



Only Rights Can Stop the Wrongs

NSWP STATEMENT

STATEMENT IN RELATION TO THE ARREST OF ALEJANDRA GIL

In light of the recent arrest of Alejandra Gil, NSWP would like to make the following statement. From our understanding of the situation, the charges in question emanate from new legislation, which in our view conflates sex work with human trafficking.

The UNAIDS Guidance Note on HIV and Sex Work¹ clearly states that many anti-trafficking laws encourage the assumption ‘that all or most sex workers are trafficked into sex work against their will.’ It also clearly calls for anti-trafficking interventions to ‘be reviewed and evaluations carried out to ensure that the human rights of both sex workers and trafficked persons are being protected.’²

We would request that the current law is urgently reviewed to establish whether it unduly conflates sex work and trafficking, as has been the experience in many other countries.

It should be noted that Alejandra Gil has worked tirelessly for the human rights of sex workers for many years, in Mexico, regionally and globally, and has been a valuable resource within NSWP on the needs and rights of sex workers in Latin America. She has openly challenged and condemned human rights abuses, such as trafficking and abusive practices within sex work.

NSWP has over 180 member organisations from 68 countries across the world. NSWP opposes all forms of criminalisation and other legal oppression of sex work (including sex workers themselves, clients, third parties, families, partners and friends). The term ‘third parties’ includes managers, brothel keepers, receptionists, maids, drivers, landlords, hotels who rent rooms to sex workers and anyone else who is seen facilitating sex work and recognises the

¹ UNAIDS. **UNAIDS Guidance Note on HIV and Sex Work**, Geneva, 2012.

http://www.unaids.org/en/media/unaids/contentassets/documents/unaidspublication/2009/JC2306_UNAIDS-guidance-note-HIV-sex-work_en.pdf

² Ibid.



Only Rights Can Stop the Wrongs

many diverse working relationships that sex workers have, as both employees and employers. Laws and policies that target 'third parties' under the premise of 'protecting' sex workers, increase our vulnerability to abuse and exploitation, and create real barriers for sex workers organising and advocating for their labour rights and the protection of their human rights.

The criminalisation of sex workers' work places (and the third parties who run them) exposes sex workers to increased risk of HIV transmission. When a sex worker's place of work is criminalised, sex workers are often scared to carry condoms or have condoms on the premises for fear of law enforcement using condoms as evidence of sex work. The implications of this with regard to HIV transmission are clear and as such the criminalisation of third parties contributes to higher risk of HIV transmission.

Sex workers often choose to work together for safety. The criminalisation of third parties forces sex workers to work alone. In New Zealand, the decriminalisation of third parties has allowed sex workers to challenge abusive and exploitative working conditions and managers. Sex workers are also more empowered to refuse clients they do not want to see as managers cannot coerce or force a sex worker to see a client they do not want to see.

There can also be devastating consequences for the family members and partners of sex workers as a result of the criminalisation of third parties. Children and partners of sex workers can be prosecuted as third parties, boyfriends of sex workers are often arrested and charged with 'pimping', as are drivers, landlords or anyone who might provide assistance or deliver a service to a sex worker as part of a working relationship.

NSWP remains committed to tackling abuse and exploitation that occurs within a sex work context, as it occurs within every field of work. We campaign for full decriminalisation of sex work as the best system to protect the rights of sex workers.

2



nswp

Global Network of Sex Work Projects
Promoting Health and Human Rights

The Matrix 62 Newhaven Road
Edinburgh Scotland UK EH6 5QB
secretariat@nswp.org +44 (0)131 553 2555
www.nswp.org

NSWP is a private not-for-profit limited
company. Company No. SC349355