



## Considerations for the empowerment of sex workers

The INDOORS project acknowledges that sex workers experience violence, discrimination and stigma related to their professional activity. In an effort to promote sex workers' empowerment, the INDOORS partners have continuously implemented human rights-based activities. The project therefore calls on European and national stakeholders, governments, public authorities and institutions to consider the following five key issues in sex workers' empowerment.

### Decriminalisation of sex work

- Criminalisation and state repression of sex work, sex workers, clients and third parties create conditions that often result in unsafe working conditions, vulnerability and human rights abuses. As a consequence, sex workers and migrant sex workers in particular face un-equal access to rights and justice, as well as reduced legal protection.
- Decriminalisation is fundamental to a human rights-based approach to sex work. All laws and regulations that have a negative impact on sex workers' health, safety and working and living conditions should be repealed.
- Laws that have broad implications and criminalise aspects related to sex work, such as mandatory registration, mandatory sexual health examinations, criminalisation of clients, prohibitive zoning regulations, abusive law enforcement practices, prohibition of advertisement, pimping laws and laws on public order, should be reviewed so that they do not infringe basic constitutional rights and do not increase sex workers' vulnerability, drive them into hiding or expose them to violence.
- The use of condoms as evidence of prostitution is a practice that must not be allowed to continue, as this violates sex workers' rights to health and life and increases their vulnerability to HIV/STI infection. Condoms should only be tools for prevention and work, and not a means for the state to penalise sex workers.

- Sex workers should have the right to choose and refuse their clients and working conditions, and should enjoy the same rights as any other worker, including labour rights and occupational health and safety.

### Equal legal protection and access to justice for sex workers, regardless of their migration status

- Sex workers are often targeted and attacked by law enforcement officials, civil servants, religious groups and people posing as clients, to name a few. This violence can be physical, psychological, economic and verbal, and is often perpetrated against sex workers with impunity. Due to the criminalisation of sex work and/or sex workers and repressive legal environments, the police frequently dismiss violence against sex workers and do not guarantee their access to justice, even in cases of extreme abuse.
- Structural and institutional violence through state-based interventions mean that sex workers regularly experience violence during arrest, forced detention and deportation (undocumented migrants) or removal, often in the name of public order and/or anti-prostitution and anti-migration measures.
- All sex workers should be protected against discrimination, rights violations and any form of violence through human rights-based laws.

- Immigration laws and restrictive migration policies should not be used to curtail sex work activities and/or to control sex workers. Therefore, it is necessary to put an end to unjust practices that lead to the arrest and deportation of migrant sex workers, including those aimed at protecting victims of trafficking. Sex workers' rights must not be obstructed in the name of anti-trafficking efforts.

- It is essential that sex workers have effective access to their rights and justice, regardless of their nationality, location or the legality of their work.

### Elimination of stigma and discrimination

- Stigmatisation and discrimination hamper sex workers' civil and human rights, promote social exclusion and increase their vulnerability to violence, abuse and HIV/STI infection. These are results of different social processes that are related, but not limited, to the legal environment and the criminalisation of marginalised populations. Sex workers who are also drug users, migrants and/or LGBTI experience multiple forms of stigmatisation and discrimination.

- Discrimination on several grounds, including health status, is a violation of human rights. While there are no (international) laws against stigmatisation, its effects are still negative for sex workers.

- Sex workers often experience disproportionate levels of violence, including police abuse, sexual assault, rape, harassment, robbery and extortion, as well as abuse from people posing as clients, third parties, intimate partners, local residents and public authorities as a result of stigma and discrimination. This is made worse by unfavourable legal environments that criminalise sex work and sex workers.

- Additionally, stigma and discrimination impede access to social and health-related services and justice. Legal and policy reform are fundamental to addressing these consequences. Governments should favour equal access to justice and targeted, quality services for sex workers. Furthermore, governments should work towards implementing and enforcing anti-discrimination laws and protective legislation derived from human rights standards to eliminate stigma, discrimination and violence against sex workers.

### Guarantee continuity of low threshold, non-judgmental, anonymous and free of charge social and healthcare services

- Sex workers experience barriers in accessing health and social services due to criminalisation, stigmatisation and discrimination. In this context, financial and institutional support for human rights-based services that target the diverse needs of sex workers are necessary. Gaps in service provision should be bridged with the support of long-lasting and sufficient geographical coverage, along with the possibility of multilingual services and projects.

- Service providers should guarantee non-discriminatory treatment, efficient access and high quality services for sex workers. Sex workers are entitled to the same rights as any other human being, including non-discrimination and confidentiality in accessing HIV/STI care, treatment, information and services. Furthermore, mandatory sexual health examinations should be eliminated, as these stigmatise sex workers and violate their right to health.

### Participation and inclusion of sex workers and sex worker-led organisation in sex work programming

- Sex workers should be considered experts in all matters that are related to them, and should therefore be included in all decision-making processes and policymaking, including all public discussions and political proceedings related to sex work.

- Civil society should facilitate the involvement of sex workers in the design, implementation and evaluation of services.



The overall aim of the INDOORS project is the grassroots level empowerment of female sex workers working indoors, i.e. in apartments, brothels, massage parlours, windows, bars, clubs, saunas, other private places and on the internet.



### Different jobs. Equal rights.

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