS2014/

or contact: sexworkers.AIDS2014@gmail.com



Sex Worker Pre-Conference

Over 100 sex workers from 30 different countries attended the two day Sex Worker Pre-conference hosted by Scarlet Alliance on the 18th and 19th of July, 2014 in Melbourne leading up to AIDS 2014. The two day pre-conference included small group workshops exploring key themes and priorities for sex workers as well as local, regional and international presentations on critical components of the HIV and sex work response, new evidence and emerging themes. Sex workers from around the world came together to discuss, respond to, and achieve a sex worker community analysis on core issues to be progressed through both advocacy in the conference area, the networking zone, media and meetings surrounding the event and as well as future opportunities beyond the conference. A final session included partners and allies representing government, funders, policy analysts, human rights and HIV organisation staff, lawyers and journalists.





The outcomes of the pre-conference included:

- Consensus statements across five key issues: Biomedical developments, stigma and discrimination, human rights including criminalisation of HIV and sex work, migration and mobility, funding. YouTube clips of the presentation of the consensus statements were produced by sex workers as part of supporting further use and increased profile of the outcomes.
- A well attended formal satellite session through which sex workers were able to show case, discuss and present key issues and recommendations.
- Importantly the voices of a diverse range of sex workers were represented and heard within the conference.
- A large number of key media pieces included sex workers and represented the key outcomes of the pre-conference including on social media. The AIDS 2014 Welcome Guide released prior to conference, available on line and in each conference pack promoted and profiled the sex worker events and key topic areas.
- Increased profile and visibility of key issues throughout the main conference.
- Increased capacity of sex worker participants to speak to key issues in speaking spots, question times, formal and informal meetings within the conference.

In addition, long term advocacy and clear, concise messaging at this conference by sex workers, supported by research presented as part of the Lancet edition on HIV and sex work, resulted in key commitments made by parliamentarians (including the commitment by the Papua New Guinea Health Minister to decriminalise sex work) or support changes to legal frameworks. The pre-conference and the conference itself also provided an opportunity for continued advocacy following the conference.

Sex Worker Networking Zone

For all things sex worker at AIDS 2014 July 20th - 25th

20th International AIDS Conference Melbourne, Australia



Sex Worker Networking Zone

NSWP (Global Network of Sex Worker Projects) supported Scarlet Alliance, Australian Sex Workers Association as the local sex worker organisation to host the Sex Worker Networking Zone (SWNZ) in partnership with APNSW (Asia Pacific Network of Sex Workers) and NSWP at the Global Village at AIDS 2014.

The SWNZ was decorated with classic sex worker rights symbols and colours, with a space for an Andrew Hunter memorial artwork and banners from several sex worker organisations. Posters, art works and photos from sex worker activists and organisations provided a colourful backdrop to the SWNZ. In addition to the calendar of sessions for the zone, a sex worker guide map of sessions was placed on the wall to inform sex worker and supporters which sessions in the main conferences needed supporting or protesting or involved sex worker speakers or contained sex worker content.

Key messages including the consensus statements from the Sex Worker Pre-Conference and the NSWP eight Consensus statements on sex work, human rights and the law were used as posters. Red umbrellas were suspended from the roof above the zone to guide sex workers through the large and maze-like Global Village space to the SWNZ.

The program scheduling followed a review of the main program to identify key sex worker presentations, minimising overlap where possible and provide opportunities for sessions that arose during the conference through new contacts made or recognition of issues that required coverage, such as the Indigenous Sex Worker Rights Panel Session on Thursday.

Session content included interactive workshops, presentations, panel discussions, films, performances, sex worker only sessions such as the governance training session and peer skill share as well as a memorial afternoon session for Andrew Hunter.



The SWNZ aimed to provide a space for dialogue, sharing, learning and networking; to compensate for the dearth of sex worker content in the main conference program through a varied and vibrant program of daily community led sessions; to increase visibility and knowledge of the sex worker rights movement and to raise awareness of key issues that affect sex workers, including the consensus statement outcomes from the pre-conference.

Equally important was the SWNZ acting as a 'home base' for sex workers during the AIDS 2014 conference. The space created was vibrant and collaborative hub for sex workers and supporters to share strategies, resources and information and to build connections. In between the scheduled sessions, impromptu media interviews were a common occurrence for sex workers who were willing to be interviewed. The anecdotal feedback on the space and session content was overwhelmingly positive.



Scarlet Alliance, APNSWP & NSWP

Sex Worker Networking Zone Calendar of Events

Time:	Monday 21 st July	Tuesday 22 nd July	Wednesday 23 rd July	Thursday 24 th July	Friday 25 th July
10:00	Opening speech (10-10:35) African Erotic dance (10:35-10:35am)	Migration and mobility for sex workers: Migration Project And Empower (10 -11am)	HIV/AIDS Issues for Transgender people and sex workers in Japan: Lily Taiga (10 -10:30am)	Violence against Sex Workers: APNSW (10-11am)	Film: "Kiss for Gabriella"
10:30	Sex Workers are Human Rights Defenders: Ye Haiyan (10:35-11am)	(10 -11am)	Trans Sex Workers on sex work legislation, trans rights & International HIV/AIDS Response (10:20-11:20am)	(10-11am)	Screening & Discussion 10-11am
12:30	Sex Worker Asean: Empower (12:30-1pm)	The Life and Experiences of a Timorese Sex Worker: Angkis (12:30-12:50pm)			New Zealand; A Working Model of Decriminalisation: where Sex Workers' Occupational Safety and Health Matters: NZPC. (12:30-1:30pm)
1:00		Lives of sex workers in Papua New Guinea: Anna James (1-1:15pm)	Strengthening capacity to build, lead and maintain sustainable, independent sex worker organisations: Scarlet Alliance International Project, Friends Frangipani & Scarlet Timor (1-2pm)		
2:00	Experiences from Sweden; a community perspective: Pye & Carina (2-3pm)	Direct action as a component of HIV prevention work, advocacy and community building: Scarlet Alliance (2-3pm)			Sex Worker Asean: Empower (2-2:30pm)
3:00			Andrew Hunter Memorial Film & Tribute (2:30-4:30pm)		
3:30	Whore Logic: Akynos (3:30- 4pm)				Legal & enabling environments impact on sex workers: Scarlet Alliance (3:30-4:30pm)
4:30	Launch of Global Consultation on PrEP: NSWP (4:30-5:30pm)				
5:30			*Also Sunday 2-6pm Sex Worker Only Session*		



Australian
Sex Workers
Association



ASIA-PACIFIC
NETWORKS OF
SEX WORKERS



Global Network of Sex Work Projects
Promoting Sustainable Solidarity

Sex Worker Networking Zone

Monday 21st July

10-10:15 Opening of the Sex Worker Networking Zone! Welcome speech

10:15- 10:35am African Frotic dance: Adonis

10:35-11am Sex Workers are Human Rights Defenders: Ye Haiyan



"Sex worker" is a new word for China that has been generally accepted by some Chinese media professionals, as well as gradually gaining acceptance in the general public. There has been a rapid development of civil society in China, and lawyers have become active defenders of sex workers rights. Little by little we have a tiny space to discuss the decriminalisation of sex work. Unfortunately discrimination remains unchanged. Sex workers raise our voice against discrimination in a positive and challenging way. Current issues still include: there needs to be more funding for HIV programs, Government still do not have clear manner or direction to secure sex workers rights, condoms are still the evidence of crime, Chinese 'anti-vise' activities are become regular political events and the crack-down have become more serious than in the past. Additionally the law in China still does not protect sex workers. More and more people are pushing for the abolition of "Custody and Education" camps ("black jail"- forced labour camp for sex workers in China). Ye Haiyan's presentation will be translated from Chinese and presented by a sex worker delegate. Ye Haiyan had intended to join us but Chinese authorities have told Ye her passport has been "lost" after she attempted to apply for a visa for AIDS 2014, making it impossible for her to travel.

12:30-1pm Sex Worker Association of Southeast Asian Nations (SWASEAN): Empower

Empower Sex Worker ASEAN project is about learning about sex work in the ASEAN countries - especially how we live and work on top of the laws; how we will be affected when ASEAN becomes a joint economic community; and also building our space to stand up in the ASEAN Community. We began sharing and working with representatives from sex worker organizations in 9 ASEAN countries plus Timor Leste. As part of the project we have created education kits & documents. Sex worker reps from other organisations who have been involved in the SW ASEAN project will also join to talk about their experiences.



2-3pm Experiences from Sweden, a community perspective: Pye & Carina

Rose Alliance is the sex worker organisation in Sweden. They have important experiences to share about the impact of the law criminalising clients, sometimes known as the "Swedish Model." Sex workers in Sweden protested & opposed the laws before they were implemented, but the Swedish Government pushed on with the laws regardless. In the last ten years this has been incredibly negative for Swedish sex workers health & safety, yet Sweden tries to export the model to other countries. This is an interactive workshop where the Rose Alliance community based research will be presented.

Image: Pye Jacobsen



3-4pm Whore Logic: Akynos

WHORE LOGIC melds elements of

burlesque, an uncensored spoken-word performance

& astounding archival footage of a car crash caused by public indecency to explore the journey of one woman who discovers the joy of using her body for power, to pay her rent, & to finally understand her sexual objectification.

Burlesque performer "The Incredible, Edible, Akynos" thrills audiences with her descriptions of what it takes to negotiate safer sex in an unequal & racialised world. This is a film of the performance, first time shown in Australia, not to be missed!

Filmed by PJ Starr. Image: Akynos.



Tuesday 22nd July

10-11am Migration & mobility for sex workers: Scarlet Alliance Migration Project & Empower

This will be a panel discussion and interactive workshop focusing on migration & mobility & sex work, & how anti-trafficking responses have changed the landscape for sex workers. Sex Workers are a highly mobile population but often lack access to safe legal migration pathways. Restrictive laws in relation to sex work affect the ability of sex workers to have our work recognised as work & to use legal channels to migrate for our work. Anti-trafficking discourses & policy responses have further impacted on the migration of sex workers.

This discussion and workshop led by migrant sex workers will discuss current & emerging issues for migrant sex workers, & share sex worker led approaches to address these issues. This session will aim to increase understanding of the implications of current trends towards restrictions & criminalisation of migration & mobility of sex workers on HIV vulnerabilities. The session will attempt to track the status & impact of anti-trafficking laws on sex workers globally.

Image: We Don't Cross Borders. Borders Cross Us. Poster by Scarlet Alliance Migration Project

12.30-12.50pm The Life and Experiences of a Timorese Sex Worker: Scarlet Timor Collective

A presentation on the lives of Timorese sex workers by two Timorese sex workers with time for group discussion and questions.



1-1.15pm Lives of sex workers in Papua New Guinea

Performance in traditional costume by Papua New Guinean sex workers, including sharing about the lives of sex workers in PNG!

1.15-1.40pm Brief History of Friends Frangipani, Papua New Guinea, Sex Worker Peak Organisation

Friends Frangipani is the national sex workers organisation of Papua New Guinea, working to represent the rights and interests of sex workers, including addressing the vulnerability of sex workers to HIV. The meaningful involvement of a strong sex worker community organisation in advocacy for developing & implementing the HIV response is very important.

Sex workers in Papua New Guinea are experiencing the impact of HIV as individuals & as an affected community. Sex workers experience stigma & discrimination, both act as barriers to access to services & achieving human rights. Friends Frangipani has a key role in providing advocacy for enabling environments within policy, law & program development forums.

Photo: Daera, Cathy and Daniella at the Lae Offices of Friends Frangipani, PNG



2-3pm Direct action as a component of HIV prevention work, advocacy and community building: Scarlet Alliance

This session is a chance to consider the role of direct action, including its many creative forms, in HIV prevention, advocacy, visibility & community building activities.

Participants will be asked to demonstrate, through photo, or description or action, a form of creative direct action they have used.

The facilitation will prompt discussion & some analysis.

This session is just before the community mobilization march and the second half will provide a chance for us to prepare for the march.

Photo: Red Umbrella Protest, Melbourne, International Whores Day 2013



**WE STAND WITH
MONICA JONES**



10 -10:20am HIV/AIDS Issues for Transgender people and sex workers in Japan: Lily Taiqa

For Transgender people, the access of medical care, including HIV testing, care & support is difficult. Social exclusion & marginalisation also play a role. Lily will expand upon research done at HIV testing sites around Japan.

10.20-11.20am Trans Sex Workers on sex work legislation, trans rights & international HIV/AIDS Response: Panel Discussion

Panel discussion facilitated by Mish Pony of Scarlet Alliance. Speakers include Monica Jones, Emy Fem and Cyd Nova.

Photo: Monica Jones campaign poster 2014, by Micah Bazant

1-2pm Strengthening capacity to build, lead and maintain sustainable, independent sex worker organisations: Scarlet Alliance International Project, Friends Frangipani & Scarlet Timor

Research shows a very low amount of HIV funding makes it to resourcing sex worker community led responses to HIV. Community led sex worker organisations urgently need resourcing to meet the needs of sex workers and actively contribute to country and regional HIV responses. The workshop will identify the need for sex worker organisations to be resourced for capacity building and civil society strengthening.

A panel of sex worker organisation representatives will reflect on how their capacity needs have been met through peer to peer organisation capacity development and skills strengthening.



The workshop will share experiences of partnerships between sex worker organisations and discuss the approaches that have supported sex worker organisations to gain and strengthen skills, and gain independent funding.

Photo: Friends Frangipani present at the PNG National AIDS Council event December 2012, Port Moresby

2.30-4.30pm Andrew Hunter Memorial Film & Tribute

Sex workers mourn the loss of Andrew Hunter, former NSW President and staff member of APNSW, a founding member of both APNSW and NSW. Andrew died in Bangkok on 26th December 2013.

His sudden death is an enormous loss to the sex workers rights and HIV treatment activist movement, and leaves us without words at this moment as the tears flow.

Andrew Hunter was a brilliant activist who campaigned tirelessly for more than 25 years around issues that affect sex workers, people living with HIV, drug users, transgender men and women, and gay men. Andrew worked for the Prostitute's Collective of Victoria (PCV) coordinating the male sex worker project and setting up the first community run needle exchange in Australia. He was one of the founding members of Scarlet Alliance and worked as Coordinator of the Queensland Intravenous Aids Association (QUIVAA). It was in 1994 that Andrew attended the International AIDS Conference in Yokohama where the Asia Pacific Network of Sex Workers (APNSW) was founded by sex workers from the region.

Photo: Andrew Hunter

"Increase the price of sex,
not the price of ARVs"

10-11am Violence against Sex Workers: APNSW

APNSW members Nisha (PT Foundation, Malaysia) and Wai Wai (AMA, Myanmar) will present on sex worker led initiatives that address violence against sex workers. They will examine the issues that increase the threat of violence against sex workers as well as the protective factors that can be adopted to make working conditions safer for sex workers from different settings and contexts. *Image: Kay Thi Win of APNSW*

12.30-1.30pm New Zealand; A Working Model of Decriminalisation: where Sex Workers' Occupational Safety and Health Matters: New Zealand Prostitutes Collective (NZPC)

Speakers include Catherine Healy, Calum Bennachie, Annah Pickering. It is now eleven years since New Zealand decriminalised sex work. A 30 minute DVD has been made by sex workers on the effects of decriminalisation on their lives. This will be presented, along with a short discussion afterwards. *Photo: New Zealand Prostitutes Collective*



NZPC
New Zealand Prostitutes Collective



2-2.30pm Sex Worker Association of Southeast Asian Nations (SWASEAN): Empower

Empower SW ASEAN project is about learning about sex work in the ASEAN countries - especially how we live and work on top of the laws; how we will be affected when ASEAN becomes a joint economic community; and also building our space to stand up in the ASEAN Community. We began sharing and working with representatives from sex worker organizations in 9 ASEAN countries plus Timor Leste. As part of the project we have created education kits and documents. Sex workers from other organisations who have been involved in the project will also join to talk about their experiences. *IMAGE: Empower SWASEAN*



3.30-4.30 Legal & enabling environments impact on sex workers: Scarlet Alliance, Rose Alliance, NZPC, SWOP, & Friends

The panel will provide short sharp outlines of different models of regulation and the key impacts on sex workers, from a sex workers perspective, followed by an opportunity for questions. The session will provide a space to share information and understandings on different legal models and provide a chance for discussion.

Facilitated by Janelle Fawkes, CEO, Scarlet Alliance. *Image: Red Umbrella March, Sydney 2010.*

Friday 25th July

10-11am Film: "A Kiss for Gabriella" Screening & Discussion



Gabriela Leite is the first sex worker to run for Brazilian Congress. "A Kiss for Gabriela" tells the story of her 2010 campaign as she faces 822 opponents and challenges a male dominated political system to see if a sex worker, activist, wife, mother, and cultural icon since founding the clothing line, Daspu, can beat the odds and win the election.

The film's website explains: "She began organising with sex workers in the late 1980s in response to the frequent rights abuses she witnessed among her colleagues. She fought for recognition of sex work by deconstructing stigma around sex work & giving it new meanings. In 1987 she organised the first national meetings of sex workers in Brazil, started participating in the international sex worker movement, & founded the newspaper, 'Beijo da Rua' - 'Kiss from the Street', as a way to circulate new discourses that affirmed women 'of the life' as social & political beings. She encouraged the movement to enter into the fight against AIDS by promoting health as a right and a means to citizenship."

Gabriela passed away on the 10th of October 2013. This event will celebrate her life with one minutes noise!

Robert Carr Research Award

APNSW Coordinator Kaythi Win stepped up to received the first Robert Carr Research Award at AIDS 2014 for Sex Work and Violence: Understanding Factors for Safety and Protection. The winning research project was guided by a regional steering committee that included the Asia Pacific Network of Sex Workers, the Centre for Advocacy on Stigma and Marginalisation, the United Nations Development Programme (UNDP), UN Population Fund (UNFPA), the Joint United Nations Programme on HIV/AIDS (UNAIDS), and Partners for Prevention, which is a joint UN initiative working on gender-based violence. The research brought together sex worker communities, sex work rights advocates, the United Nations, researchers, and governments from Indonesia, Myanmar, Nepal and Sri Lanka and aimed to find solutions to stopping violence against sex workers as an important component in the response to HIV. While the actual findings were not yet released, the award recognizes the unique collaborative, sex worker led, research process used to reach the findings.



The award was established in honour of Dr. Robert Carr, who advocated for human rights as central to the response to the HIV epidemic. Robert Carr advocated that comprehensive responses to AIDS must address issues of vulnerability and stigma. The inaugural Robert Carr Research Award was presented at the 2nd Annual Robert Carr Lecture. Event organisers described the aims of the award:

"The Award celebrates Robert's vision of collaboration between community organizations, academic researchers and advocates to advance human rights-based policies and practices in countries where communities disproportionately affected by HIV continue to face discrimination, social rejection, violence and imprisonment, often by government officials and agencies. Robert's commitment to translating findings from research collaborations between community and academic partners into tangible policy development and advocacy efforts is the driving force behind this prize."

Sex Workers on the Global Village Stage

Global Village

In addition to the sessions at the Sex Worker Networking Zone, sex workers were involved in collaborations in other zones (Women's Networking Zone, the Human Rights Networking Zone, Indigenous Networking Zone and the AFAO G'Day Australia Zone), booths (Monica Jones and Best Practices Policy Project (BPPP) USA booth, Empower Foundation, Thailand SWASEAN booth, Project X, Singapore and the Debby Doesn't Do It for Free booth) and the main stage (APNSW I'm Whore performance, Pretty Woman REdux: REmixing, REviving and REclaiming Mainstream Perceptions of Sex Work! By Red Umbrella Project, and the Scavenger Hunt organised by BPPP).





Sex Workers at the Conference



Main Conference

Despite vigorous advocacy by sex workers even up to the last days of the conference, sessions including sex worker speakers in the main conference area were virtually nonexistent but for a few notable exceptions. Sex workers at the conference were proud to be represented by Daisy Nakato Namakula from Wonetha, Uganda in the plenary session entitled 'No one Left Behind' that examined key issues that continue to affect the progress of HIV prevention. Although limited in number, sex workers made our presence felt in the main conference area. The success of sex worker organising and community mobilisation, and sex worker led rights based responses to HIV, in spite of the considerable structural, legal and social barriers was consistently demonstrated.

Encouragingly one of the main outcomes from the AIDS 2014 conference was the unanimous, united call for decriminalisation of sex work. Scientists, politicians, policy makers, researchers, clinicians, advocates, community workers and sex workers attending AIDS 2014 were unequivocal in their recognition of the essential need to decriminalise sex work, crucial to an effective HIV response. Various methods of research, analysis and inquiry reached the same conclusion that sex workers and supporters have been advocating for years- that decriminalisation is necessary for sex workers health, safety and rights. The new findings from AIDS 2014 added to the mounting evidence base in support of the decriminalisation of sex work, our clients and our workplaces.



INVITATION

Stepping Up To Advance Issues Globally for Sex Workers and HIV

Satellite Session AIDS 2014

Sunday, 20th of July, 2014 11:15am - 1:15pm Room 101-102

NOTE: the time and location of the session has changed

Local, regional and international sex worker leaders will engage in dialogue on key HIV issues for sex workers, including:

- social and structural barriers
 - access to treatment
 - prevention strategies
 - human rights
 - criminalisation
- migration and global economics

The session will consider the latest bio-medical and social science developments, community programs and interventions, reflect on lessons learnt, and discuss global priorities in advancing responses to HIV for sex workers.



Australian
Sex Workers
Association



ASIA • PACIFIC
NETWORK OF
SEX WORKERS



Scarlet Alliance, NSWP and APNSW organised a satellite session on the opening day Sunday the 20th of July, 2014 of main conference entitled *Stepping Up To Advance Issues Globally for Sex Workers and HIV*, provided an opportunity for a diverse representation of sex workers to communicate the outcomes from the pre-conference to invited guests and conference delegates.

Approximately 140 people attended the satellite sessions. The audience was a diverse mix of government, academics, researchers, donors, media and community members as well as representatives from Commonwealth and State Department of Health and Department of Foreign Affairs and Trade.

The satellite presented outcomes from the Sex Worker Pre-Conference, including the Sex Worker Consensus Statement on five key themes developed by over 100 sex workers from 30 different countries.



Sex Worker Satellite Session



Given the limited numbers of sex workers attending and presenting to the main conference, the satellite was an important opportunity for sex workers to engage in and initiate meaningful dialogue on key HIV issues for sex workers with delegates and attendees to the main conference.

The sessions covered the spectrum of sex worker community led

behavioural, political and structural approaches to HIV prevention, treatment and support, highlighting areas where reform is necessary and providing sex worker led solutions for reform. Speakers from NSWP, APNSW and Scarlet Alliance gave scene setting presentations on the current issues globally, regionally and locally, which were followed by presentations on the key outcomes of the pre-conference by international sex worker speakers. The presentations were succeeded by a lively discussion where members of the audience had an opportunity to get the domestic Australian, Asia pacific regional and global perspective from sex workers. Comments were made, and questions posed by a range of donors, sex worker groups and media. A strong focus of the discussion was on funding including reduced funding for HIV generally and whether funding was making it to sex worker organisations.

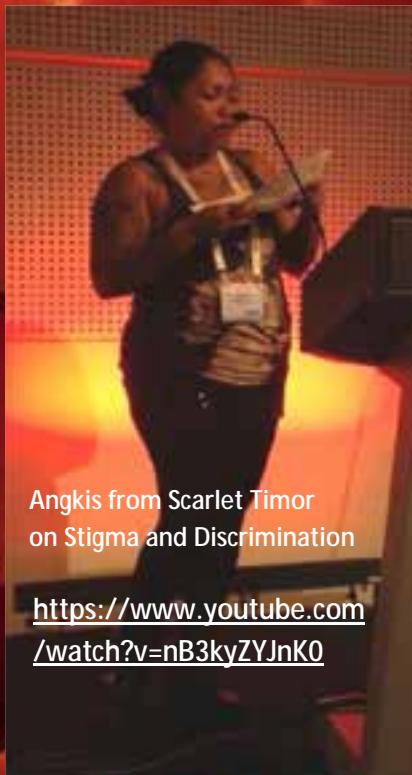
One sex worker commented "sex workers are seen as part of the program, but it is NOT recognised that sex workers should be driving the program". Another said: "We all struggle with donors and what they seek to resource, which often does not match what sex workers need. We need to be driving the agenda on what is supported. It's not a real partnership if sex workers and their needs are not being heard, and not a key part of identifying what is being prioritised."

The satellite was an important opportunity to initiate dialogue with sex workers on the key issues that affect us and that are essential to support action on ambitious but achievable global targets for high impact prevention, treatment and care, models and programs and towards the full decriminalisation of sex work.

The session ended with comments from Linh from the Vietnam Network of Sex Workers, "Sex workers are citizens. If you want to stop HIV you must enlist sex workers."

And Joya from the Sex Worker Network Bangladesh with call out to the attendees, "Sex Work is work. Please support our movement."

Sex Worker Consensus Statements





Community Mobilisation March

On Tuesday 22nd July parts of Melbourne CBD came to standstill for the community mobilisation march, which saw thousands march from the Convention Centre to Federation Square calling for more funding to HIV and AIDS research and for an end to HIV stigma and discrimination. The march paused at the intersection in front of the busy Flinders Street Station for a moment of silence in remembrance of those who have been lost to HIV and AIDS-related causes.

The protest mobilised members of affected communities, including sex workers, drug users, indigenous people, the LGBTI community and people living with HIV, in a protest march to Federation Square ahead of the Candlelight Vigil. Melbourne's main streets became a sea of people and signs. Signs and chants from the crowd included calls for an end to criminalisation; the urgent need for funding to community led HIV programming; access to treatment for all through the end of patent abuses; the need to end discrimination against people living with HIV and affected communities, calls for recognition of gender equality and sex worker's rights.



Candlelight Vigil

After the Community Mobilisation March, thousands of supporters lit up Federation Square in Melbourne for the Candlelight Vigil that has become a tradition of the International AIDS Conferences. Locals, conference delegates and community members gathered on the 22nd of July, 2014 to commemorate the 35 million people globally who have passed on as a result of HIV or AIDS related causes. Organisers, Living Positive Victoria, stated that the Vigil is also a forum for celebrating the triumphs and achievements of science and policy and to acknowledge the successes in the community's fight against HIV while raising awareness of how much more still needed to be done.

In addition to a selection of performances, a range of keynote speakers provided a personal perspective of the epidemic on a global, regional and local scale. Trans woman sex worker and Coordinator of SAN Fiji, Fiji's national sex worker body, Rani Ravudi delivered a powerful speech on the need to meaningfully include trans people and sex workers in order defeat HIV.



"A couple of years back I met two young trans sex worker activists from the Pacific whom I could closely relate to. I didn't get to know them for long as HIV and AIDS crossed our paths and claimed their lives. I remember how we first met, shared experiences and skills and how we could work together as Pacific trans sex worker activists. We shared the dream to decriminalise sex work in the Pacific to make the HIV response to our communities in our respective countries more effective. Losing my two friends to HIV has impacted on the way forward for both our organisations in terms of networking as my two friends were quite vocal about equal treatment of PLHIV and sex workers in their country."

....In the HIV /AIDS response sex workers and transgender people are visible but are not often heard. Is it ignorance or just our leaders having mixed feeling about acceptance of sex workers and transgender people? Sex work for instance –country leaders have signed on to declarations and agreements but when it comes to putting it into practice, no one wants to take the lead and support sex workers. As sex workers we will not give up on this, because we have faith in ourselves and know that decriminalization will help the fight against HIV and AIDS.... We all have to seriously consider that HIV is an unfinished business! We all need to remember those who have passed on because of HIV /AIDS and those affected by it, and HOPE that government, communities and other stakeholders listen to each other and continue work collaboratively, including with sex workers and trans people." – Rani Ravudi, SAN Fiji

Direct Action

Following on from the development of the Sex Worker Pre-Conference Consensus Statements, a direct action advocacy working group formed to communicate our messages to the main conference. Community or civil society advocacy or demonstration has historically been a welcomed part of international conferences. The group decided they would use the opportunity of the morning's plenary presentation entitled '*Better and smarter investments in the HIV response*' by Mark Dybul, Executive Director of The Global Fund to Fight AIDS, Tuberculosis and Malaria, to highlight the issue of lack of funding towards sex worker led, rights based responses to HIV, despite their proven efficacy. Sex worker empowerment and collectivisation have resulted in substantial gains in HIV prevention that are cost effective and enduring. Yet funding for proven sex worker led responses remains severely under resourced, while regressive programming that seeks to 'rescue' and 'rehabilitate' sex workers continues to be funded.

The direct action advocacy group staged a 'takeover' (organised through the AIDS 2014 activist hub) walking on stage during the plenary session with signs and red umbrellas and handed out fake \$100 bills stamped with text on the back to highlight the lack of funding for peer based sex worker responses. Signs carried by the sex workers highlighted that of the money used for sex workers, peer based organisations had to compete with other organisations such as faith-based and other non-peer organisations for funding even though their political or moral position was opposed to sex work and impacted on sex worker community engagement and rights.



The group was strongly applauded by the audience and the panel for their approach, captured in this tweet by members of the conference organising group: "short, non-destructive, relevant protest by the *wonderful folks with red umbrellas*. Well done sex workers."

Photo above: Executive Director of the Global Fund to Fight AIDS, Tuberculosis and Malaria, Mark Dybul, watches as Elena Jeffreys (Scarlet Alliance) and Joel Falcon (SIN SA) explain 'better and smarter investments in the HIV response'

Other direct actions conducted by sex workers at AIDS 2014 included the arbitrary search and harassment of visitors to the Global Village by members of the 'Empower police force' resulting in 'arrest' on suspicion of sex work if they were found to be carrying condoms.

Thai sex workers posing as 'Empower medical staff' drove around in their 'Global Fun' mobile VCT 'Voluntary Compulsory Testing' car providing mandatory testing and rapid counselling and results to volunteer participants at the Global Village.



Photo above: Michael Kirby is "arrested" under suspicion of sex work for carrying condoms by the sex worker performers from Empower, Thailand



Andrew Hunter Memorial

Lifelong activist [Andrew Hunter](#) was honoured by sex workers and allies in a memorial session held throughout Wednesday afternoon in the Sex Worker Networking Zone. Andrew, who passed away unexpectedly on 26th December, 2013, in Bangkok, Thailand, openly identified as a HIV+ male sex worker and drug user and was involved in advocating for the rights of marginalised communities since becoming involved in the Prostitute's Collective of Victoria (PCV) as a young street based sex worker. Prior to his untimely passing, Andrew was the President of the Global Network of Sex Work Projects (NSWP) and the Program Coordinator of the Asia Pacific Network of Sex Workers (APNSW), in addition to participating in several influential forums including the Community Delegation to the Global Fund and the Global Fund Advocates Network.



In testimony to the great affection, respect and love Andrew inspired amongst his friends and colleagues, many people from across the globe celebrated his life and paid respect to his tremendous achievements as an activist. Sex workers from a number of countries created murals and posters with messages of love and loss which were displayed within the Sex Worker Networking Zone. The Sex Worker Networking Zone was also home to the Andrew Hunter Message Tree, a space where Andrew's friends and colleagues from within the sex worker movement could write personal message cards to Andrew and hang these messages from a wooden tree, constructed by Andrew's life partner, Dale Kongmont. The Tree debuted at Andrew's funeral in Bangkok, on January 18th, 2014, and was hung with over 100 messages from friends and family. Over the course of the IAC, the Andrew Hunter Memorial Tree was hung with messages expressing love, respect, loss, solidarity and grief at the passing of a beloved friend and activist who was central to the international sex worker community.



Five Key Themes

- 1. Biomedical Developments*
- 2. Stigma and Discrimination*
- 3. Human Rights Issues including
criminalisation of HIV and Sex Work*
- 4. Migration and Mobility*
- 5. Funding*



Biomedical Developments

1. Biomedical developments

- Sex workers are concerned that funding towards biomedical approaches will be taken from sex worker led community interventions.
- An emphasis on testing without acknowledging: legal barriers; the impact of stigma and discrimination; and barriers to treatment and services; limits sex workers' ability to access non-judgemental, quality, voluntary, testing, treatment, care, support and services.
- Information and access should be comprehensive and easily understood.
- Current and existing implementations of biomedical approaches are doomed to fail because they don't take into account discriminatory legal frame works that create barriers for sex workers.
- Rapid testing of HIV could lead to enforced or mandatory testing of HIV, STIs and BBVs and we have no control over what happens to the information.
- Biomedical responses are often imposed without thought of the workplace health and safety of sex workers which need to be considered before implementation.
- Sex workers are being forced to engage, without consultation, without adequate information so we can choose if and how it can benefit our community. Sex workers face pressure from governments to be tested and pressure from clients who want workers to use PrEP in place of existing safe sex practices.
- New approaches don't meet the needs of sex workers, we need to maintain and increase funding for sex worker led community programmes.
- Legal Barriers for sex workers are still so significant that unless we resolve those issues first, through the full decriminalisation of sex work, test and treat or treatment as prevention are abstract concepts that have no meaning for sex workers but will divert resources away from approaches that we know work.
- The reality for sex workers is that we have little to gain when an emphasis is put on treatment as prevention.
- PrEP and early treatment will be used as evidence by police against us just as condoms already are.

Sex workers say: For us it's not testing for support but screening for control.
Rapid testing = rapid criminalisation.

"Let me start by emphasizing that sex workers' HIV risk occurs in a context often characterized by powerful structural constraints including criminalization and human, health, and labour rights violations. Sex workers are also frequently exposed to multiple forms of stigma and discrimination including those linked to their occupation, HIV status, gender, sexual orientation, and socio-economic position. The available literature suggests that without addressing these considerable challenges, the HIV response among sex workers is likely to be limited in its effectiveness and ultimately unsustainable." - Deanna Kerrigan, United States, The Lancet Special Theme Issue on HIV and Sex Workers, 'Community empowerment-based HIV prevention among sex workers: effectiveness, challenges, and considerations for implementation and scale-up'

"We don't know about PrEP unless it is a policy and someone comes and uses it in our workplaces. The first time we will hear about it is when we will be forced to take something. The organisations called WHO knows us well enough to make decisions about our lives, even though we've never heard of them!" -Muuk, Empower Foundation, Thailand, Key Themes Regional Scene Setting Presentation, Sex Worker Pre-conference

"There are more police in our country than doctors which means that there are more chances of being arrested than seeing a doctor." - Empower, Sex Workers of Association of Southeast Asian Nations (SWASEAN)

"They push for biomedical prevention for sex workers in Timor Leste when there were still not enough condoms and tests for sex workers who do want and need them." -Angkis and Mika, Scarlet Timor Collective, Timor Leste, Key Themes Regional Scene Setting Presentation, Sex Worker Pre-conference



".... community empowerment-while by no means a linear process- often starts with the promotion of internal social cohesion among sex workers. And it is this solidarity within and the collective power of the sex work community that is leveraged to address the socio-structural context of HIV risk among sex workers within a given setting, for example addressing stigma, discrimination and violence. Ultimately, this social movement is intended to impact concrete changes in access to material resources and services, both HIV and otherwise, so that sex workers can realize their health, human and labour rights." - Deanna Kerrigan, Ibid

"The hottest issue for sex workers from Thailand are migration and the potential impact of rapid testing. We are forced to volunteer to have a test over and over again, until we are found to be HIV positive, and then nothing- no treatment, no support. Sex workers need treatment services, not just testing. Testing just leads us getting the sack!" -Sachumi Mayoe, Empower Foundation, Thailand, Media Workshop, Sex Worker Pre-Conference

"There are serious concerns that money would be going to new biomedical technologies but not to proven effective prevention. Despite being at the forefront of the sex worker response peer organisations face under-funding. There are concerns as advocacy and human rights not recognised as an essential part of the HIV response." - Cam Cox, Male Representative, Scarlet Alliance, 'Stepping Up To Advance Issues Globally for Sex Workers and HIV'

"In terms of biomedical prevention sex workers feel uneasy on what the government's roles would be as this is not clear and it was not clear how it would be implemented. There are particular challenges for sex workers given coercive and mandatory testing practices and the risk that it would be compulsory for sex workers." -Cam Cox, Male Representative, Scarlet Alliance, 'Stepping Up To Advance Issues Globally for Sex Workers and HIV'

"Effective prevention requires knowledge of sex work setting and environment. Recognises sex workers' autonomy and freedom to choose. Has full involvement of peers in design and implementation. Employs a layered combination approach. Includes careful monitoring and evaluation to measure impact and also any unanticipated harms...." - Linda-Gail Bekker, South Africa The Lancet Special Theme Issue on HIV and Sex Workers, 'New prevention and treatment approaches facing old challenges: fulfilling the promise for sex workers'

"Our country cannot afford ARV's. When I was diagnosed I was told to take Septarin, but there was not enough medicine....In 2007 I fell sick and lost weight. The doctor advised a CD4 check up. I had a count of 4, doctor said I need to go on medicine, but there was none. I was told to wait until someone dies, to start medicine. I was referred to other clinics but it was the same there, no free medicine. Why do I have to wait for someone to die to start medication to be available?" - Daisy Nakato Namakula, WONETHA Uganda, 'No one Left Behind; HIV and Sex Workers'



"There is different perception of benefits of PrEP or early treatment in Europe, to other countries in Africa where treatment is not readily available. In an environment of general lack of ARV's, African sex workers were more likely to express openness to any form of treatment. Generally the main concerns for sex workers on an individual level were on the potential side effects. On a community level, concerns were expressed about the impact on what will happen with all the work we've done in the prevention sphere. On a global level, concerns were raised of the impact of perceived benefits leading to sex workers being forced to take PrEP. Globally and around Europe the looming threat of the Swedish Model, i.e. criminalisation of our clients, our work and workplaces has been a reality for many." - Stacey Ryan, NSWP International Policy Officer on the NSWP PrEP consultation at 'Sex Worker Pre-Conference'

"Increased vulnerability amongst key populations is fuelled within structural contexts of criminalisation, stigma and discrimination, particularly in relation to healthcare access. NSWP recognises, in line with the diverse opinions of sex workers across the world, that there is a place for biomedical interventions in the global fight to end HIV. However, these will fail if implemented at the expense of supporting and empowering sex workers and other key populations to take ownership of their health needs, related policies and programmes, and if they are not implemented within a rights-based framework. Sex workers must fully engage in this growing debate, as noted by NSWP members: 'Sex workers are not the problem; we are part of the solution!' -NSWP session on Launch of the 'Global Consultation: PrEP and Early Treatment as HIV Prevention Strategies'



Summary of issues

Much of the focus on recent HIV discourse has centred on biomedical developments. A lot of this progress has been exciting with good reason for optimism. However, past experiences mean sex workers are cautious about these developments. Doctors, researchers and pharmaceutical companies have historically had a difficult relationship with sex workers.

Biomedical research trials

Sex workers have often been used as guinea pigs and as a key affected population (KAP), sex workers are often targeted for biomedical trials. Because of the marginalisation, criminalisation, stigma and discrimination faced by sex workers, sex workers can feel pressured to participate in trials. Informed consent must be ethically and clearly obtained without any negative impact for sex workers who choose not to participate. Sex workers must be involved in the design and implementation of research projects. All participants must have full knowledge of the process of the research, understand risks involved, know about possible side effects and potential for drug resistance, and be provided with appropriate payment for participation.

Considerations for sex workers

Sex workers must be consulted about if and how these biomedical developments are appropriate for our community. Sex workers still struggle with getting access to quality, non-discriminatory health care, face unequal access to treatment and are subjected to mandatory testing, forced registration and criminalisation. These issues are worse for sex workers living with HIV. As a result, many sex workers have caution about the new prevention technologies. Sex workers must decide for ourselves what works for us and what doesn't. We must fully understand how new prevention technologies may potentially affect or benefit us. This is essential in ensuring that the new prevention technologies are applied in a manner so that program and policy responses reflect the lived realities and country contexts for sex workers and ensure sustained success against HIV.

NAMAKULA Nakau
Executive Director WONETHA
wonetha@gmail.com

AIDS
2014
COURTING THE RACE

and I'm very happy to be a sex worker. I'm
of the sex
workers who are sex workers.



Stigma and Discrimination

2. Stigma and discrimination

- Recognise the importance of sex worker voices- stop anti's speaking over us.
- Combat anti-sex work rhetoric - their arguments are not valid.
- Humanising sex work - this has costs re the perceived "obligation" of revealing our lives.
- Challenge how sex workers are spoken about & prioritise lived experience.
- Recognise stigma exists within the HIV sector.
- Sex workers are often trapped between the stigma of being perceived as 'vector of disease' without agency but still remain voiceless even within the HIV sector.

Statements:

1. You can't stop HIV without sex workers.
2. The HIV sector must stop stigmatizing sex workers.
3. Sex workers are the experts in and for our community.
4. Nothing about us without us. Decriminalisation is required to end HIV.
5. Sex workers speak from lived experience. Don't silence us, don't speak on our behalf.

AIDS 2014 Sex Worker Consensus Statement

"U.S. Prevention messages are inconsistent; condoms are freely available, but they are used as evidence of sex work. Police are using condoms as evidence against us, while we are using condoms as protection leading to a disincentive for sex workers to carry condoms. HIV disproportionately affects sex workers of colour. Although only 6% of the population in the U.S. are African American, they represent 50% of all HIV infections. In Washington DC, there is a HIV epidemic in trans women of colour and amongst sex workers. Only one state in the U.S., Nevada, has legal brothels and even then only in one county. In Nevada you must test before starting work, and if you are HIV positive, you cannot work in the brothel, resulting in HIV positive workers being forced to work on the street. However, if you are arrested for being HIV positive and a sex worker it is considered a felony resulting in prison time and a criminal record." –



*Monica Jones, USA, Key Themes
Presentation, Sex Worker Pre-Conference*

"In Germany there are issues with a licensing model of sex work regulation. When sex work is licensed, such as in Germany, there are issues of access to health, for sex workers who cannot afford it or for migrant sex workers who were unable to access the health insurance system. Many sex workers in Germany face dual stigma as sex workers of colour, disabled, trans and migrant sex workers. The system has many rules and bureaucracy and police raids are frequent. We have a right to pay taxes but don't have the same rights as every other job. Similar to many other countries Germany has issues with 'old school feminists' who claim all sex workers are forced. In addition, associations claiming to represent sex worker issues and social workers are working with politicians to promote the Swedish model in Germany and gaining some public support." - Emy Fem, Germany, Key themes Regional Scene Setting Presentation, Sex Worker Pre-Conference



"Sex work is work. We all have a responsibility to take this up to governments and international organisations. To take forward sex work is decent work." - Jenny Butler, UNFPA, 'It's Not What We Do But How We Do It: Occupational Health & Safety Standards for Sex Workers'



"Because our work often happens in an environment that stigmatises, discriminates and criminalises us, sex workers often experience harassment, violence and vilification. The vulnerabilities we experience is not an occupational risk or a part of our work, but due to the sociological, legislative and policy impacts of the environments in which we work. We experience isolation, social exclusion and barriers to accessing services, health, justice and rights. Often the violence we experience is not only overlooked by governments but is actually perpetrated by the state. The lack of recognition of our work limits our ability to self organise, share skills, information and provide peer support which coupled with legal and policing practices such as using condoms as evidence against us, impacts on our ability to implement occupational health and safety strategies in our work and exacerbates HIV vulnerabilities." - Jules Kim, Scarlet Alliance, Australian Sex Workers Association, 'Andrew Hunter Memorial Session; Sex Work is Work'

"Stigma and discrimination against sex workers is a day to day experience, like the food that we eat, it is experienced by all of us." - Cathy Ketepa, Friends Frangipani, PNG, Key themes Regional Scene Setting Presentation, Sex Worker Pre-Conference

"What will it mean for sex worker organisations when ASEAN becomes a joint economic community? To examine this, representatives from sex worker organizations from 9 ASEAN countries (Myanmar, Laos, Indonesia, Thailand, Vietnam, Cambodia, Singapore, Philippines, Malaysia) plus Timor Leste that formed SWASEAN, looked at a range of issues relating to sex workers, including the laws we live and work on top of- not just state laws but also the impact of religious and other laws that are real in people's lives. In ASEAN, the governments say there are 1.2 million sex workers in the ASEAN communities. For each of the countries sex work is a major economic earner however this did not equate to our ability to contribute to political or social processes." - Empower, Sex Workers of Association of Southeast Asian Nations (SWASEAN)

"We went to the sex work leadership institute in South Africa for capacity building of our organisation. When we organised we did health outreach, counselling and testing, peer support, we are the only people who know how it feels to be a sex worker. We do referrals on outreach and share health info, we do this day and night. We have done community mobilisation, advocacy and partnership....Through advocacy we have penetrated the government, we sit at high level meetings, we petition the laws." - Daisy Nakato Namakula, WONETHA Uganda, 'No one Left Behind; HIV and Sex Workers'

"Exchanging sex for money or goods does not put someone at a higher risk of HIV. Sex workers have become a key affected population because of high levels of stigma and discrimination and the laws that criminalise us and our work.
...prevention, treatment and care is connected to human rights and the criminalisation of sex work and stigma and discrimination affect our lives as sex workers, including our ability to protect ourselves from HIV." - Cathy Ketepa, PNG, 'Brief History of Friends Frangipani, Papua New Guinea, Sex Worker Peak Organisation'



"Stigma and discrimination is presented as though it's 2 sides of an argument. Even some of our supporters say anti- sex work voices should be included." - Jade Barker, Scarlet Alliance Tasmania, Consensus Statement Workshop, Sex Worker Pre-Conference



"These laws were never about protection sex workers. They are moral, abolitionist laws. People don't want to acknowledge sex workers exist, and they think sex work isn't for a 'modern' country. So what happens when you don't fit in? We are lonely, we are pushed out." - Carina Edlund, Rose Alliance, Sweden, 'Legal & enabling environments impact on sex workers': Scarlet Alliance, Rose Alliance, NZPC, SWOP NSW, & Friends

"Sex workers need to be at the table. Sex work is work so sex workers need to be participating in dialogue." - Richard Howard, ILO, 'It's Not What We Do But How We Do It: Occupational Health & Safety Standards for Sex Workers'

Summary of issues

Stigma and discrimination by society, law enforcement officers and health workers towards sex workers are barriers to the successful prevention of HIV. Sex workers in different countries and circumstances face many forms of stigma and discrimination, including being:

- Denied the right to vote;
- Denied the right to enter contracts and leases;
- Denied birth certificates or admission into schools;
- Arbitrarily (and non arbitrarily) arrested and held in detention;
- Made to pay bribes or be sexually assaulted in order to be released from detention;
- Harassed and abused by police, other officials and NGOs; and
- Denied health care.

Sex workers often face additional stigma and discrimination related to drug use, HIV status, ethnic and migrant status, and gender identity.

Sex workers living with HIV face dual stigma: for being a sex worker and for being HIV positive. In many cases, we are rejected by family, face abuse and criminalisation by governments and are left behind when it comes to treatment and care. For migrant sex workers, HIV status can be grounds for deportation.

Under the 2011 United Nations Political Declaration on HIV and AIDS, countries have committed to protect and promote human rights and the elimination of stigma and discrimination for sex workers as a critical element in combating the global HIV epidemic. The Declaration also commits countries to "intensify national efforts to create enabling legal, social and policy frameworks". United Nations Secretary General Ban Ki-Moon calls for change in countries where discrimination remains legal against sex workers².

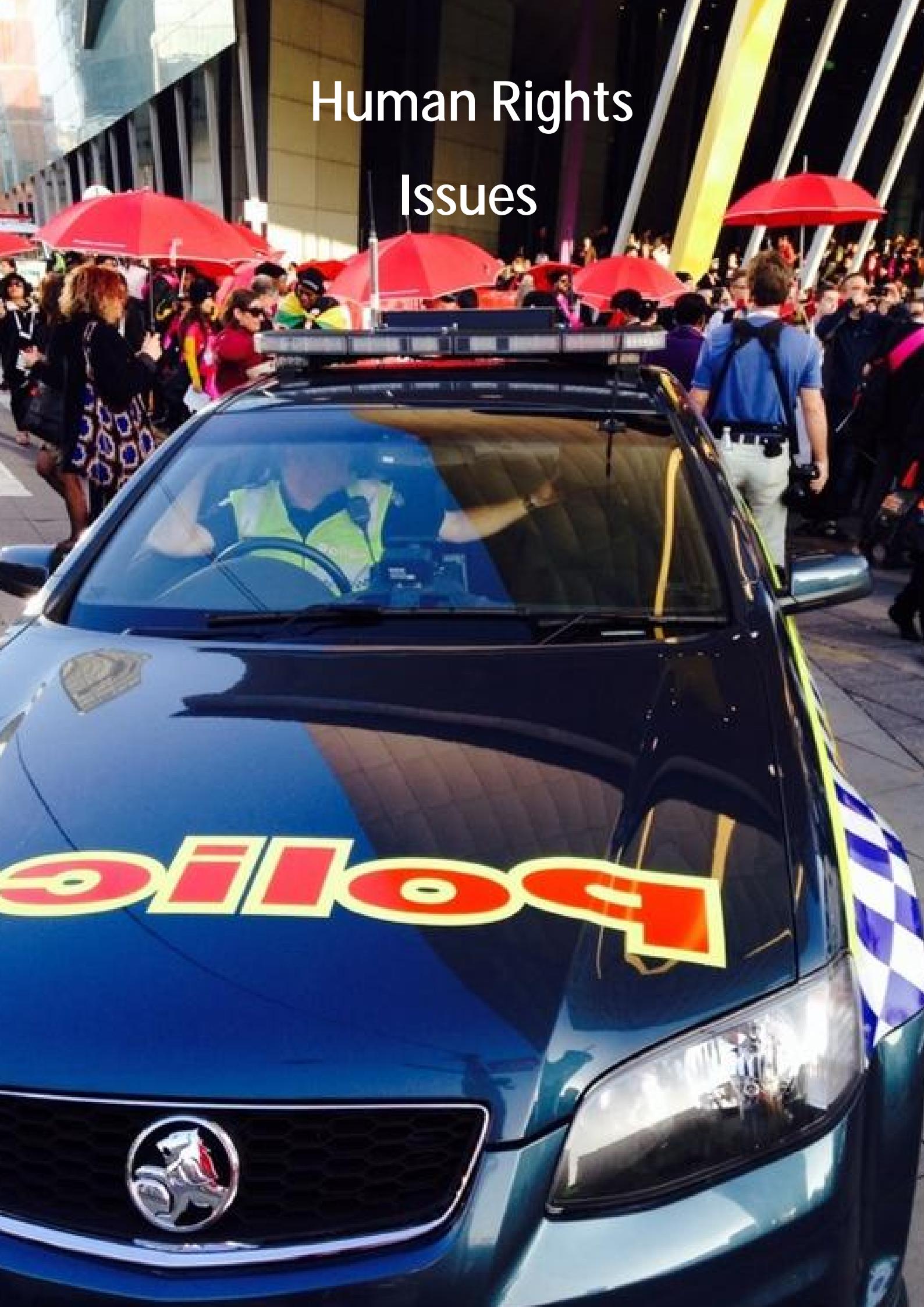
United Nations, Resolution adopted by the General Assembly 65/277. Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS, s80, s39.

² UNAIDS, Joint United Nations Program on HIV/AIDS, *UNAIDS Guidance Note on HIV and Sex Work*, Geneva, 2009.



"The touring Sex Workers of ASEAN art exhibition entitled 'Yet, still we dance!' raises awareness of the impact of stigma and discrimination on us but is also celebrates the resilience and ability of sex workers to overcome these. Sex workers of ASEAN state, 'It is time for new understanding, respect and ways of thinking about sex workers in ASEAN'". - Lilee, Empower, Sex Worker Association of Southeast Asian Nations (SWASEAN)

Human Rights Issues



3. Human Rights issues including criminalisation of HIV and sex work

- We believe sex workers should be recognized as the experts in our field and in our lives.
- We are organized globally and support full decriminalisation of sex work and sex workers including sex workers living with HIV.
- No criminalisation of sex work, our clients, work places or other laws pertaining to sex work. We unanimously reject models that criminalise sex workers, our clients, and places of employment. This will allow us to advocate for workplace health and safety, access to anonymous, non judgemental, free and voluntary testing, and quality services, support for safer sex practices and the prevention, treatment and care of HIV.
- The AIDS 2014 conference declaration has expressed the shared and profound concern at the continued enforcement of discriminatory, stigmatizing, criminalizing and harmful laws which lead to policies and practices that increase vulnerability to HIV. Sex workers want to ensure that our laws, policies and practices parallel this declaration.
- We want to hold governments and donors accountable to their commitments. Step up the pace and turn these policies and commitments into action that results in law reform.
- We demand the inclusion of sex workers as stakeholders in all aspects of policy development processes.
- All UNAIDS, UNFPA, UNDP, UN family and Global Fund policies must explicitly recognise and support full decriminalisation of all aspects of sex work.

AIDS 2014 Sex Worker Consensus Statement

"Sex worker rights are human rights. Sex work is work – it's my choice. In 2002 the law changed to make sex work legal in Bangladesh, however in reality there is still a lot of social stigma, violence and discrimination against sex workers." (Although 'legal', the constitution provides that the, 'state shall endeavour to prevent gambling and prostitution' leading to ambiguity in the laws that leads to the exploitation of sex workers).- Joya Sikder, Sex Worker Network, Bangladesh, 'Legal & enabling environments impact on sex workers'





"The Police use condoms as evidence that people are sex workers. The general public think that if someone is using a condom they are HIV positive. This leads to sex workers being afraid to carry, access and use condoms. Although the laws against sex work are not often used, the police target sex workers as victims for bribery, violence and sexual assault under the threat of arrest. Police abuse their powers by forcing sex workers to have sex with them without condoms, threaten sex workers, demand bribes and refuse to make reports on any crimes committed against us.

Many sex workers fear the police: they give us more problems instead of protection. Because we have to hide from the police we do our sex work in hidden, unsafe areas. Some sex workers who have been arrested but not convicted, still carry criminal records, which hinders them from participating in society and finding additional or alternative income.

We are calling for decriminalisation of sex work to remove all laws which criminalise sex workers and sex work, so that the police will no longer be involved in our work and lives. This will increase sex workers rights, and reduce violence and discrimination. This will reduce HIV, as sex workers can carry condoms without fear of arrest. We ask for decriminalisation and we are standing up for our human rights." – Cathy Ketepa, PNG, 'Lives of sex workers in Papua New Guinea', Friends Frangipani

"The government, religion, and population does not accept the presence of sex workers, closed the brothel and capture the sex workers. After the government shut down brothels, rape actually increasing, murder, sexual abuse, and sex workers getting attacked. Sex workers who went to jail they will be treated unfairly, sometimes in interrogation with questions that do not make sense, and fined or told to have sex with police for free". - Angkis, Timor Leste, 'Life and experiences of a Timorese sex Worker', \$carlet Timor Collective

"About 40 of us got caught by the police. We were forced to march on the street. They called us women who steal other women's men. They made us call out "we are prostitutes". At the police station we were arrested – and our faces appeared on TV and media. We were fingerprinted and charged with prostitution. In prison- I called my client who bailed me out. I ran away then and kept doing sex work". - Anna James, PNG, 'Lives of sex workers in Papua New Guinea', Friends Frangipani



Earlier in the week we received the disturbing news of the eviction of 2,000 people from the historic brothel area, with sex workers being pushed out of their homes. *"The eviction of sex workers from their homes must stop. They announce ICAAP 2015 to be happening in Bangladesh. All the sex workers will be dead, due to violence and evictions. I said 'NO ICAAP in Bangladesh' – due to bad action against sex workers. Sex workers have no food, no home, nowhere to sleep. Sex workers have no place in Bangladesh. But our Health Minister wants to have ICAAP. I met with Bangladesh Health Minister to highlight the plight of sex workers and their families, however we are yet to see action or any promise of action. Sex worker action should be to boycott ICAAP in Bangladesh, unless something happens."* - Joya Sikder, Sex Worker Network, Bangladesh, 'Legal & enabling environments impact on sex workers': Scarlet Alliance, Rose Alliance, NZPC, SWOP NSW, & Friends

"When trans women sex workers are arrested they get shaved bald and made to go in male prison section. Often when sex workers are asked by police 'Do you admit to sex work?' they will just answer 'yes' and go to gaol. In the past when sex workers try to assert their rights this has resulted in more punishment. In Myanmar female sex workers get arrested any time – day or night, even when they aren't working. Sex workers must pay a code "30D" fine. Many report they are also raped by the police and forced to have sex with them or get beaten in the prison." - Wei Wei, AMA Myanmar, 'Violence Against Sex Workers' APNSW



"The concept of labour rights protections for sex workers includes the right to a safe and healthy workplace, prevention and elimination of sexual harassment and gender-based violence; and the right to unionise and organise, and access social protection schemes." - Ruth Morgan Thomas, NSW, 'It's Not What We Do but How We Do It: Occupational Health & Safety Standards for Sex Workers'

"In Malaysia institutional discrimination and violence against sex workers comes from both state laws and Sharia laws. Under Sharia law, there are new street sign boards advertising the new Malaysian laws against trans women and cross dressing, stating it is an offense for Muslim men to dress as women. I was arrested and imprisoned in a men's prison under these laws. The violence and humiliation I experienced strengthened my resolve to fight these laws that are clearly a violation of human rights. In prison trans women get their hair cut off and are placed in the men's prisons. We received support from Human Rights International in the form of a supportive affidavit for the court affirming that trans people experienced a DSM5 classifiable 'psychosocial disorder', i.e. 'gender identity dysphoria'. Although this was not ideal, it did give us a means of a legitimate legal defence against these laws." - Nisha Ayub, Malaysia, 'Violence Against Sex Workers' APNSW (On November 7th, 2014, Nisha together with two other Malaysian trans women won in their landmark bid to overturn this law, a major coup for trans rights in the conservative Muslim-majority nation).



"In Victoria in relation to mandatory testing- we got a revision from every 1 month to every 3 months-like it was an achievement that they are only subjecting us to legislative punishment once every 3 months instead of monthly!" - Jane Green, Vixen, Victoria, Australia, Consensus Statement Workshop, Sex Worker Pre-Conference

"In Victoria, sex workers are unable to work freely and safely due to very heavy policing, police units posing as clients or sex workers for entrapment and arrest. In 2010-2012 street based sex workers were the highest category of charge for women. This impacts on our ability to practice safe sex. Criminalisation is a denial of our human rights. In Western Australia if a cop suspects you are a sex worker you get a 24 hour move on notice, if you get a few of these you can get restrained from the CBD. Street based workers have condoms used as evidence. Police are undermining everything we are advocating for at this conference. Sex workers should be recognised as part of community, we contribute to the community, and our work should be seen as work." - Janelle Fawkes, Scarlet Alliance, Australia, 'Legal Frameworks Governing Sex Work and their Impact on Sex Workers; Recent Developments or Advocacy Campaigns in Response' Human Rights Networking Zone

"When thinking of HIV, society thinks sex workers cause and spread disease – then if we do something to act to do something about HIV – e.g. go to test or have condoms in the workplace, then we see action – police arrest us due to stigma! In all Asia sex work laws are like a wall stopping us reaching and using our human rights. Not just sex work laws, anti-trafficking, money laundering, state laws and religion has other rules and laws used on us." - Muuk, Empower Thailand, Key Themes Regional Scene Setting Presentation, Sex Worker Pre-conference

"Police entrap us and use condoms as evidence against us then are also supposed to be regulating the sex industry." - Candi Forrest, Respect Inc, Queensland, Australia, Consensus Statement Workshop, Sex Worker Pre-Conference



Summary of Issues

At the UN high level meeting on HIV in 2011 many countries around the world committed to 'Intensifying Our Efforts to Eliminate HIV and AIDS' as signatories to the Political Declaration on HIV/AIDS. A key element of this was in recognising the crucial role of human and legal rights in preventing and eliminating HIV. Countries around the world committed to the right of all people to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, HIV prevention and access to treatment. Human rights apply to all people, including female, male, trans and gender diverse sex workers and sex workers living with HIV.

In reality, sex workers often face high levels of harassment by police and governments, have limited or no access to rights and legal redress and are unprotected by law. Stigma, discrimination, human rights abuses and criminalisation of our work are challenges that sex workers face daily. These factors have also been recognised as the greatest barrier to controlling the HIV epidemic. In 2012 the Global Commission on HIV and the Law reported that sex workers are criminalised in over 100 countries and 51% of sex workers do not have access to HIV prevention services. Almost all countries criminalise some aspect of sex work. Experience in the Asia-Pacific region shows that punitive laws, policies and practices around sex work do not reduce the number of sex workers or our clients but they can change the ways in which we work, increase vulnerabilities and reduce our access to justice and create barriers to access to support and services. Criminalisation has been shown to negatively impact upon HIV programs and services for sex workers. Decriminalisation is essential to improving the health, safety and human rights of sex workers.

The UNAIDS Guidance Note on HIV and Sex Work 2009 recognises that criminalisation poses substantial obstacles in accessing HIV prevention, treatment and support. UNAIDS, UN Population Fund and UN Development Program state that, "sex workers are entitled to legal protections of their human rights, consistent with international law and human rights norms, and that strengthening these protections will reduce HIV vulnerability."²

In 2013 the Global Network of Sex Work Projects released a report on Sex Work Human Rights and the Law, which included eight rights, the right to: associate and organise; be protected by the law; be free from violence; be free from discrimination; privacy, and freedom from arbitrary interference; health; to move and migrate; and to work and free choice of employment³.

¹ UNAIDS, Joint United Nations Program on HIV/AIDS, *UNAIDS Guidance Note on HIV and Sex Work*, Geneva, 2009, 2.

² UNAIDS, UNFPA, UNDP, *Sex Work and the Law in Asia and the Pacific*, 2012, UNDP Thailand, accessed at <http://www.snap-undp.org/elibrary/Publications/HIV-2012-SexWorkAndLaw.pdf> on 23 October 2012, page 12.

³ Global Network of Sex Work Projects, Global Consensus Statement on Sex Work, Human Rights and the Law, accessed at <http://www.nswp.org/sites/nswp.org/files/ConStat%20PDF%20EngFull.pdf> on 21 May 2014.

"Why is violence against sex workers considered ok? In recent cases there has been inaction by police and courts as well as by society at large when it comes to violence perpetrated against sex workers and in particular trans sex workers. The Government says it's wrong to be trans and a sex worker, therefore the public thinks it is wrong." - Nisha Ayub, Malaysia, 'Violence Against Sex Workers' APNSW



Migration and Mobility

Empowered.

Not a Victim.

Not a Criminal.

Not Exploited.

4. Migration and Mobility

- Detention of sex workers increases HIV risk.
- Sex work is work – migrant sex workers choose to work just like other sex workers.
- We are not victims. We are not trafficked!
- Don't ignore the evidence.
- Being sex workers should not limit our right to migrate.
- Restricting our movement restricts our access to treatment, care and support.
- We oppose the mandatory testing of migrant workers upon arrival, and the denial of visas based on serostatus.
- We don't need your pity. We need our rights.

AIDS 2014 Sex Worker Consensus Statement





"We travel for days up the mountains, across rivers, through dense forest. We follow the paths that others have taken. Small winding paths of dust or mud depending on the season. I carry my bag of clothes and all the hopes of my family on my back. I carry this with pride; it's a precious bundle not a burden. As for the border, for the most part, it does not exist. There is no line drawn on the forest floor. There is no line in the swirling river. I simply put my foot where thousands of other women have stepped before me. My step is excited, weary, hopeful, fearful and defiant. Behind me lies the world I know. It's the world of my grandmothers and their grandmothers. Ahead is the world of my sisters who have gone before me, to build the dreams that keep our families alive. This step is Burma. This step is Thailand. That is the border."

If this was a story of man setting out on an adventure to find a treasure and slay a dragon to make his family rich and safe, he would be the hero. But I am not a man. I am a woman and so the story changes. I cannot be the family provider. I cannot be setting out on an adventure. I am not brave and daring. I am not resourceful and strong. Instead I am called illegal, disease spreader, prostitute, criminal or trafficking victim." - Sachumi Mayoe reading from 'Hit and Run', Empower Foundation; 'Migration and Mobility' SWNWZ

"In Thailand sex workers must work on top of many laws including– money laundering, labour, trafficking, and drug laws. The Thai prostitution law has 5 articles prohibiting:

1. Advertising sexual services
2. Soliciting
3. Association for purposes of prostitution
4. Recruiting/arranging
5. Under 18

If we don't do these 5 things we are not breaking the law, so that is how we get around the law. We can avoid those 5, but police can apply anything they like while prostitution laws are in place. If we have to choose between "prostitution" or "anti-trafficking" laws we choose prostitution laws– just a fine, otherwise under trafficking laws we may be locked up for 1-2 years. Prostitution laws are more certain for us. When we listen to our Singaporean friends who have a 'legal' (licensed) system they have to do 10 things, whereas although 'illegal', we have to not do 5 things – so it's better. We don't need any special laws ourselves." – Sachumi Mayoe, Empower Foundation Thailand, 'Legal & enabling environments impact on sex workers: Scarlet Alliance', Rose Alliance, NZPC, SWOP NSW & Friends

"The women's liberation movement speaks of women's rights and freedom, unless you are a sex worker. When it comes to sex work – you can be arrested for looking like a sex worker. In practice, this charge of 'manifestation' is used mainly against trans women and women of colour. Once charged with manifestation you can be sent to jail or agree to participate in a diversion program. The diversion program is a six month program run by the Catholics where they tell you that sex work is wrong, the body is a temple and you should respect it. I was expelled from the program for stating, "I love sex, I love money, I don't want to be poor". Similar to the Swedish model, unless sex workers are willing to renounce sex work and follow the victim narrative, we will be criminalised and penalised." – Monica Jones, USA, Key themes Regional Scene Setting Presentation, Sex Worker Pre-Conference

"Anti-trafficking laws have been used to prosecute trans women sex workers in Fiji who act as support for younger workers. Two trans women sex workers were put into jail for "human-trafficking" when they were housing and caring for young street based sex worker. This was in effect a test case that resulted in 16 years imprisonment for both women. SAN are continuing to work together to appeal to the High Court to have their case reviewed." - Rani Ravudi, SAN FIJI, 'Trans Sex Workers on sex work legislation, trans rights & international HIV/AIDS Response: Panel Discussion'

"Sex work and trafficking are distinct, yet often conflated in policy and practice. This is not an evidence based approach. And yet it has led to transnational policy that has fueled the criminalisation of sex work and human rights violations that accompany it. Conflating sex work with trafficking fails both those in situations of trafficking and the majority who are not in upholding their rights. It has further led to discriminatory policy in the form of the anti-prostitution loyalty oath in PEPFAR that precluded funding groups who did not oppose trafficking and prostitution. While it was struck down for American groups in 2013, it still applies to foreign groups and its chilling effect on sex worker-led and rights based projects remains." – Michele Decker, United States, The Lancet Special Theme Issue on HIV and Sex Workers, 'Human rights violations against sex workers: burden and effect on HIV'



"The laws don't acknowledge migrant sex workers, so migrant workers can't readily get a visa, often resulting in migrant sex workers having to enter into contracts and having to repay a debt. If there are problems sex workers have to either "tell on their boss" and say they're trafficked or be deported" - Kylie Tattersall, SWOP NSW, Australia, 'Legal & enabling environments'

"When sex work is decriminalised, sex workers experiencing exploitation are more readily identified and sex workers are more likely to be willing to go to the police for assistance when needed." - Rachael Wotton, Touching Base, Australia, Women's Networking Zone, Panel Discussion on Sex Work Legislation; Sex Workers and Politicians'

"Migration for sex work is nothing new for sex workers but the framing has shifted over the years. Anti trafficking interventions have had a massive impact on HIV prevention efforts for sex workers, discrimination against sex workers and sex workers willingness to access services. Concerningly, there is a noted push towards criminalisation of sex work in the guise of anti-trafficking. This is in direct opposition to what we know works-successful peer led responses to HIV. We know factors that impact on sex workers and sex work laws have a direct effect on successful HIV prevention efforts. With growing optimism and momentum in the HIV sphere, the message is clear that migrant sex workers cannot be left behind and to do so would be to the detriment of the global HIV effort." – Jules Kim, Scarlet Alliance, Australian Sex Workers Association, 'Migration and Mobility', Scarlet Alliance Migration Project, Empower Thailand & SWASH

"In relation to the Swedish model, APNSW advocates against it but the Swedish government is working hard to introduce this model around the world. It has been proposed in many countries in the region and was introduced to the Philippines, but under the guise of an anti trafficking measure. This is despite no evidence of the Swedish model reducing trafficking or even any evidence of a reduction in the size of the sex industry." - Tracey Tully, APNSW, 'Legal Frameworks Governing Sex Work and their Impact on Sex Workers; Recent Developments or Advocacy Campaigns in Response' Human Rights Networking Zone

"Migrants can't sex work as you can't come to NZ for the purpose of sex work. We are doing research to come up with evidence we can use. We are nervous that if the law goes back in to be looked at we might have a lot more hacked so we are looking at other ways that this could be changed. The immigration laws are explicit and discriminatory." - Catherine Healy, NZPC, New Zealand, 'Legal Frameworks Governing Sex Work and their Impact on Sex Workers; Recent Developments or Advocacy Campaigns in Response' Human Rights Networking Zone

"Where do sex workers fit into the ILO 'World of Work'? Although the ILO has officially acknowledged sex work as work, sex workers are often left out or being reclassified in broader work terms or as 'migrants' or 'trafficked'. ILO's goal is to promote decent work and to do so we must make sex work visible in ILO documents and labour standards. Decent work is not a moral judgement on the type of work, but is reasonable and fair conditions, including wages, leave and safety, social security, fundamental rights. Decent work is not so much the what but the how and how it is negotiated employers. Fundamental right includes right to organise, negotiate and not be discriminated against. Work should provide dignity, empowerment, physical integrity and this is not contrary to the occupation of sex work." – Richard Howard, ILO, 'It's Not What We Do But How We Do It: OH&S Standards for Sex Workers'

"Anti-trafficking laws push migrant sex workers underground with the majority of trafficking in Australia is not occurring in the sex industry but more likely a situation of migrants seeking to access the labour market in Australia experiencing exploitation on farms for example, such as being paid \$2 an hour picking strawberries." Former Senator Louise Pratt, Australian Labor Party, 'Women's Networking Zone, Panel Discussion on Sex Work Legislation; Sex Workers and Politicians'

"The confluence between so called feminists and religious anti-sex work groups under anti-trafficking has led to poor legislative responses that have negatively impacted sex workers globally. In Sweden the "cash" for anti-trafficking has resulted in migrants and sex workers from non-Swedish backgrounds being added up in arbitrary formulas resulting in claims of trafficking numbers but with no demonstrated evidence to prove widespread trafficking in the sex industry. This has been the case for many sex workers around the world resulting in inflated trafficking numbers and consequent restrictive and negative sex work legislation." - Pye Jakobsson, NSW President and Rose Alliance, Sweden, 'Women's Networking Zone, Panel Discussion on Sex Work Legislation; Sex Workers and Politicians'



"We really need to make sure as a movement we remain really in touch with our other communities to make sure no one is left out, as what often happens if the police can't target you as a sex worker they will target you as a migrant, tax evader or drug user". – Anna Louise Craig, Canada, 'Legal Frameworks Governing Sex Work and their Impact on Sex Workers; Recent Developments or Advocacy Campaigns in Response' Human Rights Networking Zone



Summary of Issues

Sex workers are a highly mobile population but often lack access to safe legal migration pathways. Unlike other migrant workers, restrictive laws in relation to sex work mean that our work is not recognised as work and we are left behind from the legal channels to migrate for our work. Anti-trafficking approaches and policies have also increased discrimination against the migration of sex workers.

- Anti-trafficking policies create barriers to migrant sex worker rights, health and safety. International research demonstrates that anti-trafficking policies continue to have adverse impacts on all sex workers' human rights worldwide. Anti-trafficking policies and the implications of current trends towards restrictions and criminalisation of migration and mobility of sex workers all increase HIV vulnerabilities;
- Migrant and culturally and linguistically diverse (CALD) sex workers must be at the centre of decisions, laws and services affecting our lives. Migrant and CALD sex workers must be driving policy and research and be meaningfully engaged in law reform processes. Token consultation or representation is not enough. Migrant and CALD sex workers can speak for ourselves;
- Sex workers (including from poorer countries and sex workers living with HIV) must be able to access safe, legal, equitable and non-discriminatory channels to migrate;
- Easy access to translated information on visas and conditions, industrial rights, human rights, justice mechanisms and relevant laws in multiple languages is vital for migrant sex workers. Translation of such material will enhance the rights of migrant sex workers;

- Equal access to industrial rights mechanisms and justice for all workers regardless of their immigration, visa or sex work status will improve the rights of all migrant workers. Migrants should be able to travel and work without risk of deportation or arrest;
- All governments must immediately ratify the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and adopt the provisions into domestic law;
- Criminal justice approaches to trafficking are ineffective and dangerous. Criminal laws limit sex workers' freedom of movement, restrict our choice of occupation, reduce sex workers' rights, create stigma and discrimination against migrant and CALD sex workers, create barriers to migrant sex workers accessing essential services, undermine opportunities to negotiate suitable workplace conditions and impede access to outreach and sex worker organisations;
- Sex work is work. The majority of trafficking-related crimes can be covered by existing criminal laws and/or addressed by labour rights. There should be no specific trafficking laws relating to sex work;
- The best ways to address labour exploitation in any workplace are peer-led, rights-based labour protections, occupational health and safety, civil solutions and access to compensation;
- Law reform and research on labour exploitation should not focus only on sex work. Anti-trafficking laws and enforcement should not be used to criminalise and monitor migrant sex workers;
- Access to services and compensation must be created to solve exploitative work conditions. Work conditions can be improved without the police being involved. In particular, if sex workers do not wish to go to the police over a workplace issue, our wishes should be respected.
- Governments must increase funding and resources for multilingual peer education and culturally appropriate projects within sex-worker organisations. These projects promote community engagement and strengthen the autonomy, agency, self-determination and human, civil and political rights of migrant sex workers;
- Anti-discrimination law must provide protection for all sex workers, including migrant sex workers, regardless of our immigration or visa status;
- To fully realise migrant and CALD sex worker rights, sex work must be decriminalised. Decriminalisation of sex work will assist in the prevention of situations that cause trafficking. Decriminalisation reduces legal barriers that sex workers face when accessing support and services and creates a supportive legal framework that supports our rights.

The United Nations Special Rapporteur on Trafficking, Joy Ngozi Ezeilo stated '*there is a need to move away from over-sexualizing the discourse on trafficking*' and that countries '*must commit to developing and maintaining strong pathways for safe and legal migration*'.

United Nations, Office of the High Commissioner of Human Rights, 'Australia/Trafficking: UN Expert Calls for Greater Focus on the Rights and Needs of Victims', accessed at <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11668&LangID=E> on 21 March 2012.

Funding



IF YOU CRIMINALISE
SEX WORK
OUR WORKPLACES
OUR CLIENTS
YOU CRIMINALISE US!

5. Funding

- Governments must include direct funding for sex workers, including sex workers of all genders, in their national strategies.
- UNAIDS should take leadership on getting sex workers included in national strategies.
- Sex workers need funding, not just words on paper.
- We want funding for sex workers to consult and provide advocacy within national strategies.
- Sex workers in all countries should be receiving funds under their national strategies.
- We demand that national strategies and their implementation fund sex worker communities directly to do health promotion and human rights advocacy.
- Give the money directly to sex workers. It's what works best and it is cost effective. It's about time!
- We need funding for sex worker community led research and work. We have outreach data and want to share this evidence, but we need money for training and to analyse our data.
- Governments and donors, you lose face if you sign up for global targets, but at the same time gag sex workers from lobbying and advocacy for the changes we need. If you are going to sign up for targets you need to stop using gag clauses that stop organisations from challenging human rights abuses against sex workers.
- Funding needs to have a human rights approach to HIV prevention and support, not a medicalised approach.
- Stop HIV funding to faith based organisations working on sex worker issues. Stop HIV funding to 'rescue' and 'rehabilitation' organisations.
- We need funding for regional and global sex worker's conferences and sex worker attendance at international conferences and thus funding sex workers to shape the response to HIV.
- No one left behind in terms of funding!
- All UNAIDS, UNFPA, UN family and Global Fund to integrate human rights into all stages of their grant making processes.

AIDS 2014 Sex Worker Consensus Statement

Summary of Issues

Sex worker led responses to HIV have been demonstrated as highly effective. Empowerment, community mobilisation and community development have delivered successful programs and resulted in sustained gains in HIV prevention. Addressing the underlying causes that create vulnerabilities for sex workers, creating avenues for legal redress and access to support, addressing the stigma and discrimination that we face and advocating for legal change has reduced HIV prevalence amongst sex workers. Abusive policies and practices by police and governments do increase our vulnerabilities to HIV. Creating a rights-based environment where we can protect ourselves against HIV, have access to HIV prevention, quality voluntary testing, treatment and care is the most effective way to tackle the HIV epidemic. It has been reported that spending globally on HIV has reached record levels, but expenditure on sex worker programs has continued to decrease. In 2009, UNAIDS estimated less than one percent of global funds for HIV prevention was spent on HIV and sex work. Included in the less than one percent are the programs targeted at us and not by us. This is despite the overwhelming evidence that HIV prevention programs by and for sex workers has been beneficial to HIV prevention in the wider community.



"OPSI is registered as a social change organisation not a sex worker organisation, in order to gain funding. In Indonesia, in January 2014 we were stopped from working in West Papua due to limitations, we can only do service delivery and not human rights work. A lot of strings attached. Give us the money, no strings attached, because sex workers needs are urgent!" - Ferraldo Saragi, OPSI, Indonesia, Consensus Statement Workshop, Sex Worker Pre-Conference

"You can't get funding to improve the lives of sex workers." - Muuk, Empower Thailand, Key Themes Regional Scene Setting Presentation, Sex Worker Pre-conference



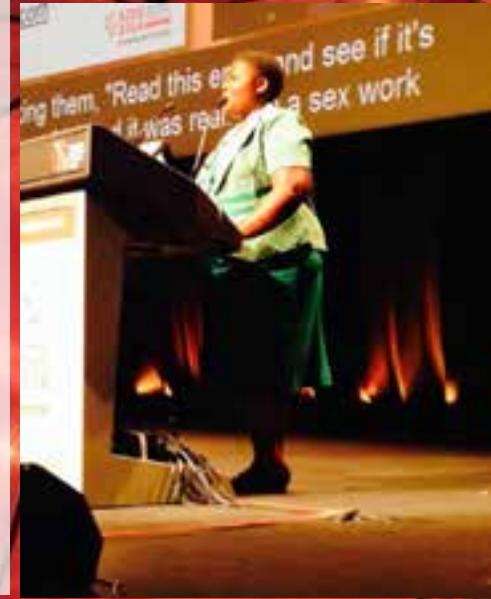
"In some countries, organisations can't form publicly. Many sex worker organisations must appear to be for 'marginalised groups' and receive money for 'indirect rehabilitation'. Transgender people experienced police shaving their hair after arrest under Sharia law – we are challenging this." - Khartini Slamah, Former APNSW president, and, AIDS 2014 Regional CPC Co-Chair and CCC member, Consensus Statement Workshop, Sex Worker Pre-Conference

"Sex work is still illegal in Uganda. Sex work is still not a priority even though we have such high rates of HIV, also rights abusing organisations and programs still get money for bad programs. Why would I want a sewing machine? How is that going to fight HIV? Also we are not involved, we need to be involved meaningfully, not just using sex workers as outreach staff peer educators. They are getting huge amounts of money for this, we should be staff in these programs, I have shown you we can do it. People should not be receiving huge sums of money on our behalf. We should be designing the programs about us. How are they going to be effective without our input and experience? What we want is for sex work to be decriminalised.

We are left behind because sex work is criminalised. Don't hire consultants to tell you how to engage sex workers. Use that money to do another program and engage sex workers.

We also want community mobilisation and strengthening, on a local, regional and global level. It is left to the countries, but it needs to be a global fight. The countries pass these laws and you think this won't affect you because it's not your country, but this is a global fight we all need to join together.

We also want to bring an end to human rights violating HIV and health programs, stop funding sewing machines. Increase funding of sex worker led programs. We can't always have money management or proposal writing skills but you need to invest in sex worker leadership, we need those skills." - Daisy Nakato Namakula, WONETHA Uganda, 'No one Left Behind; HIV and Sex Workers'



In the 2012-16 Global Fund Strategy the Global Fund announced its new funding model, which included a commitment to increase investment in programs that address human rights barriers to accessing health services and ensuring that the Global Fund does not fund programs that violate human rights. The Global Fund has committed to ensuring human rights are integrated into every stage of the grants making process. This year the Global Fund has stated it would address the risk of human rights violations in their programs by ensuring reporting mechanisms are in place alongside clear processes for consultation. Countries are required to identify and commit to address human rights barriers to accessing health. This is a step forward in ensuring countries address human rights for key populations as part of Global Fund grants. Steps that the Global Fund identifies as needed in order to address human rights include consulting with "less consulted" groups and key populations, such as sex workers. This will potentially strengthen gaps in consultation on human rights and access to health for sex workers in many countries.

Conversely, many funding models can explicitly disadvantage, further stigmatise and discriminate against sex workers. The US President's Emergency Plan for AIDS Relief (PEPFAR) requires any organisations receiving PEPFAR funding (outside of the US) to have a policy that explicitly opposes sex work and sex trafficking. Organisations are required to sign the anti-prostitution pledge or the Anti-Prostitution Loyalty Oath (APLO) stating that they oppose sex work in all its forms, conflating notions of trafficking and sex work. This is despite evidence that APLO has had a negative effect on HIV prevention efforts because it undermines the most effective prevention programs and models, such as peer education and community development. The most successful prevention methods run by and for sex workers and based on empowerment models have effectively reduced HIV whereas the pledge has been shown to create further vulnerabilities for sex workers and HIV. Many organisations have refused to sign the pledge, thus making them unable to access funds. The pledge has led to many organisations losing funds, having to scale back programs or censor our work with sex workers, which undermines best practice programs in HIV prevention for sex workers.



"Our activism is critical but there is a systemic error in government, failure of leadership at government and policy level. In relation to HIV funding, this is decreasing, we are asked to be better and tighter, reducing our budgets, but we are not talking about how governments could do this better. On the other hand governments continue to waste money on unnecessary and punitive policies. We need to stop mandatory testing of sex workers, evidence shows it's unnecessary, it is putting a strain on the system. It is an expensive, inefficient, ineffective policy based on whorephobia". - Janelle Fawkes, Scarlet Alliance, Australia, 'Legal Frameworks Governing Sex Work and their Impact on Sex Workers; Recent Developments or Advocacy Campaigns in Response' Human Rights Networking Zone

"Lack of recognition of sex workers in the HIV strategies and continued criminalisation of sex work means that sex workers do not receive any HIV funding in the U.S. Given the legal barriers, continued use of condoms as evidence and lack of grassroots funding, HIV remains a major issue for sex workers in the U.S." -PJ Starr, USA, Key Themes Regional Scene Setting Presentation, Sex Worker Pre-conference

"To be clear, when we talk about a community empowerment-based response to HIV among sex workers, we are specifically talking about a process by which sex workers themselves take collective ownership of programmatic initiatives to achieve the most effective HIV outcomes and to address social and structural barriers to their health and human rights. Community empowerment approaches to HIV among sex workers have been recognized as a UNAIDS Best Practice for more than a decade. This approach now underpins multiple key UN policy documents related to the HIV response among sex workers including normative guidelines and program implementation tools." - Deanna Kerrigan, United States, The Lancet Special Theme Issue on HIV and Sex Workers



"I work for a MSM program that is funded by the government. It is a condition of the funding that we can't talk about rights. Within these restrictions I ask myself, 'How do I help trans people?'" - Nisha Ayub, Malaysia, 'Violence Against Sex Workers' APNSW

"\$carlet Timor Collective (\$TC or \$TK in Tetun-Scarlet Timor Kolectivu) is ready to become a legal organization in this country so the government and the populations can respect sex workers rights. If the organization is already legal, then we will not be afraid anymore to do all the activities and not to hide anymore to get together with more sex workers."

The sex workers not yet get new funding for program advocacy for \$TC and not yet get clear result from FONGTIL (the national umbrella membership-based non-government organization, for Local, National and International NGOs in Timor-Leste to register as a legal NGO). If not then we cannot continue our program, and there will be a lot of sex workers who are repressed, and we are no longer able to speak about our rights as sex workers". - Angkis, Timor Leste; 'Life and experiences of a Timorese Sex Worker, \$carlet Timor Collective



"Sex worker organisations experience systemic underfunding, resulting in burnout of the few human resources sex worker organisations are able to maintain. Most organisations are sustained through high levels of volunteer hours and in some cases where funding does exist, gag clauses prohibit sex workers ability to conduct our work." – Sunday Away, President, Scarlet Alliance, Australian Sex Workers Association, Key Themes Regional Scene Setting Presentation, Sex Worker Pre-conference



Recommendations



Recommendations

- Sex workers must be included in conferences that discuss any aspect of sex work.
- Conference location decisions must consider barriers to entry for members of affected communities.
- The full decriminalisation of sex work is essential to HIV responses, not just for sex workers but for the whole community.
- Biomedical responses must meaningfully include sex workers at all levels, and must not come at the expense of HIV prevention that already work for sex workers.
- Stigma and discrimination remain major barriers to effective responses to HIV.
- Criminalisation of sex work and HIV is a human rights violation.
- We unanimously reject models that criminalise sex workers, our clients, and places of employment, and all other laws that specifically target sex work and sex workers. This will allow us to advocate for workplace health and safety; enable access to anonymous, non judgemental, free and voluntary testing, and quality services; support safer sex practices; and is essential to progress the prevention, treatment and care of HIV.
- Governments and donors must be accountable to their commitments, step up the pace and turn the policies and commitments of AIDS 2014 into actions that result in law reform and decriminalisation.
- Detention of sex workers increases HIV risk. Safe migration pathways for sex workers are needed, not anti trafficking rhetoric which harms sex worker rights.
- Ensure HIV program funding goes directly to sex worker communities and our organisations. It is what works best and it is cost effective.
- Funding needs to have a human rights approach to HIV prevention and support, not a medicalised approach.
- Empowerment and rights based sex worker led responses within supportive legal frameworks are most effective for sex workers rights, safety and health.



Acknowledgements

We thank the many, many sex workers that contributed to sex worker representation, advocacy and community building at AIDS 2014 and in the development of this report.

Photos used in the report were provided by: Christian Vega, Annah Pickering, New Zealand Prostitutes Collective, Nada Tenekat, Janelle Fawkes, PJ Starr, Calum Bennachie.

PO Box 2167
Strawberry Hills NSW 2012
Australia



+61 2 9690 0551
info@scarletalliance.org.au
www.scarletalliance.org.au