

# ACKNOWLEDGMENTS

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# FOREWORD

## About GAATW and our Approach to Human Trafficking

The Global Alliance Against Traffic in Women (GAATW) is an alliance of over 80 non-government organisations from all regions of the world that promote and defend the human rights of all migrants and their families against the threat of an increasingly globalised labour market. Alliance members include service providers, advocacy organisations, and self-organised groups who share a deep concern for the women, children, and men whose human rights have been violated by the criminal practice of human trafficking.

The Alliance was formed in 1994 to counter the dominant discourse on human trafficking, led primarily by the global North. We have challenged the perception of women from the global South as inherently vulnerable and perpetual victims. During the negotiations of the UN Trafficking Protocol, GAATW, together with other organisations focusing on women's rights, human rights, human trafficking, and sex workers' rights, lobbied for a delinking of trafficking from sex work and for consulting organised sex workers, as well as other migrant women organisations, in the development of anti-trafficking legislation. Although Alliance members work with women, men, and children, the main target group of the GAATW International Secretariat has always been adult women.

For the past decade, GAATW has employed a two-pronged approach to human trafficking: critiquing the anti-trafficking framework from within, and looking at trafficking as an issue of migration for labour. The former stems from a (perhaps naïve) hope that the anti-trafficking framework and anti-trafficking responses can be improved, if we and our allies keep presenting solid evidence and proposing solutions. The latter stems from the many conversations we've had with trafficked and migrant women over the years and from analysing their stories of courage and struggles in an unequal and unjust world. These stories have taught us that there is no easy, one-size-fits-all solution to trafficking and exploitation, and that trafficking is not an aberration but is embedded in the global economy, where large numbers of people, especially women, are left behind by their governments to fend for themselves, and exploited by corporations and individuals for private profit. Although we can't change the global economy, we have tried to explore the creative ways in which women resist oppressive structures and how civil society is supporting them in their resistance. GAATW considers all women as workers, whether their work is valued and remunerated fairly or not. Adopting a worker-centred approach to trafficking, looking at different sectors in which women work, and the strategies that can support them to fulfil their ambitions, is our way forward.

The present report is an example of this approach. It documents, through research in seven countries, the negative impact that the anti-trafficking framework has had on the lives of sex workers and on the working conditions in the industry. It also looks at the sex industry as one sector where women, often migrant and of low socio-economic status, work and the strategies that they, and the organisations that support them, employ to improve working conditions and address violence, exploitation, and trafficking in the industry. We hope that it will ultimately lead to a new approach to addressing human trafficking and other rights violations in the sex industry—one that is based on meaningful engagement with those in the industry themselves and responds to their needs, as they articulate them.



Sex workers and allies at 'Feminist Conference: Alliances and Sex Work', organised by Genera. 17 December 2015, Barcelona, Spain. Photo credit: MónAra

# INTRODUCTION

*Maria Stacey and Borislav Gerasimov*

## Background

The relationship between human trafficking and sex work remains one of the most contentious issues in the anti-trafficking field. There are those who view all sex work as exploitative, and therefore a root cause of trafficking, and those who view it as a livelihood strategy that, like other informal work, is sometimes performed under exploitative conditions. The former propose criminalisation and the ultimate eradication of the industry, while the latter propose decriminalisation and increased attention to labour rights and working conditions. The debate goes on and on and no resolution seems possible.

The United Nations Trafficking in Persons Protocol, adopted in 2000, makes it clear that trafficking and sex work are distinct phenomena,<sup>1</sup> and that trafficking and forced labour occur in a range of economic sectors. However, in practice, trafficking into sex work has received disproportionate attention from media, NGOs, and policymakers. Despite this attention, the ways in which anti-trafficking policy has been enforced has not always been helpful: many anti-trafficking interventions, encouraged by prostitution prohibitionists based in the West,<sup>2</sup> focus primarily on raiding sex industry sites and forcibly removing women from them. The harmful effects and human rights violations that occur during and after raids have been well documented by both academics and activists in all regions of the world.<sup>3</sup> Actual trafficked persons in these sites are rarely identified and offered any assistance following these operations, while sex workers are dislocated to other sites, where they may be at higher risk of exploitation and violence, and migrants are detained and deported. Some of the aftercare, or so-

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<sup>1</sup> Human trafficking is defined as a crime that involves the transportation or harbouring of a person, through deception, coercion, force, fraud, etc., for the purpose of exploitation, see UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000, (Trafficking Protocol), Art. 3.

<sup>2</sup> J Chuang, 'Exploitation Creep and the Unmaking of Human Trafficking Law', *American Journal of International Law*, vol. 108, issue 4, 2014, pp. 609–649.

<sup>3</sup> See, for example: Empower Foundation, *Hit and Run: The impact of anti-trafficking policy and practice on sex worker's human rights in Thailand*, Chiang Mai, 2012, available at [http://www.empowerfoundation.org/sexy\\_file/Hit%20and%20Run%20%20RATSW%20Eng%20online.pdf](http://www.empowerfoundation.org/sexy_file/Hit%20and%20Run%20%20RATSW%20Eng%20online.pdf); A Ahmed and M Seshu, 'We have the right not to be "rescued" ...: When Anti-Trafficking Programmes Undermine the Health and Well-Being of Sex Workers', *Anti-Trafficking Review*, issue 1, 2012; M Ditmore and J Thukral, 'Accountability and the Use of Raids to Fight Trafficking', *Anti-Trafficking Review*, issue 1, 2012; A Hill, 'How to Stage a Raid: Police, media and the master narrative of trafficking', *Anti-Trafficking Review*, issue 7, 2016; K Walters, 'Beyond "Raid and Rescue": Time to acknowledge the damage being done', *openDemocracy*, 25 November 2017, <https://www.opendemocracy.net/beyondslavery/kimberly-walters/beyond-raid-and-rescue-time-to-acknowledge-damage-being-done>.

called rehabilitation programmes offered to those rescued, have received similar criticisms, because they function as sites of extra-judicial detention, with women being held against their will and sometimes risking their lives while trying to escape.<sup>4</sup>

In 2007 GAATW documented the negative impacts of these and other anti-trafficking measures in *Collateral Damage*.<sup>5</sup> That research showed that anti-trafficking policy and practice has enabled a great deal of human rights violations against migrants and sex workers, without actually protecting them from exploitation. Ten years later, we engaged in the present research to see if these harmful impacts have remained, but also to document a different approach to trafficking in the sex industry—one that treats sex workers not as victims but as partners in efforts to combat exploitative practices in the industry.

### Women organising

Organising has long been a strategy for individual and collective empowerment and social change among women's and human rights movements globally. Women around the world have used self-organising in conjunction with feminist principles in their efforts to link personal experiences to political issues. For marginalised groups in particular, self-organising is a strategy which enables them to speak for themselves, influence discourse, resources and policies, and advocate for improved living and working conditions. In this context, self-organising provides a space for women marginalised by existing movements such as mainstream women's and labour movements, to craft interventions that will make their working lives more equitable.

As a feminist alliance, GAATW has placed high value on supporting women's (self)-organising. This stems from the profound belief that women are the ultimate experts in their own lives and that the path to meaningful, inclusive, and sustainable social change is enabled by creating a space for women to voice their concerns, take collective action against injustice, and participate in political and social life. GAATW has several self-organised groups among its membership and in some cases has helped establish or formalise self-organised groups. Although self-organised groups represent a relatively small cluster within our membership, they have been some of the most active members in the Alliance and include organisations that are respected for their knowledge, innovation and commitment. They include trafficking survivors, migrant workers, domestic workers, and sex workers working in many areas of anti-trafficking work, such as

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<sup>4</sup> G Soderlund, 'Running from the Rescuers: New U.S. Crusades against Sex Trafficking and the Rhetoric of Abolition', *NWSA Journal*, vol. 17, no. 3, 2005, pp. 64–87; K Walters, 'Rescued from Rights: The misogyny of anti-trafficking', *openDemocracy*, 25 November 2017, <https://www.opendemocracy.net/kimberly-waters/rescued-from-rights-misogyny-of-anti-trafficking>.

<sup>5</sup> GAATW, *Collateral Damage: The impact of anti-trafficking measures on human rights around the world*, GAATW, Bangkok, 2007, available at [http://www.gaatw.org/Collateral%20Damage\\_Final/singlefile\\_CollateralDamagefinal.pdf](http://www.gaatw.org/Collateral%20Damage_Final/singlefile_CollateralDamagefinal.pdf)

prevention, identification, direct assistance, policy development, and re-integration.

In 2007, GAATW organised a convening of its self-organised members, in order to explore the benefits of self-organising. We found that self-organising provides a space in which: (1) lived experiences of oppression and social exclusion can be used as a valuable resource to assist other women in need; (2) meaningful social roles can be created for women and negative social identities can be challenged; (3) women can gain self-confidence; (4) women can access and create new analyses, new skills, and new ways of perceiving the world; (5) women can create supportive and strong communities; (6) women can assert their right to participate and to influence their environment; (7) living and working conditions can be improved; (9) a power base can be built; and (10) a sense of collective responsibility can be fostered.<sup>6</sup> With this research we wanted to document how (self-)organising benefits sex workers specifically and if and how organised sex workers address rights violations that their peers experience, including situations that may fit the narrow definition of trafficking.

## Workers organising

Workers' associations and trade unions have been increasingly recognised as anti-trafficking stakeholders in the past decade.<sup>7</sup> It is now common for activists and policy makers to consult workers from different sectors, or associations representing them, when discussing human trafficking in those sectors.<sup>8</sup> Similarly, the role of organising to advance women's economic empowerment and to reduce the risks of exploitation and trafficking have been recognised at the global political level for women workers in different sectors of the formal and informal

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<sup>6</sup> See the full report of the convening: GAATW, *Respect and Relevance: Supporting self-organising as a strategy for empowerment and social change*, Bangkok, 2007, available at [http://www.gaatw.org/publications/Respect\\_and\\_Relevance\\_RRReport\\_final07.pdf](http://www.gaatw.org/publications/Respect_and_Relevance_RRReport_final07.pdf). For more about GAATW's work with self-organised groups, see also: GAATW, *Partners in Change: Stories of women's collectives*, Bangkok, 2002, <http://www.gaatw.org/resources/publications/905-partners-in-change-stories-of-women-s-collectives>.

<sup>7</sup> See, for example: ILO, *The Roles of Employers' Organizations, Businesses and Trade Unions in Combating Trafficking for Labour Exploitation*, background paper presented at the Vienna Forum to Fight Human Trafficking, 13–15 February 2008, Austria Center Vienna, available at <https://www.unodc.org/documents/human-trafficking/2008/BP019TheRolesofEmployersOrganizationsILO.pdf>; International Trade Union Confederation, *Towards a Global Trade Union Alliance against Forced Labour and Trafficking*, 15 January 2008, available at [http://www.ituc-csi.org/IMG/pdf/No\\_03\\_-\\_Forced\\_Labour\\_and\\_Trafficking.pdf](http://www.ituc-csi.org/IMG/pdf/No_03_-_Forced_Labour_and_Trafficking.pdf)

<sup>8</sup> See, for example: T Williams, *Beyond Survival: Organizing to End Human Trafficking of Domestic Workers*, National Domestic Workers Alliance, 2015, available at <http://www.idwfed.org/en/resources/beyond-survival-organizing-to-end-human-trafficking-of-domestic-workers>; C Bonner, *Domestic Workers around the World: Organising for empowerment*, WIEGO, 2010, available at <http://www.wiego.org/sites/default/files/publications/Bonner-Organising-for-empowerment-2010.pdf>; M Brennan, *Out of Sight, Out of Mind: Human trafficking and exploitation of migrant fishing boat workers in Thailand*, Solidarity Center, 2009, available at [https://www.solidaritycenter.org/wp-content/uploads/2015/01/thailand\\_Out\\_of\\_Sight\\_Eng.pdf](https://www.solidaritycenter.org/wp-content/uploads/2015/01/thailand_Out_of_Sight_Eng.pdf)

economy. However, sex workers are usually absent from such discussions. For example, several background papers and expert papers prepared for the 2017 session of the Commission on the Status of Women themed ‘Women’s economic empowerment in the changing world of work’,<sup>9</sup> focus on women’s organising and trade union participation among domestic workers, waste pickers, garment workers, home-based workers, and street vendors. Sex workers did not receive such attention. The only positive outcome for them was that the Report of the Expert Group Meeting for CSW calls for the decriminalisation of sex work, and the recognition of sex work as work and of organisations of sex workers as trade unions.<sup>10</sup>

However, in the anti-trafficking discourse, prostitution prohibitionists have skilfully managed to present ‘sex trafficking’ as completely different from ‘labour trafficking’, requiring a completely different approach.<sup>11</sup> Although there have been sporadic calls for applying a labour rights framework to trafficking<sup>12</sup> and even to ‘sex trafficking’,<sup>13</sup> well-renowned and respected labour rights organisations are either ambivalent or apprehensive about including sex workers and the sex sector in their advocacy efforts. This has deprived the sex worker rights movement of a crucial ally in its struggle for recognition of sex work as work.

Where support is voiced from the labour movement, it is more incidental than systematic and usually based on personal convictions rather than an organisation-wide policy. Because of strong moral judgments, sex workers and the organisations representing them are generally not viewed through a labour lens. Trade unionists and prostitution abolitionists have accused sex worker rights groups of being unrepresentative, or worse, of being the mouthpiece of brothel owners and ‘the pimp lobby’. Despite being exceptionally well positioned to detect and respond to cases of human trafficking within the industry, sex worker organisations are deliberately excluded from anti-trafficking responses, with three main negative impacts as a result: the diversion of funds away from rights-based approaches that can both reduce vulnerability of sex workers to human rights violations and strengthen their ability to address the issue of persons who have been transported through deception or coercion to work in the sex industry; the time and effort spent by sex worker rights organisations refuting

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<sup>9</sup> Available at <http://www.unwomen.org/en/csw/csw61-2017/preparations/expert-group-meeting>.

<sup>10</sup> See: *Report of the Expert Group Meeting on the CSW 61 Priority Theme: Women’s Economic Empowerment in the Changing World of Work*, UN Women, Geneva, 2016.

<sup>11</sup> A W Peters, ‘“Things that Involve Sex are Just Different”: US anti-trafficking law and policy on the books, in their minds, and in action’, *Anthropological Quarterly*, vol. 86, no. 1, 2013, pp. 221–255.

<sup>12</sup> H Shamir, ‘A Labour Paradigm for Human Trafficking’, *UCLA Law Review*, vol. 76, 2012.

<sup>13</sup> F Simmons and F David, ‘The Road to Effective Remedies: Pragmatic reasons for treating cases of “sex trafficking” in the Australian sex industry as a form of “labour trafficking”’, *Anti-Trafficking Review*, issue 1, 2012.



prohibitionist arguments; and the exclusion of the important insights and knowledge they have about the sex work sector from consultations on developing anti-trafficking policies.

This divisiveness within the field has deprived global anti-trafficking efforts of a crucial ally, who could dramatically improve the outcomes of the anti-trafficking response through its valuable insider knowledge of the industry, the people involved in it, and the conditions of work. The aim of this research, therefore, was to treat sex worker organisations as workers' organisations and partners in efforts to combat trafficking, by documenting the strategies they already employ to protect the rights of workers who experience exploitation, coercion, and abuses within the industry, including those associated with human trafficking.

### Sex workers organising

Sex worker organising and social engagement of prominent sex workers have a long history dating back at least to the beginning of the twentieth century.<sup>14</sup> More recently, in the 1970s, the sex workers' rights movement began to organise and demand that sex workers be recognised as workers wholly entitled to human, civil, and labour rights.

In France, sex workers occupied the St Nizier church in Lyon for 10 days in 1975, demanding an end to fines and police harassment, and sparking occupations in other French cities.<sup>15</sup> In the UK, the English Collective of Prostitutes was formed the same year, while in Sweden and Italy, sex workers formed (unfortunately short-lived) unions.<sup>16</sup> In Brazil, sex worker, feminist, and LGBT activist Gabrielle Leite led a new radical movement of 'puta politics'.<sup>17</sup> Sex worker rights organisation COYOTE (Call Off Your Tired Old Ethics) was established in the USA in 1973, the New Zealand Prostitutes Collective in 1987, and Durbar Mahila Samanwaya Committee (DMSC) in Calcutta, India, in 1992.

Within this emerging political movement, sex workers challenged and resisted stereotypes of sex workers as deviant, diseased, and immoral by advocating for themselves as workers and activists, as public and community educators, and experts in peer education to other sex workers. Sex workers began repositioning

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<sup>14</sup> G Gall, *Sex Worker Union Organising: An international study*, Palgrave MacMillan, New York, 2006; NSWSP, *History*, <http://www.nswsp.org/history>.

<sup>15</sup> NSWSP, 'Occupation of St Nizier Church', available at <http://www.nswsp.org/timeline/event/occupation-st-nizier-church>.

<sup>16</sup> NSWSP, 'History of the Sex Worker Rights Movement', available at <http://www.nswsp.org/timeline-categories/history-the-sex-worker-rights-movement>.

<sup>17</sup> K Kempadoo, 'The Migrant Tightrope: Experiences from the Caribbean', in K Kempadoo and J Doezema (eds.), *Global Sex Workers: Rights, Resistance and Redefinition*, Routledge, New York, 1998.

ideas about sex work in the public sphere from solely negative to also including celebratory, positive, and ‘real world’ perspectives on selling sex.<sup>18</sup>

The 1980s also saw the emergence of an international sex worker rights movement, beginning with the International Committee for Prostitutes’ Rights. In the 1990’s, the AIDS crisis led to the further consolidation of the movement. The Global Network of Sex Work Projects (NSWP), founded in 1990, united sex worker organisations from all over the world around a rights-based agenda. NSWP has been instrumental in ensuring that sex workers’ views are represented in HIV policy. The collective strength of sex worker organisations has also drawn attention to the human rights abuses faced by sex workers and has resulted in global organisations such as the World Health Organisation, UNAIDS, Human Rights Watch, and Amnesty International recommending that sex work be decriminalised.<sup>19</sup>

Self-organising has been identified as a foundational intervention in any programme which provides services to sex workers. This evidence is most advanced in the field of HIV, where community mobilisation interventions, such as sex work collectivisation, peer leadership, and sex worker advocacy have either been effective in reducing HIV infection, or in increasing condom use, or both.<sup>20</sup>

Less is known about the ways in which (self-)organising has enabled sex workers to address human trafficking in the industry, or elements thereof, such as exploitation, coercion, deception or debt bondage. The experience of DMSC in India and the impact of their Self-Regulatory Boards (SRB) in reporting minors and unwilling women in the sex industry have been relatively well documented.<sup>21</sup> In 2016, research commissioned by the Red Umbrella Fund expanded on this topic, focusing on thirteen sex worker rights organisations in nine countries and two regional networks.<sup>22</sup> It documented the challenges that sex workers and their organisations face in their interaction with the anti-trafficking framework, and their response to human trafficking in the industry. Our present research aimed to expand on this knowledge through in-depth face-to-face interviews with sex workers and representatives of sex worker rights organisations.

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<sup>18</sup> E Jeffreys, ‘Sex Worker Politics and the Term “Sex Work”’, *Research for Sex Work* 14, NSWP, 2015.

<sup>19</sup> WHO recommendations, *WHO Guidelines on Prevention and Treatment of HIV and other Sexually Transmitted Infections for Sex Workers in low- and middle-income countries – Recommendations for a public health approach*, 2012; UNAIDS, *Guidance Note on HIV and Sex Work*, 2012; Amnesty International, *Amnesty International Policy on State Obligations to Respect, Protect and Fulfil the Human Rights of Sex Workers*, 2016.

<sup>20</sup> K Shannon *et al.*, ‘Global epidemiology of HIV among female sex workers: Influence of structural determinants’, *Lancet*, vol. 385, no. 9962, 2015, pp. 55–71.

<sup>21</sup> See, for example: S Jana *et al.*, ‘Combating Human Trafficking in the Sex Trade: Can sex workers do it better?’, *Journal of Public Health*, vol. 36, issue 4, 2014, pp. 622–628; S Gayen, ‘Innovative Approaches to Combat Trafficking of Women in the Sex Trade’, *Inter-Asia Cultural Studies*, vol. 7, issue 2, 2006, pp. 331–337.

<sup>22</sup> W Vollbehr, *Sex Workers against Human Trafficking: Strategies and challenges of sex worker-led organizations in the fight against human trafficking*, Master Thesis, Vrije Universiteit Amsterdam, 2016.

With the issues outlined above in mind, the primary aims of this research were to document how organising has enabled sex workers to: 1) deal with the stigma, exclusion, and discrimination they face from society and the authorities, and 2) prevent and address abuses in the sex industry, such as violence, coercion and exploitation, some of which may legally be defined as trafficking.

## METHODOLOGY

### Guiding Principles

This research was based on the principles of Feminist Participatory Action Research (FPAR), which GAATW has prioritised since its inception. FPAR combines principles of feminism with those of participatory action research. It privileges the lived experiences of people, tries to understand a situation from their perspectives, and strives to bring about positive changes in their lives. FPAR does not just record or interpret reality; it seeks to change it through collective action. The link between research and action is the most important aspect in FPAR: when people are directly involved in an analysis of their situation, they are often stimulated to find answers to problems. In the action process new insights and new solutions may emerge. Not only the participants, but also the researcher can change their ideas about the social reality.

Although this research does not fall under classical FPAR, where typically the problems are defined and explored by the groups who experience them, it was committed to FPAR's core principles. It was feminist in that it was centred on women's lived experiences, while mindful of power relations; it was participatory in that the interviewees were not simply respondents but active participants; and it will be used by both GAATW and the partner organisations to advocate for the recognition of the immense contribution of sex worker groups to protecting the rights of sex workers and those trafficked into sex work.

These principles guided the project team in the selection of organisations and researchers. Sex workers are an over-researched population and are understandably wary of outsiders who too often judge or misrepresent them but rarely bring any benefit to them. Thus, care had to be taken that this research is not yet another attempt to extract information from and exploit the knowledge of sex worker rights organisations and sex workers.

### Project team

The project team consisted of: two team members from the GAATW International Secretariat: Bandana Pattanaik, International Coordinator, and Borislav Gerasimov, Communications and Advocacy Officer; an externally contracted lead researcher: Maria Stacey, Independent Consultant based in Cape Town, South Africa; and three advisors: Svati Shah from the University of Massachusetts,

Amherst, USA, Annalee Lepp from the University of Victoria, Canada, and Savi Bisnath from Rutgers University, USA.

### Process

The project team met in August 2016 to refine the project objectives, select countries to conduct the research, and develop an outline of the research methodology. Following this meeting, organisations in the selected countries were contacted and researchers for the respective countries were recruited.

In December 2016 the national researchers attended a workshop, at which the project team presented the research aims, provided a training in the principles of FPAR, and finalised the research methodology and research timeline together with them.

Most of the field work took place between January and March 2017.

In April 2017 members of the research team and all national researchers came together at a workshop to present, discuss, and jointly analyse the research data. This meeting was also attended by a representative of the American Jewish World Service.

The country chapters were prepared between May and October 2017, and the Introduction – between October and December 2017.

### Selection of countries and organisations

Several considerations informed the selection of the countries and organisations, in order to sample organisations in a range of social, economic, political, legal, and cultural contexts. Thus, the research spans seven countries in both the global North and the global South with a variety of legal models pertaining to sex work, including decriminalisation, full criminalisation, and partial criminalisation, that are countries characterised as both origin and destinations for victims of human trafficking.

The organisations selected for the study represent some of the most respected sex worker rights organisations in their countries. Given the experience that these organisations hold collectively, it was critical to try to describe the perspective that they have on the trafficking discourse, and especially their perspectives on the impacts that the enforcement of anti-trafficking policies have on the ground, and on the everyday lives of people who are using sex work as a livelihood option.

For practical reasons, it was also important for GAATW to select organisations with which we have had some working relations in the past, so that we could build on existing mutual trust and respect. Two of the organisations (in Mexico

and Spain) were chosen because they are active GAATW members and two (in India and Thailand)—because of their long-term cooperation with us. The organisations in Canada and South Africa were chosen because of their relationship with, respectively, a GAATW Board Member and the lead researcher of the project. Finally, New Zealand was chosen because of its unique legal model in order to document and compare how decriminalisation has influenced sex workers' ability to organise.

GAATW approached the organisations, presented the project goals and enquired about their interest. All organisations acknowledged that the research can be useful to them in advocating for the benefits of sex worker organising, and agreed to participate.

### **Selection of researchers**

The project team also debated whether the country-specific research should be conducted by the organisations themselves or an external researcher. After all, the organisations could document their own work perfectly well. However, we decided that a degree of external objectivity would be beneficial. An outsider would ask different questions and bring a new perspective that an insider can easily miss. So we decided to hire researchers who are outsiders but known to the organisation. Once the organisations had been engaged, country researchers were proposed and selected in consultation with them. The seven researchers are a diverse mix with different levels of research experience, and include academics, community-based practitioners, and NGO employees. All of them have backgrounds in human rights and feminist activism, and had been involved in, or at least exposed to, sex worker rights activism. The experience and affiliations of the researchers are described in the country chapters.

### **Field work**

The research project was field-based, and used qualitative methodologies. Data collection methods consisted of semi-structured, open-ended individual interviews, focus group discussions, and in some countries—field notes. Between nine and thirty-two people were interviewed in each country and in some countries, additional information was provided to the researchers by email. Both individual interviews and focus group discussions took place, depending on context. The number of focus group participants was generally 5-10, which was determined to be large enough to stimulate group discussion but small enough that all group members feel safe to speak and have an opportunity to do so.

All interviews were conducted in person, except for Canada, where the interviews were conducted via Skype. All participants gave signed, informed consent to be interviewed. Care was given to preserve the anonymity of respondents, unless they opted to be identified. Sex worker participants were not remunerated for interviews, but were reimbursed for their travel expenses (if any) and provided

with lunch, coffee or snacks during the focus group discussions. In some of the countries, sex workers received gift vouchers or small honorariums for an amount that was commensurate with a token gesture. Organisational representatives were interviewed at their work place and were neither remunerated, nor reimbursed for costs.

### Questionnaire

The project team developed three separate questionnaires, with some overlapping questions, for organisational representatives, individual interviews and focus group discussions with sex workers, and for allied organisations, which provided a general structure for the interviews and discussions, covering key areas of enquiry. Given the definitional ambiguities associated with the term 'trafficking', it was necessary for the questions to refer to the *constitutive* elements of trafficking, such as exploitation, coercion, deception, force, and debt bondage during the interviews. It was also important for the interviews to document sex workers' subjective experience and understanding of the spectrum of exploitative working conditions which they face, and to explore how and to what extent these conditions are addressed by the organisations. In addition, the interviews also aimed to document the hurdles or facilitating factors faced by sex worker groups while trying to address those abuses.

### Consultation with sex worker organisations

In keeping with the principles of FPAR, the organisations were consulted throughout the process, and indeed, helped to shape it. Some of them provided specific suggestions on the feasibility of the enquiry framework. For example, although it was recommended that researchers conduct both individual interviews and focus group discussions, in New Zealand and Canada, the researchers were advised that this was not appropriate (for reasons which are elaborated upon in those chapters). In other countries, such as Thailand and India, focus groups were preferred to individual interviews. The organisations assisted in the field work by facilitating interviews and focus groups either at their offices or at places where sex workers lived or worked to increase the comfort of participants. Finally, the draft chapters were shared with the organisations to ensure that interviewees' views were correctly represented.

### Participants

The participants to interview for the research were chosen in consultation with the partner organisations who engage with them, either as employees, beneficiaries or community members.

Participants in the study can be divided into three categories:

#### *Organisational representatives*

Staff members of the organisations were interviewed both individually and in groups. These included staff in leadership positions, those involved in policy and advocacy, or direct service provision, outreach and support (although in smaller organisations, all of these functions may be served by the same person). All the organisations support sex worker inclusion, but the degree to which sex workers are employed by, and lead the organisations, varies.

Organisational respondents were asked to relate the history of their organisation, describe the nature and organisation of the sex industry, and the legal model pertaining to sex work in their country, as well as the community of sex workers they work with, such as size and composition in terms of gender and migrant status, and the issues they address.

As one key focus of this study was on the values of sex workers organising as a way of addressing working conditions, they were asked to describe how they facilitate organising among sex workers and to reflect on its benefits. They were also asked how they understand the term 'human trafficking', and how prevalent it is in the community they serve, and what other issues they address that affect sex workers in their localities. They were also asked how they respond to sex workers' various needs and challenges, especially if any of these included the constitutive elements of trafficking, such as coercion, exploitation, deception, and abuse. Finally, they were asked to describe the discourses and debates around human trafficking and sex work in their country, and how they impact on both the organisation, and the sex worker community more broadly.

#### *Sex worker community members*

Researchers interviewed sex workers who had various kinds of relationships with the organisation, including as beneficiaries of services, or as formal or informal 'members'. In designing the research, we wanted to ensure the representation of sex workers of different genders, sexualities, and migration statuses. While the study did achieve a measure of diversity in these areas, all sex worker respondents were female, both cis and trans, and consisted of migrants and nationals. This in part reflects the organisations' emphasis in working almost exclusively with female sex workers. In addition to sex workers, other community members included children of sex workers (in India) and a waitress and a bar owner in bars where sex work occurs (in Mexico).

The main aim of interviewing sex worker community members was to document the main challenges they face in the industry, as they articulate them. The interviews also explored their understanding of human trafficking versus the common myths about it. If relevant, the interviews also explored sex workers' experiences of having been helped or hindered by organisations (government or NGOs). Finally, researchers asked respondents for recommendations for a more effective response to human trafficking and/or its constitutive elements.

### *Representatives of allied organisations*

The organisations were also asked to recommend respondents from at least one other agency, government or civil society, involved in combatting trafficking, with which the local sex worker organisation had established cooperation. The main aim in interviewing an allied organisation was to obtain an outsider's perspectives on the role of sex worker rights organisations within alliances to address trafficking and exploitation or, more broadly, to support sex workers' rights. In the end, most but not all of the country researches include such a perspective.

### **Data analysis**

The data from the interviews was analysed by the researchers by identifying common themes, patterns, and relationships within the responses. These were presented in a synthesised format at a joint meeting of all the researchers and the project team to allow for some common analysis and conclusions across countries, which were mainly used in the present Introduction.

### **Limitations**

In planning the project, certain strategic decisions were taken around the research methods, which resulted in inevitable limitations.

While based on interviews and literature review, this could be described as more of a documentation project which aimed to feature sex worker organising and organisations within specific national or regional contexts and to explore attitudes toward and, if at all, strategies to address working conditions associated with human trafficking.

Suggestions for sampling of sex workers originated from the organisations themselves, which means that there is a bias towards engaged sex workers. In general, sex workers who are involved with organisations are likely to be more political than those who are not, so these factors have affected the results.

Thus this report does not claim to be representative of the diversity of sex worker communities within each national context or region. Like other qualitative research, it reflects accurately the reality of the participants, as experienced and told by them. From a feminist perspective, no person is unrepresentative and every experience counts. Still, we welcome the opportunity to expand on and test this study in other contexts in the future.

### **Format of the country chapters**

All the country chapters follow the same basic structure: they start with an introduction that describes the country's socio-economic and political context, continue with the methodology employed in the specific country, then move on



to discuss the research findings, and end with a conclusion and recommendations.

The introductory section situates sex work, and human trafficking, within the broader socio-economic and political contexts of the countries as norms, policies and institutions, are shaped by economic, political, social, and cultural forces, which drive migration and livelihood strategies. This section also briefly summarises the legislation and debates around sex work and human trafficking in the country.

The methodology section describes the research process followed in the particular country, including contact with the organisation, number and type of research participants, duration of the field work, and any follow-up.

The findings section presents and analyses the results of the field work. Although all chapters follow certain general structural guidelines, in the end, the issues that were important to sex workers and organisations in each country were somewhat different, and this is reflected in the country reports. All the chapters highlight the power of collectivisation by describing a moment in the organisational history where sex workers (and allies) mobilised around a certain issue, such as harmful and wrongly-targeted anti-trafficking raids, police abuses or new legislation.

Finally, the chapters conclude with a number of recommendations made by the organisations to their national government, anti-trafficking organisations, and human rights funders.

The reader may notice, and we hope will enjoy, the diverse tones and styles of the country chapters: some are clearly academic, others are community-based, and others are written from an activist perspective. This reflects the diversity of our researchers, as well as of sex workers and their communities.

## Findings

The seven chapters that follow capture the views and stories of sex workers and sex worker activists from very different contexts. Although some attempt will be made to draw out common themes, it is important to note that each person interviewed has their own history, motivations, and desires. The research revealed sex workers' range of attitudes towards sex work—negative, positive and neutral—and different ways of understanding and analysing their life journeys and the problems and solutions they encountered along the way. Due to the atmosphere of rapport, familiarity and trust between the researchers and participants, interviewees were encouraged to articulate honestly what is good

and what is bad about their work. Thus while there are many common experiences, there is no single story<sup>23</sup> that can be told about them.

### False Dichotomies and Names that do not Fit

In the highly polarised debates on whether sex work is inherently harmful to the people who sell sexual services, activists often fall into the trap of presenting two opposing, oversimplified stereotypes: the prostituted woman (an exploited victim without any agency) or the sex worker (an empowered, independent woman who made a free choice). This is a false dichotomy which obscures the spectrum of circumstances that people selling sex must navigate. For example, a woman who was already working as a sex worker can become a victim of trafficking, and a woman whose entry into the industry was marked by coercion or deception, can continue working independently for herself, once she leaves the exploitative situation.<sup>24</sup> In the rush to do something for women who are selling sex, many well-meaning advocates make the situation for these women worse by refusing to acknowledge that if sex workers are facing violence or exploitation, the source of these may not be from selling sex *per se*, but from the poor labour conditions or fraught legal context in which sex is sold.

Perhaps the most notable example of this can be seen in the South African chapter. During a focus group discussion, the researcher explained the definition of trafficking and several of the women realised that they had been trafficked into

sex work—someone had promised them a different job, helped them come from Zimbabwe to South Africa, and made them have sex for money as a way to repay their travel debt. They told the researcher that the experience had been painful but added that once they were working independently and earning enough to provide for their children and families they opted to continue with selling sex. One of them, Chidhawazo, describes herself now as a ‘proud migrant sex worker’.

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*‘I finally felt more confident about myself and I have been a sex worker since then. Now I do not pay any money to anyone for doing my work.’*

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Estela, sex worker, Mexico

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<sup>23</sup> In her 2009 TED talk, Nigerian writer Chimamanda Adichie says ‘You can’t tell a single story of any place, person or people. There are many stories that create us. The single story creates stereotypes. There are other stories that are just as important to tell. The problem with stereotypes is not that they are untrue, but that they are incomplete. The consequence of the single story is that it robs people of dignity – it emphasizes how we are different, rather than how we are the same.’, see C Adichie, *The Danger of the Single Story*, *TED Talk*, retrieved 11 November 2017, [https://www.ted.com/talks/chimamanda\\_adichie\\_the\\_danger\\_of\\_a\\_single\\_story/](https://www.ted.com/talks/chimamanda_adichie_the_danger_of_a_single_story/).

<sup>24</sup> J Busza, ‘Sex Work and Migration: The Dangers of Oversimplification – A Case Study of Vietnamese Women in Cambodia’, *Health and Human Rights*, vol. 7, no. 2, Sexuality, Human Rights, and Health, 2004, p.231–249.

In another example, from Mexico, Estela shared how she was violently forced to have sex at the age of 13. After more than two years, she managed to escape. Then, in her own words, 'a gay guy hired me to do sex work in his brothel, in Zamora, in good conditions, with a real income, and freedom to do what I want. I finally felt more confident about myself and I have been a sex worker since then. Now I do not pay any money to anyone for doing my work'. She is now 60 years old.

In India, VAMP related the case of Shilpi, a young Bangladeshi woman who was brought to India by a friend who had promised her a job in a garment factory but sold her to a madam in a brothel. She was initially shocked that she was expected to sell sex, but later decided that it was the only way she could make a decent living and send money back home. In due course, she also got married to a man and they moved in together, but she continued selling sex.

The organisations that participated in the study understand very well that labels like 'victim' versus 'agent' are not helpful, that people in sex work have diverse experiences, and what they ultimately need is some support to address their current situation and future aspirations. For example, in Spain, Hetaira deliberately uses the terms 'prostitution' and 'prostitute', in addition to 'sex work/er.' This is because not all women in the sex industry call themselves 'sex workers,' and Hetaira wishes to communicate that the organisation is there to support anyone selling sex when they need help. In Canada, Butterfly and Stella avoid labels, such as '(victim of) trafficking'—they simply look at the concrete circumstances that an individual may be facing so that they can help in addressing them. These circumstances may involve movement, through deception and coercion, for the purposes of exploitation—as per the international definition of trafficking—or only some of these elements. Regardless, Butterfly and Stella aim to place the person's own needs at the centre of any interventions or support measures. They did point out that some women, whether their circumstances conformed to the official definition of trafficking or not, declared themselves to be victims of trafficking in order to access the protections available to victims in Canada (for example, to avoid immediate deportation). In India, VAMP was addressing situations of *injustice* in the sex industry long before 'trafficking' became the buzz word to describe them.

### Sex Work as a Livelihood Strategy

One of the conceptual fault lines in debates about sex work and trafficking is around choice and agency. Prohibitionists, at their most extreme, argue that choice within sex work is impossible and thus irrelevant, as, in their view, sex work is inherently violent. If sex workers assert that they have chosen their work, they are accused of suffering from 'false consciousness' or viewed as victims of patriarchal oppression, to which they actively contribute. This circular argument

is baffling and infuriating for sex workers, as they are rendered unable to speak for themselves, and their opinions are invalidated by people who claim to have their best interests in mind.

For the purposes of this research, we find the distinction between choice and agency made by sex work activist Ava Caradonna to be useful. She writes, ‘the former insinuates a fictional context in which we all have “equal” options in life and unlimited access to resources. The latter recognises our capability to make plans, to have strategies, and to act within a limiting structure’.<sup>25</sup>

Sex work is first and foremost a livelihood strategy and sex workers want the same thing—to be able to earn a living without interference, discrimination, harassment or judgement. Like everyone else, sex workers choose the best option from the limited options they have, as some of the examples described above illustrate. In addition, for many, sex work is not the only, or primary, work they do. For instance, one of the women interviewed for the Mexican research is

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*‘When you say that you’re a sex worker, people have to find a reason, an excuse. “Because she is trans, she was sexually abused as a child, is a single mother...”*  
*When I was working in [name of a supermarket chain] as a single mother, nobody said, “poor girl, she is being exploited here because she is a single mother”. However, when you are a sex worker people wonder, why is she a sex worker? it sucks to have to explain my life. Nobody questions why I have worked in other fields...’*

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Viko, sex worker, Spain

a waitress in a bar who, after her shift ends, sometimes has sex with clients of the bar, because in this way ‘you can increase your income even four times’. In India, it was reported that a street vendor may search for customers while selling vegetables, and a dancer at marriages may also take clients. In Spain, one of the research participants works as a freelance shipping courier but earns extra money during the weekends as a sex worker. While she is able to pay her social security and taxes as a courier, she cannot do that as sex worker.

For others, sex work is preferable to the generally lower-paid jobs available to them, such as domestic work, factory work or farming. In Thailand, sex workers’ incomes range between two and ten times more than the national minimum wage and it is no surprise that some women choose sex work over other jobs.<sup>26</sup> In Spain, one sex worker was outraged at people questioning her

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<sup>25</sup> A Caradonna & X:Talk project. We speak but you don’t listen. Beyond Trafficking and Slavery, 1 March 2016, <https://www.opendemocracy.net/beyondslavery/sws/ava-caradonna-x-talk-project/we-speak-but-you-don-t-listen-migrant-sex-worker-organisi>.

<sup>26</sup> This point is perfectly exemplified by Burmese sex worker in Thailand and Empower member Malee, quoted in another study: ‘For years I had been exploited and abused [in other jobs]. All that time I had avoided “selling my body” because I understood it to mean cutting off bits and literally selling my flesh. [Then] I discovered it simply meant sleeping with a man and getting

choices: 'When you say that you are a sex worker, people have to find a reason, an excuse: "Because she is trans, she was sexually abused as a child, is a single mother." When I was working in [name of a supermarket chain] as a single mother, nobody said, "Poor girl, she is being exploited here because she is a single mother." However, when you are a sex worker, people wonder, "Why is she a sex worker?" it sucks to have to explain my life. Nobody questions why I have worked in other fields.' In South Africa, sex workers earn an average of six times more than domestic workers, which is often the default occupation for poor black women without a formal education.<sup>27</sup> Many of the sex workers interviewed for our study support children and/or other dependents, often as the sole income earners. In India, VAMP members place great importance on their children's education. As one child of a sex worker said, 'I am so happy that our younger children are getting educated and have alternative ways by which they can earn their livelihood without necessarily coming into sex work... When a woman wants to give up sex work after her children are working is that not *punarvasthi* [rehabilitation]?' Like every other person, sex workers balance the imperative to earn an income, and the options available to them, with the degree of dissatisfaction with working conditions which they are prepared to tolerate.

The organisations interviewed for this research all strive to make sure that sex workers can do their jobs in the best and safest possible way. All of them provide advice to sex workers about, for example, advertising, negotiating, safe places to work, professional services, language classes, healthcare, and so on. At the same time, it needs to be stressed that, contrary to the assertions of prostitution prohibitionists, sex worker organisations neither desire to keep women in sex work, nor do they profit in any way from women staying in the industry. These organisations advocate for the women who wish to continue earning from sex work, but also actively support those who decide it is time to leave for a variety of reasons, including trafficking. In New Zealand, the government employment programme comes to NZPC's office to advise sex workers about different economic and social problems they may have and NZPC refers sex workers to them for assistance with finding alternative employment. Similarly, in Canada, Stella and Butterfly help sex workers navigate different state employment and social programmes when they want to leave the industry. Butterfly also offers English language and massage therapy classes to migrant sex workers. In Thailand, Empower too offers English language classes to sex workers, which is extremely helpful both for working in the industry, and for finding a different job, such as masseuse or tour guide. In India, VAMP is organising the children of sex workers and, as described above, sex workers invest in their children's education, so that when they grow older, their children can support them, as is the norm

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paid for it! I had wasted a lot of time', see: E Bernstein and E Shih, 'The Erotics of Authenticity: Sex trafficking and "Reality Tourism" in Thailand', *Social Politics*, vol. 21, issue 3, 2014, pp. 430–460, p. 447.

<sup>27</sup> C Gould and N Fick, *Selling sex in Cape Town: Sex work and human trafficking in a South African city*, Institute for Security Studies, 2008, <https://issafrica.org/research/books/selling-sex-in-cape-town-sex-work-and-human-trafficking-in-a-south-african-city>.

throughout India, and they can retire from doing sex work. In many of the countries, the sex workers' rights organisations also assist migrant sex workers to obtain documentation which will enable them to seek formal employment if they so wish.

## Challenges and Solutions

Although one of the primary aims of the research was to document how sex worker rights organisations address exploitation, coercion, and violence in the industry, including instances of human trafficking, we also wanted to explore the issues that sex workers, and the organisations working with them, found most important and pressing. So we asked an open question about the main challenges that sex workers face in each country and the responses were mainly related to a number of everyday experiences that sex workers have to deal with. Therefore this next section focuses on these challenges in the way that sex workers articulated them.

### Stigma and Criminalisation

In the course of asking questions about the main issues that sex workers face, stigma and criminalisation were evoked much more often than any other issue and certainly much more than trafficking. Stigma and criminalisation were even seen as contributing to the conditions that are conducive to trafficking.

Stigma is the single biggest challenge affecting all sex workers in the study countries, a finding that is resonant globally. While we are highlighting it here as a separate challenge, it is the root cause of all problems that sex workers face, and in many cases cannot be separated from these other problems. Sex work evokes a range of negative responses, including disapproval, disgust, prurience, and pity. The stigma on (especially female) sex workers stems from patriarchal and heteronormative notions of a woman's place in society, whereby women are cast into one of two roles: the good 'Madonna' wife whose place is at home, and the loose, immoral 'whore' who is on the street and needs to be outcast, condemned, and controlled. Stigma leads to criminalisation, which in turn perpetuates further stigma. As one of the interviewees in Thailand said 'The real problem is that our work is illegal, so it makes people pity us... People look down on us and think we must be trafficked'.

Sex workers clearly see the links between stigma and criminalisation and a range of problems they experience, including harassment and abuse from police, clients, intimate partners,

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*'The real problem is that our work is illegal, so it makes people pity us... People look down on us and think we must be trafficked.'*

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Neena, sex worker, Thailand

acquaintances and community members; exclusion from health and other services; social marginalisation and stress, and psychological pressure. Stigma also extends to sex workers' children, leading to low self-esteem, poor academic performance and fewer life opportunities, as documented in the Indian chapter of this research. In Mexico, the research documented how sex workers' family members extort them for money by keeping their children away from them. In Spain, sex workers are threatened by family or acquaintances with outing and similarly extorted for money. In Canada, one respondent noted that 'when you work in such a stigmatised way, you can't have a resume, you can't necessarily have access to banking, you can't have access to housing because you can get turned away.'

Stigma, while not non-existent, was the lowest in New Zealand, where, as already documented in other studies, participants noted that decriminalisation had improved the attitudes of police, health and social services, as well as the community.

Tackling stigma is a common activity of all the organisations. For example, in South Africa, Sisonke and SWEAT were acknowledged to have played a role in decreasing stigma:

*It helps in that the stigma we have as sex workers is no longer the same as it was in the beginning. [...] With Sisonke we now go to different places [outreach] and the women would say that the brothel-owner used to be rude, but now it's not the same as before, because Sisonke had gone to talk to the brothel-owner face-to-face. [...] Even the community now respects sex workers.*

Similarly, increased respect towards sex workers was reported in India, where VAMP/SANGRAM has been organising sex workers since the early 1990s when the HIV crisis broke out. Enabling women to directly engage with the government and wider society contributed fundamentally to breaking the isolation, challenging the social stigma attached to sex work, and making them visible not as criminal vectors of HIV, but as those battling the pandemic from the frontlines.

Challenging stigma is one of the primary activities of all the organisations we interviewed. All of them reported organising public events, publishing research, and organising sex workers to increase their confidence, self-esteem and power to deal with the stigma. Ultimately, stigma will decrease when sex work is no longer criminalised and when people actually get to know, talk to and listen to sex workers. As one of the participants in the Spain focus group discussion said, 'Break the stereotypes: get a sex worker friend!'

## Migrant Sex Workers

In the past several decades, globalisation, unequal development between and within countries, conflict, and environmental degradation have prompted unprecedented levels of international migration. In more developed countries, demographic changes, such as aging societies and more gender equality at the workplace, and labour market shortages prompted by a move towards service-oriented economies, have created a demand for (low-wage) female workers, especially in domestic and care work, the services, and entertainment sectors. In less developed countries, economic restructuring and industrialisation have led to loss of traditional livelihoods, with a disproportionate effect on women, pushing them to seek work outside their communities. At the same time, labour rights and human rights protections of workers have been increasingly undermined by capitalist and neoliberal policies. This has led to increasingly precarious migration and work for many women, especially those with lower education and social status. For sex workers, the criminalised status of their work has further exacerbated this precarity.

Migrant sex workers are more likely to accept exploitative conditions, or agree to risky sexual practices, due to the threat of being exposed and deported. They are also less likely to access health care, which leads to occupational health problems, including HIV and STI's.<sup>28</sup> In Canada, a member of Butterfly, a migrant sex workers' support organisation explained: 'Asian and migrant sex workers are vulnerable and their human rights are denied because of their race, language, social, immigration and legal status. Stigma and marginalisation increase their

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*'Asian and migrant sex workers are vulnerable and their human rights are denied because of their race, language, social, immigration and legal status. Stigma and marginalisation increase their exposure to violence and exploitation and hinder their access to basic health services, protection and justice.'*

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Elene, Butterfly, Canada

exposure to violence and exploitation and hinder their access to basic health services, protection and justice.' In Mexico, migrant sex workers experience denial of health services, because they lack the mandatory health control cards. Similarly in Spain, migrants continue to be excluded from universal healthcare either because of chaos and disinformation due to frequent law changes, or because they cannot meet the administrative requirements for accessing a health card. In South Africa, migrants are vilified as bringing corruption and crime to the country and this rhetoric is adopted by some sex workers too, as documented during one of the focus group discussions.

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<sup>28</sup> See, for example: L Brussa and V Munk, 'Vulnerabilities and Rights of Migrant Sex Workers in Europe', *HIV AIDS Policy and Law Review*, vol. 15, issue 1, 2010, pp. 61–62; L Renshaw, J Kim, J Fawkes and E Jeffreys, 'Migrant sex workers in Australia', *Research and Public Policy Series no.131*, Australian Institute of Criminology, Canberra, 2015.



In New Zealand, despite the decriminalisation of sex work, migrants (who can work in all other sectors) are not allowed to work in the sex industry. Our research participants described how migrant sex workers experience many of the harms, including stigma, that are experienced by sex workers in criminalised environments elsewhere. Thus, instead of protecting against trafficking, the prohibition of migrant sex work has created conditions that foster and enable exploitation.

All the organisations we interviewed offer services to migrant sex workers to address these issues. In South Africa, SWEAT and Sisonke are promoting solidarity among migrant and local sex workers by involving migrants in their activities, including as staff. In New Zealand, NZPC develops resources for migrant sex workers and interviewed sex workers said that they would turn to NZPC if they know a migrant who is being exploited, because exposing a migrant sex worker to the police is not always in her interest. In Canada, Butterfly offers a number of services to migrant sex workers, ranging from a 24/7 hotline, to outreach, to help with immigration documents, to how to advertise. In Spain too, Hetaira offers advice to migrant sex workers about their immigration status and the services they are entitled to as migrants. And in Mexico, Brigada Callejera assists migrant sex workers to become documented so that they can obtain the health card which is necessary to access health services.

### A range of exploitative conditions: 'At least I'm not in Taken'

Exploitative, unsafe, and unhealthy working conditions exist in sex work, as they do in other, especially labour-intensive sectors with little or no regulations and oversight. Indeed, criminalisation, by perpetuating stigma, discrimination, and social marginalisation of sex workers, has created the conditions in which violations of sex workers' rights, including exploitation and trafficking, can continue with impunity. The participants in this study identified a range of exploitative conditions imposed by managers and brothel owners, such as long working hours, wage deductions or fines for not adhering to rules, being cheated out of the earnings due to them, high rents and insufficient physical protection. They attributed them to the criminalised and

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*'...the kind of exploitation that most of us are facing is the exploitation of working long hours, the uncertain pay, of management trying every trick they can to scam every dollar out of you that they can...it's not the exploitation of being chained to a bed and raped for twelve hours straight... And in saying that that's what we're experiencing just invalidates when something bad does happen to you.'*

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Danielle, sex worker, New Zealand

stigmatised nature of the industry which allows the managers and brothel owners to threaten sex workers with exposure, and reduces sex workers' opportunities to seek legal recourse for them. While such exploitative practices were described as relatively common, many of our participants pointed out that the government and media's obsession with human trafficking and 'sexual slavery' obscure these more mundane forms of exploitation. Danielle from New Zealand put it marvellously when she said:

*It means you ignore the ways in which you are being exploited, which are the same boring ways that anyone's exploited under capitalism... The kind of exploitation that most of us are facing is the exploitation of working long hours, the uncertain pay, of management trying every trick they can to scam every dollar out of you that they can... It's not the exploitation of being chained to a bed and raped for twelve hours straight... And in saying that that's what we're experiencing just invalidates when something bad does happen to you. And it makes it hard to recognise when bad things are happening when you're always thinking, "Well at least I'm not, you know, at least I'm not in 'Taken.'"<sup>29</sup>*

The organisations we interviewed mediate with managers, brothel owners and madams to alleviate these conditions. NZPC has made significant efforts to reach out to and educate brothel operators about legal and acceptable working conditions. They have developed a code of conduct, available on their website, and assist operators in implementing it. Operators also come to their office to take information materials and ask for advice. In India, VAMP has set up special community committees which intervene when madams, their husbands or 'rowdies' cause any problems for sex workers, mistreat them, want free sex, or try to cheat them out of their pay.

### Ideological silencing, marginalisation, and exclusion: 'Talking about us without us'

Many of our respondents expressed frustration with their exclusion from political participation and representation, especially when it comes to policies that concern them. Some prostitution prohibitionists claim that sex workers can't or don't speak on their own behalf. Sex workers who have become involved in the business side of the industry, including the management of safer and less exploitative working conditions for sex workers, are treated with derision. The constant struggle to be recognised and accepted as a sane person with dignity

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<sup>29</sup> Taken is a 2008 fictional movie which depicts the kidnapping of two young women by human traffickers for the purposes of sexual slavery.

and reason who can speak for herself and knows what's best for her is exhausting.

This quote from Kerry from Canada captures some of these frustrations:

*...certain feminists and anti-sex work campaigners have done a really, really good job of discrediting sex work organising—they call us 'the pimp lobby' ... [claim] that sex work organisations exist to keep women in the sex trade. I mean sex work support organisations have been supporting women to exit sex work forever and we generally do that off the side of our desk and without there being any specific funding for it.*

Nevertheless, our research participants have continued to advocate for sex workers' voices to be heard, often in the face of hostility from anti-trafficking organisations, including some who profess to be feminist, and have endured for many years. Through their research and public events, sex workers can voice their concerns and share their problems in their own words and propose policy solutions. The

struggle for recognition is ongoing and has yielded slow but steady results. The most notable achievement is the decriminalisation of sex work in New Zealand, which happened after many years of campaigning by sex workers organised by NZPC. In South Africa, a Sisonke member co-chaired the working group that developed the South African National HIV Plan 2016-2019. In Mexico, Brigada Callejera organised sex workers and succeeded in making the Mexico City government recognise sex workers as non-salaried workers, which guarantees them important rights available to other workers. In Thailand, the government was forced to speak with sex workers, organised by Empower, following their submission for the 2017 CEDAW review of the country. These successes need to be celebrated, as they develop in sex workers a sense of community, self-esteem, and political participation in a largely hostile and silencing environment.

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*'...when we are simply asked to contest or justify our existence, it's fucking tiring.'*

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**Ava, sex worker, Canada**

All the organisations involved in this study have become the 'go-to' organisations for sex workers in their locations. And in some cases, this perseverance is paying off, with sex worker organisations' critical role being increasingly—albeit sometimes begrudgingly—acknowledged by other stakeholders, including police, social services and other NGOs. The best example of such cooperation is New Zealand, where the role of NZPC is well understood and respected by government agencies and other NGOs. In India, the relationship between VAMP and the police has over time steadily improved, to the extent that the local police Deputy-Superintendent acknowledges that the police relies on sex worker networks for

accurate intelligence, saying ‘Yes, it is important we work with sex worker collectives to prevent trafficking.’

## Sex Work, Trafficking, and Anti-Trafficking

### A Vague and Ill-defined Term

The sex workers interviewed in most countries reported that situations which meet the definitional criteria for human trafficking are not common in their experience. A notable exception was Mexico, where some harrowing cases of trafficking were documented, and where these cases must be understood in the context of the high rates of violence, much of it related to gangs and drug cartels, high levels of impunity, and reportedly endemic police and judicial corruption that have plagued Mexico in recent years.

The majority of sex workers interviewed had at least a basic understanding of what trafficking is, and could explain that it entails movement, through deception, coercion, and control, for exploitation. However, while acknowledging that these situations exist, most had not had personal experience and did not know others whose situation could meet these definitional criteria.

In several of the countries, trafficking was perceived as an issue that was introduced from outside the industry itself, propelled by a moralistic agenda, that the organisations have felt obliged to understand, in order to counter the harmful effects of conceptually conflating trafficking and sex work. For example, understanding ‘trafficking’ and ‘sex work’ to be describing the same thing has led to seeing brothel raids as the only rational response to sex work, a policy that has led to a ‘revolving door’ of raids, rescue, extra-judicial detention, and more raids.

In New Zealand, the momentum of the adoption of the UN Trafficking Protocol led to the inclusion of the provision in the Prostitution Reform Act that prohibits migrants from engaging in sex work, although trafficking was not initially a concern in the debate around decriminalisation. However, rather than a genuine concern with the wellbeing of women in sex work, the provision was meant more as an anti-immigrant measure. In Spain too, the concept of trafficking re-emerged in the 1990s after the fall of the Berlin wall and the noticeable increase of

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*‘I think it’s a really vague and ill-defined term. To be honest, my emotional reaction when I hear it, is just my hackles come up, I’m ready for anti sex worker sentiment... and I have seen arguments about human trafficking being used so many times to argue for things that would reduce my rights as a sex worker.’*

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Michelle, sex worker, New Zealand

migrants from Eastern Europe, rather than as a concern of those involved in the industry itself.

In Thailand, words and situations like ‘taking advantage of someone,’ ‘tricking’ or ‘cheating’ them, or ‘debt’ are easily understood by sex workers; but ‘trade in humans’ (the Thai translation of human trafficking) was brought to the industry and imposed from the outside. Similarly, in India, VAMP was dealing internally and collectively with perceived injustices, informed by a shared sense of ethics. With the onset of foreign-initiated anti-trafficking interventions, the community has had to engage with what is for them a different, a legal paradigm, and has had to make a concerted effort to understand the law. Interestingly, in India, sex workers did observe that the industry had changed over the past couple of decades, that the presence of pimps had increased, and that some of these pimps were thought to be involved in trafficking. On the other hand, in Thailand, it was noted that human trafficking used to be much more prevalent in the sex industry, but that it had declined steadily over the past 15 years due to internal changes in the industry itself, and was now rare.

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*‘Anti-trafficking policies have negatively impacted sex workers; they have been used to detect undocumented immigrants and to deport women. Migrant sex workers are counted in statistics as women at risk but all that is done with these women is to deport them.’*

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Silvia, Hetaira, Spain

### *‘It’s just an excuse to arrest us’*

In the experience of the sex workers and sex worker organisations surveyed in this study, the anti-trafficking machinery has not been helpful to them. Indeed, as documented extensively in *Collateral Damage*, and supported by interviews for this study, many anti-trafficking interventions are stigmatising and harmful to them. Sex workers are therefore suspicious of the real motives of anti-trafficking campaigns, which, from bitter experience, they see as an excuse for attempts to eradicate prostitution. In particular, anti-trafficking policy is seen as an elaborate front for targeting migrants, and especially undocumented migrants. Thus, in Thailand, Empower founder P’Noi said: ‘The new law is not only [about] Thailand; it’s [to protect] big countries like the US...’, whereas in Spain, Hetaira activist Silvia said, ‘Anti-trafficking policies have negatively impacted sex workers; they have been used to detect undocumented immigrants and to deport women. Migrant sex workers are counted in statistics as women at risk but all that is done with these women is to deport them. In the end, these policies are a strategy to control female migration.’

Even if the aims of the global anti-trafficking apparatus are to protect potential and actual victims of trafficking, the ways in which governments apply laws and policies to combat trafficking is far from benign. For example, in Mexico, a migrant from Honduras described how she worked in a bar that was raided by the police. There were only two women there, so the police decided to brand one the victim of trafficking and the other the perpetrator, despite the fact that neither had been involved in trafficking. The police ordered one woman to give money to the other, took photos, confiscated the money, and strip-searched the women. The so-called perpetrator was ordered to sign a confession. The so-called victim was committed to a shelter, and ordered to testify against her friend. The wrongly accused 'perpetrator' was sentenced to three years in prison. Now released, she is unable to find work because of her criminal record.

In two further examples, in Spain, a sex worker who earned extra money by driving sex workers to work was prosecuted for human trafficking (although she was later acquitted because of lack of evidence); and in a second case, a former client who sold snacks to street-based sex workers was questioned by the police, and dubbed an exploiter by the media.

In addition to these misapplications of anti-trafficking laws, sex workers also routinely experience harassment by the police, which often crosses the line of legality and can extend to extortion, assault, and even rape. It is understandable, therefore, that in most contexts, the police are viewed with distrust. In the words of Alice from Canada:

*There's no way I would go to the police ... if I were assaulted or robbed ... I know that Stella offers the services to help people through the justice system but I was like, even with their help, it's not something I want to go through.... And then I was assaulted and I was like, nope. I'm going to deal with this in another way which was just to deal with myself and to blacklist the client. I didn't have a violent assault but it was definitely non-consensual and I was like, nope.*

Only in New Zealand has decriminalisation shifted the relationship between the sex worker community and the police from one of harassment and mistrust to one of collaboration, so that sex workers now feel that they can rely on the police for protection. However, the role of police with regard to migrant sex workers is a bone of contention, and is seen as increasing the vulnerability and marginalisation of migrant sex workers.

Raid and Rescue

One of the most common manifestations of misguided anti-trafficking fervour is the high-profile raid and rescue interventions. The chapters on Thailand and India document two such interventions. In both cases, Western anti-trafficking NGO's collaborated with local law enforcement agencies to raid brothels under the pretext of rescuing victims of human trafficking. In both cases, the raiders were accompanied by the media, who published sensationalist articles along with dramatic pictures of sex workers, thus exposing their identities publicly. The fact that in both cases representatives from the foreign NGOs posed as clients adds another layer of prurience to the cases. In both cases, only a few underage women were found (who are technically classified as victims of trafficking under national law, even if they were not coerced), and attempts were made after the fact to 'manufacture victims' to justify the raid, by forcing women to say they were trafficked. In both cases, the raids were stressful and traumatising to the 'rescued' women: the cases involved the absurdity of the so-called victims of trafficking being detained like criminals and placed in government facilities without the ability to even contact their families. In both cases, it was the sex worker organisations who stepped in to provide support for the women—to inform their families, to bring them a change of clothes, to provide translation, and to keep them informed about their case. In India, some of the women from VAMP were yelled at and accused of being 'slave holders' by the foreign NGOs, which caused them so much stress that one had to be hospitalised.

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*'The raid affected the two younger girls badly since it was widely reported in the newspapers and on TV, and they were upset that they would not be able to go back to school because their names were tarnished and their future was spoilt. Finally, one of the girls came into the dhandha [sex work] because she felt that her name had anyway been spoilt and the other one got married to someone from Karnataka. One of them even attempted suicide.'*

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Focus group discussant, India

## Realising Rights

### Sex Worker Organising: By, with and for sex workers

While sex worker organisations in the seven countries operate in different contexts, they fundamentally have the same approach to supporting sex workers. All of them respond to sex workers' needs by providing person-centred, holistic, and non-judgemental support. They meet sex workers where they are. They don't impose ideology or morality on them.

Although the majority of the organisations operate with limited budgets, they offer a range of services in response to sex workers' needs. All provide a space which serves as a low-threshold, drop-in centre, a safe and discreet free space where community members can hang out, eat, drink, establish friendships, and access a range of services, from language classes to support groups, to counselling, legal advice, and health services. In addition, all the organisations conduct outreach to where sex workers work, during which they listen, advise, intervene and refer, as dictated by the individual's needs.

Importantly, the sex workers interviewed indicated that they would approach the sex worker organisations for assistance with a range of concerns, including exploitative or coercive working conditions, and problems with brothel-owners, managers or pimps. There was also a strong sense of sex workers' experiencing that being connected to each other, even in an informal way, was protective and supportive. Stories emerged of how sex workers look out for each other in their workplaces, be it the parks of Madrid, the brothels of Sangli or the bars of Chiang Mai. While policy-makers may feel that brothel raids and other anti-trafficking interventions are positive because they put an end to exploitative living and working conditions, this study shows that these kinds of interventions actually disrupt the ability of sex worker organisations to provide consistent services to sex workers, including services for their children and support for exiting sex work, if they choose to do so. Instead, community-based interventions, as the ones described in this report, should be prioritised, as they offer more meaningful and respectful solutions.

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*'She [a migrant sex worker who was sexually assaulted] was worried about immigration and went to NZPC and they helped her. They helped her, like, they talked to the police and then they got the police to talk with her without putting her at risk... like, she didn't end up getting deported or anything... so I think that NZPC are really good at managing that stuff.'*

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Lydia, sex worker, New Zealand

### Sex Workers' Contributions to Anti-Trafficking: Smart solutions

Sex worker organisations have a very important role to play in combatting exploitation and abuse in the industry, including human trafficking. In fact, sex worker organisations are best placed to interrupt such situations in the industry and need to be recognised and appreciated for this work by the anti-trafficking movement.

This study shows that when sex workers have heard of cases of injustice experienced by their peers, their responses were of shock and concern, and they used their resources to offer assistance. The study also shows that, although trafficking was reported to be relatively rare in the spaces where our partner



organisations operate, when situations of trafficking or severe exploitation do take place, sex worker rights organisations address these in ways that are smart, creative and appropriate for the context, and do not cause further harm to the victim. A number of stories presented in this report illustrate this point.

In Thailand, Empower members related the story of a migrant sex worker from Myanmar who started attending their English classes. In time, they found that, while she was willingly involved in sex work, her employer was holding her passport, restricting her movement, and making unreasonable deductions of her earnings until she had paid off her debt. Her peers outlined the options available to her, and discussed the consequences of each. The obvious option—identifying herself to the authorities as a victim of trafficking—was not viable for her, because she did not want to be sent to a shelter or back to Myanmar; she wanted to carry on earning money as a sex worker, but under better conditions. The group problem-solved collectively, and eventually came up with a solution to make this happen.

In Durban, South Africa, Sisonke peer educators on outreach encountered young women and adolescent girls who they could tell were being controlled by a pimp who was nearby, monitoring them. Under the guise of distributing condoms, they managed to get the number of the SWEAT/Sisonke helpline to the girls, who later called, and thus enabled the matter to be reported to the organised crime unit, which led to the uncovering, and eventual successful prosecution of one of South Africa's largest cases of child trafficking for sexual exploitation. In another example from South Africa, SWEAT peer educators learnt that a local gangster had abducted the teenage daughters of two sex workers and drugged them, with the intention of exploiting them. After the police refused to take the case, the peer educators sought help from another local gangster who strong-armed the first one to release the two girls.

In India, the VAMP conflict redress committee (TMS) was approached by the madam of a brothel, who suspected that a girl brought to her by a pimp was a minor. When TMS members came to the brothel to investigate, the pimp took the girl and ran away to another brothel area. They alerted the TMS in that area, who made the taxi driver tell them where the pimp took the girl. TMS members

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*'... the girl—because she really wanted to be helped—whilst her pimps were not looking, she ... took out the pamphlet with the numbers and then she actually called Cape Town. And then when she called Cape Town, the Sisonke helpline, that's when the case was actually brought forward to us. Then after that we took up the case, called the police and the police actually did the investigation; where they actually went to the place where the pimps were keeping the young women.'*

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Khoza, Sisonke, South Africa

found the girl, verified that she was indeed a minor, contacted her parents, provided counselling to them and the girl, and referred them to the police. Although the pimp had escaped again, the strong action that TMS women took had such an impact, that he never returned to that community again.

What these cases, and others documented in the country chapters, have in common, is that the solutions are not always obvious or conventional; in some cases sex workers have to get creative in order to find the best, 'first, do no harm' solution to the concrete situation.

## The Power of Many: Organising for change

All the organisations have built up referral networks with other agencies, both government and NGOs, which support sex workers. In many cases, the sex worker organisation is the first port of call for the sex worker: after listening to what she needs, and if she so wishes, the organisation refers her to an appropriate organisation or government department. This works best in New Zealand, where sex work is decriminalised, and NZPC is recognised and respected for its role in the community.

In some contexts, sex worker organisations have formed pragmatic, if sometimes uneasy, cooperation with government departments/units and NGOs to address situations of suspected human trafficking or crimes against sex workers. SWEAT and Sisonke's collaboration with A21's National Human Trafficking Resource Line on a suspected human trafficking case illustrates how, even though in the public domain there has been a conflation of trafficking and sex work, when it comes to their daily operations these organisations have a shared commitment to rooting out trafficking, and have been able to work together to deal with such cases.

Beyond support for individual cases, this research also aimed to highlight how sex worker rights organisations mobilise sex workers and allies to resist stigma, discrimination, and oppression and to collectively voice their concerns and claim their rights. Most of the studied organisations have formed alliances with healthcare providers, as well as the LGBTI, and to a lesser extent, the feminist movements, to protest the treatment of sex workers and counter the negative stereotypes about them.

For example, in Spain, Hetaira, together with Médicos del Mundo and other NGOs, organised meetings with the local government, sent letters and filed complaints against the harassment and abuses of sex workers in the Villaverde Park in Madrid. The results of these actions are yet to be seen but the mobilisation led to the formal registration of a sex worker-led organisation. In Canada, the Canadian Alliance for Sex Work Law Reform was formed in 2012 by a small group of activists following the legal challenge against several Criminal Code provisions regarding sex work. After the Supreme Court decision to strike down

these provisions, and the conservative government's proposal for a bill to criminalise clients, the Alliance organised a number of protests, published information sheets for policy makers, and three guides for sex workers to help them understand the legislative process and take an active part in it. Although the conservatives managed to push their agenda, the Alliance continues its active work with the new liberal government and, in the meantime, has grown to 28 organisations and continues to grow. In Mexico, Brigada Callejera and the Mexican Network of Sex Work organised protests to demand the recognition of sex workers as non-salaried workers, which was finally achieved in 2014.

## Conclusion

Perhaps one of the most harmful aspects of popular anti-trafficking discourse is the persistent conflation of sex work and trafficking, for ideological and political ends. Some states have criminalised (or further criminalised aspects of) sex work as an instrument against trafficking. Many anti-trafficking organisations claim that to eradicate human trafficking in the sex industry, the industry itself must be eradicated. As has been shown in *Collateral Damage*, and as this research further illustrates, sex workers are extensively harassed, arrested and incarcerated, including in 'rehabilitation centres', in the name of combatting trafficking.

The anti-trafficking framework, with its complex legal definitions, focus on extreme forms of exploitation, and a law-and-order criminal justice approach, has not been helpful for addressing the actual exploitative and abusive working conditions that sex workers experience. Sex workers are completely opposed to human trafficking, as they are to other injustices in the industry, but they resist attempts to interfere with and destroy their means of earning a livelihood. While they appreciate genuine concern for their wellbeing, they reject being labelled as victims in need of rescue. In societies which stigmatise and oppress sex workers, sex workers are understandably mistrustful of authorities, reluctant to report crimes or cooperate with investigations. Thus, a population of potential key allies in the campaign against exploitation and trafficking has been alienated.

Sex worker rights organisations in the seven countries involved in this study and beyond are united in their desire to rid the sex industry of all forms of violence, coercion, and exploitation. They have a vested interest in advocating for greater safety, improved working conditions, and respect for human and labour rights for all sex workers. The contribution of sex worker organisations has the potential to improve anti-trafficking efforts in several key ways. Firstly, sex worker organisations provide services to sex workers in a person-centred way which supports and respects the individual's self-determination, without the imposition of moral judgements, and in such a way that minimises harm.

Secondly, sex worker organisations can improve evidence. Several researchers have observed that morality and ideology-driven anti-trafficking measures have a problematic relationship with evidence. For example, Australian academic Sallie Yea notes that the field is rife with ‘manipulation, misuse and, at worse, neglect of existing evidence altogether’.<sup>30</sup> The evidence is there, if one cares to look for it, and yet evidence is ignored if it presents inconvenient truths. For anti-trafficking efforts to be more effective, they need to be based more on evidence and less on ideology. As insiders, sex workers are also uniquely placed to provide intelligence that can lead to the accurate detection of cases of human trafficking.

Thirdly, sex worker rights organisations can contribute to the elements of the global anti-trafficking response which have so far been the weakest—the prevention and protection aspects. By creating supportive social networks, sex worker organisations can educate sex workers about their rights, reduce stigma, isolation and marginalisation, and improve sex workers’ access to legal advice, as well as health and social services. All of these roles, which sex worker organisations are best placed to provide, make them essential allies in fighting exploitation and human trafficking, which means they have to be given a far greater role, as well as provided with funding to support that role.

Ultimately, sex worker rights organisations are worker rights organisations whose primary mandate is to ensure that the human, economic, social, political, and labour rights of their constituents are recognised and respected by state and non-state actors. At some level their work is very similar to the work of GAATW members and partners, who provide person-centred, human rights, and empowerment-based services to survivors of trafficking. For example, like many anti-trafficking organisations within GAATW’s membership, sex worker organisations provide information about rights and working conditions, and where to seek help in cases of rights violations. In anti-trafficking lingo this is commonly referred to as prevention of trafficking, awareness-raising, or empowerment. In cases of rights violations, like anti-trafficking organisations, sex worker organisations offer assistance with filing complaints and dealing with the police, courts, and immigration authorities, meeting basic needs, psychosocial counselling, family mediation and return to the community, and help with finding employment. In anti-trafficking programming all these are broadly referred to as reintegration or social inclusion services.

However, while highlighting the similarities, it must be noted that the anti-trafficking organisations mentioned here may be atypical and a minority. Still we must underscore that the agendas of sex worker rights organisations and anti-trafficking organisations are not contradictory if one takes care not to conflate sex work with trafficking. The conceptual conflation of sex work with trafficking

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<sup>30</sup> S Yea, ‘Editorial: The politics of evidence, data and research in anti-trafficking work’, *Anti-Trafficking Review*, issue 8, 2017, pp. 1–13.

prevents many anti-trafficking organisations from noticing the similarities between their work and that of the sex worker rights organisation. Similarly, non-recognition of sex work as work stops many labour rights groups and unions from extending solidarity to sex worker rights organisations.

In the beginning of this section we highlighted that labels and categories are often inadequate and unhelpful. At the very best, labels describe an aspect of a person's identity at a particular time. Rather than labelling a person 'victim of trafficking' or 'sex worker' it is important to understand their particular situation at the given time and respond to their needs, as they articulate them. As the work of many of our Alliance members and partners shows, anti-trafficking organisations and sex worker rights organisations are not incompatible with each other: sex worker rights organisations can address situations of trafficking, and anti-trafficking organisations can respect the rights of sex workers. We hope that this report illustrates these points clearly and reinforces the need to avoid the dangers of a single story.

## Recommendations

Based on the findings highlighted in this report, we make the following recommendations for improved, inclusive and respectful anti-trafficking policies that will reduce, or altogether eliminate, all collateral damage of current anti-trafficking interventions.

### Change the approach to human trafficking

In a 2014 address to the UN General Assembly, the Special Rapporteur on Trafficking in Persons, especially Women and Children, advocated for 'a cultural and political switch', noting that 'trafficking in persons is not only, and not primarily a law enforcement issue, but rather a social and economic issue, requiring a consistent and long-term commitment, sustained by a persistent political will'.<sup>31</sup>

This conceptual switch requires a deepening of the approach to understanding human trafficking as a phenomenon that is influenced by a complex set of historical, social, political, and economic conditions. Anti-trafficking measures need to take into account the structural conditions which produce, and reproduce exploitation, and the particular contexts in which incidents of trafficking occur.

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<sup>31</sup> See: Statement by Maria Grazia Giammarinaro, Special Rapporteur on trafficking in persons, especially women and children at the 70<sup>th</sup> session of the General Assembly Third Committee Item 68 (b) & c), <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16659&LangID=E>.

### **Listen to sex workers**

The people who are affected by trafficking, and the organisations that represent them, should participate in policy-making, programme planning, implementation, and evaluation. This is accepted in other sectors where trafficking occurs, such as domestic work, fisheries or agriculture.

Sex worker organisations provide a platform for sex workers' voices to be heard. As insiders, they know best what the problems in the industry are and, as documented in this research, how to address them. Anti-trafficking stakeholders need to recognise sex workers as partners, not adversaries, in anti-trafficking work.

### **Decriminalise sex work**

Complete decriminalisation of sex work is not a panacea, but it is the first step to better protect sex workers' rights. The decriminalisation argument is based on an understanding that sex work is work, and is a precondition for establishing safer, healthier workplaces in an industry in which sex workers' rights are protected by labour laws, and in which sex workers are afforded the same labour protections which other workers enjoy. As in other sectors, this would lead to fewer opportunities for exploitative working conditions, including human trafficking.

### **Reduce stigma against sex workers**

Similarly to decriminalisation, a reduction in stigma towards sex work would improve the recognition of sex workers as workers and citizens with the same rights as anyone. A reduction in stigma would decrease the marginalisation of the industry which is conducive to trafficking, and would improve the ability of sex workers to access services and seek justice in cases of exploitation.

### **End the conflation of sex work and trafficking**

The conflation of sex work and trafficking in persons leads to inadequate counter-trafficking policies

and to counter-productive prostitution policies. It leads to inappropriate responses that fail to assist sex workers and trafficked women in realising their rights. The two issues are both complex and need their own individual approach and policy, while taking into account the economic, political, and social root causes of each.

### **Invest in sex worker organising**

Sex worker organisations are first and foremost human rights organisations. They offer support to those who experience rights violations and advocate for human rights. Donors need to recognise their role in this and support them in order to transform the sex industry into one in which human trafficking cannot thrive.

### Conduct further research

Organising works differently in different contexts and the strategies that sex worker organisations employ in one country would not necessarily work in another. It is important to continue documenting best practices in different contexts, so that organisations can learn from each other, and human rights activists in different contexts can recognise their immense contributions to the wellbeing of sex workers.

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