

REPORTING FROM THE SHADOWS

*Using CEDAW to Advocate for Sex
Workers' Rights in Central Eastern
Europe and Central Asia*

December, 2013

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THE SEX WORKERS' RIGHTS ADVOCACY NETWORK (SWAN)

SWAN is a network of 20 civil society organizations in 19 countries in Central, Eastern and South-Eastern Europe and Central Asia advocating for the human rights of female, male and transgender sex workers. SWAN member organizations work with or are led-by sex workers and sex worker leadership is an organizing principle of the network. SWAN was founded in 2006 and was officially registered as the SWAN Foundation in January of 2012.

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Reporting From the Shadows: Using CEDAW to Advocate for Sex
Workers' Rights in Central Eastern Europe and Central Asia
December 2013

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ABOUT THIS BOOKLET

This booklet is aimed at sex workers, sex worker groups, organizations working with sex workers, women's groups, drug users' groups, LGBT groups, human rights organizations and other friends who want to know more about advancing recognition for sex workers' rights through the United Nations human rights bodies, and in particular, through the Committee on the Convention for the Elimination of Discrimination Against Women (CEDAW). We are sharing our experiences in the hope that it proves as helpful as learning from others' experiences was to us. We also hope that it allows more people to know about the work that SWAN, sex workers and allies are doing to end human rights abuses against sex workers.

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A HUMAN RIGHTS FRAMEWORK FOR SEX WORK

Although sex workers' rights are seldom mentioned specifically in international human rights law, human rights are "universal". That means that they apply as much to male, female and transgender sex workers, as to anyone else.

Many declarations and conventions are of direct relevance to some of the most common rights violations faced by sex workers. For example, the Canadian HIV AIDS Legal Network has argued that:

"The International Covenant on Economic, Social and Cultural Rights" ("ICESCR") legally obliges [countries] to take steps towards the progressive realization of sex workers' rights to work (Article 6), to enjoy just, favourable, safe and healthy working conditions (Article 7), and to the highest attainable standard of physical and mental health (Article 12), including HIV prevention, treatment, care and support.

The International Covenant on Civil and Political Rights ("ICCPR") legally obliges [countries] to guarantee sex workers' rights to life (Article 6), liberty and security of the person (Article 9), freedom of expression (Article 19) and equality before the law and equal protection of the law without any discrimination on any ground (Article 26).

Specific to women who do sex work, the Convention on the Elimination of All Forms of Discrimination against Women ("CEDAW") similarly obliges [countries who have ratified it] to take all appropriate measures to ensure the protection of health and safety in working conditions (Article 11(1)(f)) and to repeal all national penal provisions that constitute discrimination against women (Article 2(g)).¹ Women's rights, migrants' rights and labour rights, among others, are all part of a human rights framework. Many important international bodies use a human and labour rights framework for sex work. These include the WHO, UNFPA,

1 Factum of the Canadian HIV-AIDS Legal Network et. al. Bedford v Canada. June 2013.

UNAIDS and Global Commission on HIV and the Law. Indeed, it is the framework in many key pieces of international guidance on sex work:

- “The International Guidelines on HIV/AIDS and Human Rights” of the UN High Commissioner on Human Rights and UNAIDS²
- The UNAIDS “Guidance Note on HIV/AIDS and Sex Work”³
- The World Health Organization (WHO) Guidelines on “Prevention and Treatment of HIV and other sexually transmitted infections for sex workers in low and middle income countries”⁴
- The Final Report of the Global Commission on HIV and the Law: “HIV and the Law: Risks, Rights and Health”.⁵
- The International Labour Organization (ILO) Recommendation concerning HIV and AIDS and the World of Work, 2010 (No. 200)⁶

For a table of common abuses and forms of discrimination reported by sex workers in the CEE/CA region and the specific international human rights conventions and declarations that they infringe, we suggest reading SWAN’s Sex Workers’ Guide to Human Rights Documenting.

A human rights violation can be something that either one or many state-actors (people linked to the government) or non-state actors (the general population) does. It can also be something that the government has failed to do: for instance, not upholding safe working conditions. Governments can also be held responsible for laws and policies that create harms and fuel human rights violations. For example, SZEXE in Hungary successfully argued to CEDAW that their government’s policy of arresting women on the street selling sex was not only discriminatory, but made sex workers’ working conditions more dangerous and violated their rights to work in health and safety.

2 <http://www.ohchr.org/EN/Issues/HIV/Pages/InternationalGuidelines.aspx>

3 http://www.unaids.org/en/resources/documents/2012/20120402_UNAIDS-guidance-note-HIV-sex-work

4 http://www.who.int/hiv/pub/guidelines/sex_worker/en/

5 <http://www.hivlawcommission.org/index.php/report>

6 http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/publication/wcms_157866.pdf

CEDAW AND SEX WORK: WHAT'S THE STORY?

Basics

The United Nations has a number of what are called “Conventions”. These are agreements that governments can choose to sign on to. Countries that pass a motion in support of agreeing to the convention through their national government are considered to have “ratified” the treaty. Once a country has ratified a convention, such as the Convention on the Elimination of Discrimination against Women (CEDAW), it is obliged to report on its progress in living up to the agreement to a committee of independent experts every few years. The CEDAW Committee then accepts what are called “shadow reports” or reports from NGOs or associations (they do not have to be formally registered) reporting on what they see as the governments’ failures or successes. Shadow reports can attempt to address the issues of ALL women in a country or only focus on specific groups of women (i.e. rural women, women sex workers, etc.). The Committee uses the shadow reports and meetings with some of their authors to help decide what issues they will challenge the government on and what they will include in their final report to the government. When a final report says things that are favourable to your cause, this can be a powerful advocacy tool at home.

Only seven countries have not ratified CEDAW. You can check if your country ratified (CEDAW) here:

https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en

For a full and detailed over-view of CEDAW procedures the links in the final section of this booklet explain it specifically for activists. You can also consult CEDAW'S website:

<http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx>

For a calendar of which countries are reporting in upcoming sessions, you can check here:

http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/SessionsList.aspx?Treaty=CEDAW

CEDAW on Sex Work

CEDAW only specifically refers to sex workers (“prostitutes” and “women engaged in prostitution”) in three places. So let’s start with two:

Article 6.: “States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.”

General recommendation 19 (violence against women), Article 24 (h): “States parties in their reports should describe the extent of all these problems and the measures, including penal provisions, preventive and rehabilitation measures, that have been taken to protect women engaged in prostitution or subject to trafficking and other forms of sexual exploitation. The effectiveness of these measures should also be described.”

So states are supposed to do everything they can, including introduce laws, to stop the “exploitation of prostitution of women” and “sexual exploitation”. But what actually counts as “exploitation of prostitution” and “sexual exploitation”?

Some anti-sex work activists and some governments have tried to argue that ALL sex work is “exploitation” or that any kind of brothel owner, manager or third party involved in sex work is “exploitation”.

Sex workers’ rights activists, of course, argue that sexual exploitation and sex work are not the same thing: that sexual exploitation occurs when someone is coerced to do something against their will or is a child. This is

in line with the position taken by UN Women that: “We cannot consider sex work the same way we consider trafficking or sexual exploitation which are human rights abuses and crimes.” (The entire statement by UN Women is included in Annex I and may be useful to cite in CEDAW submissions in support of a sex workers’ rights position).

But, how does the CEDAW committee define exploitation?

Well, it has really varied. In some cases, the CEDAW Committee has clearly differentiated “prostitution” from the “exploitation of prostitution.” So, for instance, New Zealand has decriminalized selling sex, buying sex and owning or managing brothels and does not consider these to be exploitation but considers forcing someone to do sex work or trafficking to be exploitation. The Committee has respected this perspective and has not found New Zealand to be in violation of CEDAW. This is true for a number of countries where sex work is legal. In some instances, the Committee has gone even farther and recommended the decriminalization of prostitution even where sex work is illegal. (See Box Below).

However, at other times the CEDAW Committee has expressed negative attitudes towards prostitution as something to be prevented or reduced and members of the committee have appeared to have confused prostitution and exploitation as being the same thing by referring to “the victims of prostitution”.

The second place is in General Recommendation No. 19 on Violence against Women, in which says that:

General Recommendation 19, paragraph 15: “Poverty and unemployment force many women, including young girls, into prostitution. Prostitutes are especially vulnerable to violence because their status, which may be unlawful, tends to marginalize them. They need the equal protection of laws against rape and other forms of violence.”

This section is troubling for a couple reasons. Firstly, it confuses the very different issue of adult women and young girls selling sex. Secondly, it is problematic that CEDAW only refers to sex workers in the context of violence. However, this recommendation has been particularly useful in drawing the Committee to take the issue of violence against women sex workers seriously. Furthermore, its wording puts the responsibility on states to make sure that sex workers are not targeted with violence. For example, the CEDAW committee criticized the Peruvian government for the fact that police were not taking sex workers' reports of rape seriously.

If you are interested, here is how international human rights law experts have explained this relationship between CEDAW and sex workers' rights. The following is an excerpt from a submission (called a "factum") by the Canadian HIV/AIDS Legal Network and allies to the Supreme Court of Canada in the case of *Bedford Versus the Queen* (June 2013).

"While Article 6 of the Convention requires that States suppress the exploitation of prostitution of women¹, CEDAW does not impose an obligation on States to criminalize prostitution, or practices associated with it such as communication, common bawdy houses or living on the avails of prostitution. CEDAW recognizes that the state obligations lie in reducing harm to women engaged in sex work and not necessarily reducing or eliminating the sex trade itself. The Committee on the Elimination of Discrimination against Women ("CEDAW Committee") — the body of independent experts that monitors the Convention's implementation — has not equated the purchase of sex with "exploitation" (of women) and has not found states that have decriminalized sex work (including New Zealand, which had decriminalized "living on the earnings of prostitution") to be in violation of the Convention, nor has it recommended that these States criminalize practices related to sex work.² Where sex work is illegal, the

1 Article 6 of CEDAW provides: "States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women."

2 See, for example, Committee on the Elimination of Discrimination against Women ["CEDAW Committee"], Concluding Observations of the Committee on the Elimination of Discrimination against Women: New Zealand, 52nd Sess, CEDAW/C/NZL/CO/7, (2012) at para 25, Int. Auth. Tab 8; CEDAW Committee, Combined second and third periodic reports: Greece, 20th sess, CEDAW/C/GRC/2-3, (1999) at para 197, Int. Auth.

CEDAW Committee has recommended the decriminalization of prostitution and distinguished prostitution from the “exploitation of prostitution.”³

Moreover, CEDAW confers a positive responsibility on States to protect sex workers’ right to be free from violence and threats to their health. According to CEDAW, “[g]ender-based violence is a form of discrimination that seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality with men.”⁴ On numerous occasions, the CEDAW Committee has noted its concern with discrimination and violence against sex workers and recommended legislation and other action to prevent such discrimination and violence and to promote safe working conditions.⁵ This is in line with the CEDAW Committee’s General Recommendation No. 19 on Violence against Women, in which the Committee notes that “[p]rostitutes are especially vulnerable to violence because their status, which may be unlawful, tends to marginalize them. They need the equal protection of laws against rape and other forms of violence.”

Tab 9; and CEDAW Committee, Concluding Observations of the Committee on the Elimination of Discrimination against Women: The Netherlands, 45th Sess, CEDAW/C/NLD/CO/5, (2010), Int. Auth. Tab 10.

- 3 See, for example, CEDAW Committee, Concluding comments by the Committee: China, 20th Sess, CEDAW/C/SR.419-421, (1999), Int. Auth. Tab 11, which recommends at para 289 the “decriminalization of prostitution” and further urges the Chinese government at para 291 to prosecute all persons engaged in “trafficking and the exploitation of prostitution” [emphasis added] and CEDAW Committee, Concluding Observations of the Committee on the Elimination of Discrimination against Women: Fiji, 46th Sess, CEDAW/C/FJI/CO/4, (2010), Int. Auth. Tab 12, in which the Committee urges Fiji at para 25 to take concrete steps aimed at effectively “decriminalizing sex work.”
- 4 CEDAW Committee, General Recommendation No. 19: Violence against Women, 11th Sess, UN Doc A/47/38, (1992) at para 1 [“CEDAW General Recommendation No. 19”], Int. Auth. Tab 13.
- 5 See, for example, CEDAW Committee, Concluding observations on the combined seventh and eighth periodic reports of Hungary adopted by the Committee at its fifty fourth session, 54th Sess, CEDAW/C/HUN/CO/7-8, (2013) at paras 22–23, Int. Auth. Tab 14; CEDAW Committee, Concluding observations of the Committee on the Elimination of Discrimination against Women: Kyrgyzstan, 42nd Sess, CEDAW/C/KGZ/CO/3, (2008) at para 43, Int. Auth. Tab 15; CEDAW Committee, Concluding Observations of the Committee on the Elimination of Discrimination against Women: Fiji, *supra* at para 24, Int. Auth. Tab 12; CEDAW Committee, Concluding Observations of the Committee on the Elimination of Discrimination against Women: Russian Federation, 46th Sess, CEDAW/C/USR/CO/7, (2010) at paras 28–29, Int. Auth. Tab 16; and CEDAW Committee, Concluding comments by the Committee: China, *supra* at paras 325–326, Int. Auth. Tab 11.

Recognizing Sex Workers Full Rights under CEDAW

The Canadian HIV-AIDS Legal Network has pointed out other articles that are not specific to sex workers are still very relevant to them. This includes the state's duty under to CEDAW to ensure the protection of health and safety in working conditions (Article 11(1)(f)) and to repeal all national penal provisions that constitute discrimination against women (Article 2(g)) (CHALN).

But really, the sky is the limit...As TAIS PLUS wrote in an informal report of their experience to the SWAN list-serv in 2008:

"We reported the fact of discrimination, persecution and violence (Ar. 1 and 2), lack of guarantees basic human rights and fundamental freedoms (Ar. 3), the fact that the struggle against trafficking is used by police to apologize their raids, and in the case that sex workers complain of real cases of trafficking, police is not able to provide them needed support.

We emphasized that the existing system of money extortion from women who sell sexual services by the employees of the law enforcement bodies makes them direct exploiters of prostitution (Ar.6). We reported that sex workers are excluded from political and public life (Ar. 7), have problems with establishing citizenship (Ar. 9), and have no equal access to education (Ar. 10). We reported that sex workers have no opportunity to realize their labor rights (Ar. 11), have no access to the healthcare (Ar. 12) and to economic and social benefits (Ar. 13). Sex workers also cannot realize their right to be equal to other people before the Law."

The CEDAW Committee has in fact addressed human rights abuses against sex workers beyond violence. They have criticized forced medical controls and testing of sex workers by Azerbaijan, Indonesia and India. As the CEDAW Committee wrote itself in 2003:

"In general, the Committee stressed the need to provide prostitutes with the same rights as other women to protection against any form

of violence and in particular with regard to access to health services, including programmes for the prevention and care of HIV/AIDS (China, twentieth session; Democratic Republic of the Congo, twenty-second session; Cameroon, twenty-third session; Guyana, twenty-fifth session; and Uganda, exceptional session).¹

In a few breakthrough moments, the CEDAW committee has recognized the same rights for sex workers under CEDAW as for other women, not limiting itself to only where “prostitution” is mentioned in the convention.

We are very proud that the submission of SWAN members have led to some of them strongest reports on sex workers’ rights, including the first time the term “sex worker” has been used. These are important victories not only for the countries involved but because they set the precedent of (finally!) recognizing women sex workers’ rights as women’s rights. Furthermore, this recognition of sex workers’ human rights can be carried into national court cases. For example, in the 2013 constitutional challenge to the sex work laws in Canada, the government and anti-sex work groups argued that CEDAW was against sex workers’ rights. Health and human rights groups were able to point to a number of times when the CEDAW Committee explicitly supported sex workers’ rights to show that they were wrong.

“The Committee recommends that the State party: Adopt measures aimed at preventing discrimination against sex workers and ensure that legislation on their rights to safe working conditions is guaranteed at national and local levels.”

CEDAW Committee, Concluding observations: Hungary, 54th Sess, CEDAW/C/HUN/CO/7-8, (2013) at paras 22–23.

<http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW.C.HUN.CO.7-8.pdf>

1 CEDAW. Background paper concerning article 6 of the Convention on the Elimination of All Forms of Discrimination Against Women. 29th session. 30 June-18 July 2003.

“The Committee is concerned about reports of discrimination and harassment against women because of their sexuality as well as about acts of harassment against women in prostitution by police officials.”

CEDAW Committee, Concluding observations: Kyrgyzstan , 42nd Sess, CEDAW/C/KGZ/CO/3, (2008) at para 43.

<http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-KGZ-CO-3.pdf>

Gender Limitations and Transphobia

One of the very real limitations of CEDAW is that it only concerns women and so the issues faced by sex workers who are men or who identify as multiple genders are not addressed. Furthermore, CEDAW has yet to recognize transgender women as women or to recognize individuals who identify as multiple genders and the violations against their rights. Indeed, it only just recognized rights violations based on sexuality in its observations to Kyrgyzstan in 2008. However, that should not keep you from addressing the issues faced by trans women in your submissions. As we are learning, the only way to get CEDAW to move forward, will be to persist in educating them.

LESSONS LEARNED

Getting Started: Nothing about Us without Us!

The first step is to make sure that sex workers are guiding the process. This can take time. It is worth planning far in advance of when your country is facing review by the CEDAW committee. Having sex workers take a leadership role through out and guide the process is by far, the MOST important element of all.

The second step is to keep it simple. Even this booklet contains a lot of fancy and complicated language that can be intimidating...but the process of submitting doesn't have to be. Sex workers can start with a brainstorm of what are the biggest obstacles to their safety, freedom, well-being? What are the biggest injustices or abuses they face? What is happening in those situations? Who is responsible? Are there laws and policies that contribute to these things happening? That make it harder to be safe? Free? Equal?

Next, you can start connecting these abuses to the rights that seem to be violated under CEDAW.

Submitting on Sex Workers' Rights

Do not limit yourself only to the parts in CEDAW that mention "prostitution". Bare in mind, all of CEDAW applies to women sex workers. Return to TAIS PLUS's example above for inspiration.

Alternately, you can choose to focus on two or three points for which you have the most evidence. This was the used successfully by SZEXE in Hungary. They focused on repression of sex workers on the street; discriminatory media portrayals and lack of access to relevant health

services. For each of these subjects, they were able to provide strong explanations and evidence.

If you choose to use the term “exploitation” and take advantage of the fact that CEDAW has very strong wording against “exploitation,” make sure you define what you mean so that it cannot be misinterpreted. Also, remember that it can be a gamble since the CEDAW committee may take a different interpretation.

It can also help to define sex work (i.e. the consensual exchange of sexual services between adults) or the guiding principles you use to understand sex work and human rights. SZEXE in Hungary, for example, began with just such an introduction. Some groups have copied from SWAN’s guiding principles. It can help frame for the CEDAW readers from the outset that there is a recognized and respected human rights framework for sex work and that that is what you are using.

Submit Alone or Together?

Some groups choose to submit on their own as a sex worker group and look specifically at issues that affect sex workers (see submissions from TAIS PLUS, Kyrgyzstan; SZEXE, Hungary). Other groups that include sex workers, drug-users and women who are both sex workers and drug-users, sometimes choose to address the distinct and overlapping issues that sex workers, drug users and sex worker-drug users face (see the submission from PROI: Bosnia-Herzegovina). Still other groups may choose to join a large coalition of women’s groups to submit (see the excerpt from the submission by a Coalition that HOPS-HOPS, Macedonia contributed to).

So far, the most successful submissions from the region have been the ones that focused specifically on sex workers and were submitted by sex worker groups on their own. However, it is impossible to know if that was because of their submission strategy or due to some other factor, like open-minded committee members.

Being part of a broader coalition has the advantage of making it less work and less intimidating. However, be careful that they do not pigeon-hole sex work issues only in the articles in CEDAW that mention “prostitution”. (See point above). It also runs the risk of having sex workers’ issues stand out less and thus, not be specifically investigated by the committee.

Working on the joint issues of two overlapping groups (i.e. sex workers, drug users and sex worker-drug users) has the advantage of being able to draw connections between how certain groups are marginalized or repressed and of recognizing that many women have different and intersecting identities (i.e. we can be “women” and “Roma” and “migrant” and “transgender” and face discrimination for the combination of these together). However, it can also sometimes make it harder for the committee to seize on a very specific rights violation to respond to. So, it is worth trying to prioritize which issues to raise.

Submitting as one group has the disadvantage of being far more work. It can also make it hard to do justice to the fact that some sex workers are, like mentioned above, also part of other groups facing rights violations. That said, it can allow the space and freedom to go into great specificity and detail about specific violations. This a key point because the CEDAW committee will generally not investigate points that are not well explained or backed-up with evidence, which brings us to the next point...

What Counts as Evidence

This is the part that can seem perhaps scariest – but really it isn’t. Our stories and knowledge as sex workers are important and valid evidence. The observations and witnessing of our allies in sex work projects are also important evidence. So for example, we can quote each others’ experience:

* “The police beat me if I do not pay extortion money” Tanya, 21, Saint-Petersburg.

We can count each other's' experience.

* On April 25th, in the X drop-in Centre, 16 out of 23 sex workers reported they had been beaten by police in the past year.

We can use media articles or studies that have reported on rights violations against us.

We can also do community-based research projects or put together sex worker-led human rights documenting projects. For more on how to do these, read SWAN's Sex Workers' Guide to Human Rights Documenting.

Making Sure Sex Workers are Seen and Heard

Part of the CEDAW process can involve meeting with the CEDAW committee at a round-table in your home country or presenting in front of the actual CEDAW committee at the UN. Many of the CEDAW committee members will never have spoken to or heard directly from a sex worker in their lives. It can be extremely powerful for sex workers to speak directly to the committee, as sex workers.

Ways to Use CEDAW Comments Once the Process is Finished

If you are lucky enough to have gotten good comments and recommendations for the CEDAW committee, then that is a HUGE accomplishment. However, there is a lot more work to be done to take full advantage of the advocacy opening this can create. It is important to think through a media and political strategy to follow. Will you publicize the recommendations and point to the government's failures? Will you try and approach politicians and persuade them they need to work with you?

Each context is different and calls for a different strategy. However, it might be helpful to ask women's groups who have had success with the CEDAW process in the past, what strategies were most successful.

ANNEX I: UN WOMEN NOTE ON SEX WORK, SEXUAL EXPLOITATION AND TRAFFICKING (2013)

- _The views of UN Women on the subject are grounded in the relevant human rights principles¹ and provisions, intergovernmental normative frameworks and the best available scientific and epidemiological evidence. UN Women is attentive to the important input of civil society across the wide spectrum of opinion that pertains to the subject.
- _The issues of sex work, sexual exploitation and trafficking are complex issues which have significant legal, social and health consequences. Due to such complexity, it is important that we do not conflate these three issues which deserve to be considered in their own right. We cannot consider sex work the same way we consider trafficking or sexual exploitation which are human rights abuses and crimes.
- _The conflation of consensual sex work and sex trafficking leads to inappropriate responses that fail to assist sex workers and victims of trafficking in realizing their rights. Furthermore, failing to distinguish between these groups infringes on sex workers' right to health and self-determination and can impede efforts to prevent and prosecute trafficking.
- _Sex workers² are right holders like all other women and men and should be recognized as such.

1 *The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) addresses the issue from the perspective of **exploitation of prostitution**; the CEDAW Committee in its concluding observations to States Parties to CEDAW also addresses the issue from the perspective of **exploitation of prostitution and forced prostitution**.*

2 *Sex workers are considered the adults who receive money or goods in exchange for sexual services (UNAIDS Guidance Note on HIV and Sex Work, 2009, and UNFPA Guidance Note on HIV/AIDS, Gender and Sex Work).*

- _We understand the concerns of different sections of civil society that in many cases sex work is not always a choice and we acknowledge that
- _We understand the concerns of different sections of civil society that in many cases sex work is not always a choice and we acknowledge that it is often bound up with poverty, vulnerability and discrimination and can lead to violence against women.
- _We recognize the importance of simultaneously addressing structural and root causes for women to engage in sex work, including poverty and discrimination.
- _It is important that we recognize the rights of sex workers by striving to ensure safety in and through the workplace, so that they can be free from exploitation, violence and coercion.
- _We recognize the right of all sex workers to choose their work or leave it and to have access to other employment opportunities. We encourage and applaud efforts to provide sex workers with economic alternatives to sex work.
- _Sex workers are particularly vulnerable to the HIV infection and this vulnerability is increased by attitudes of stigma and discrimination in many countries, where those engaging in sex work are marginalized and often face abuse and violence.
- _UNAIDS, of which UN Women is a co-sponsor, supports the decriminalization of sex work in order to ensure the access of sex workers to all services, including HIV care and treatment. UN Women also supports the regulation of sex work in order to protect sex workers from abuse and violence.
- _Where any form of coercion, violence and exploitation is involved in sex work, this should be subject to criminal law. Sex workers should be able to bring cases of such exploitation, coercion and violence to the police, and to be provided with protection and redress.

- We strongly condemn and work towards the prevention and elimination of any form of coercion, violence, sexual exploitation and trafficking in persons in any shape or form. Trafficking is a human rights violation and there should be no compromise in efforts to address it.

9 October 2013

ANNEX II: CEDAW SUBMISSIONS

TAIS PLUS, Kyrgyzstan (2008)

Shadow report to the Third Periodic Report of Kyrgyzstan to the Committee on the Elimination of Discrimination Against Women

NGO 'Tais Plus'
Kyrgyz Republic
2008

Executive Summary

Discrimination against women who sell sex in the Kyrgyz Republic is expressed through the fact that they do not have the opportunity to realize their fundamental human rights like right to life, physical and moral inviolability; right to freedom of labor, health, sexual and reproductive rights.

Despite the fact that the principle of equality of men and women before the law and courts is included into the National Constitution of the Kyrgyz Republic, the law and other existing measures do not help women who sell sex to realize this principle.

It is recommended to make the situation in Kyrgyz Republic on realizing the rights protected by CEDAW with regards to sex workers a subject of consideration of the Committee on Elimination of all forms of Discrimination against Women and Concluding Comments of the Committee addressed to the Government of Kyrgyz Republic.

In case of violations of the rights of women who sell sex, they do not receive adequate legal protection provided by law. Lack of protection

from the side of the state creates conditions for the exploitation of prostitution of women. Specifically, the existing system of violence for money extortion from women who sell sexual services by the employees of the law enforcement bodies makes them direct exploiters of prostitution. As a woman reports, 'police beat you up, demand money and will detain you until you pay'¹.

The struggle against trafficking is used by police to apologize their raids. In these raids, police catch and detain sex workers themselves, not traffickers. At the same time, in case if sex workers are complain to real cases of traffic, police is not able to provide them needed support. The State must ensure that institutional violence is eliminated Justice and redress for crimes against women in sex work, both in Kyrgyz Republic and internationally must be achieved.

Women who sell sexual services are excluded from the process of making decisions which have direct impact on them and their families and children's lives. Women who sell sexual services do not have opportunities for advancing their level of education, which is necessary for improving the quality of their life. Uneducated women do not have an opportunity for learning to write and read. Sex work, which every year in Kyrgyz Republic becomes the sole source of existence for about 10000 most poor and uneducated women and their children, is not recognized as type of work and is not included in the list of trades. Consequently, this labor is not regulated by the national Labor Code. Thus, women who sell sexual services are deprived of protection in questions of labor, and also in issues of social guarantees – particularly in the cases of retirement, sickness, invalidity, and old age and when they are no longer able to work. Also they are deprived of rights to paid vacation, protection of health and secure labor conditions, including conditions for preserving reproductive functions.

It is recommended to recognize sex work as work, both in Kyrgyz Republic and internationally.

Introduction

During the five years that passed since the submission of the Government of Kyrgyzstan's second periodic report to the Committee on the Elimination of Discrimination Against Women, systematic acts of a discriminatory nature continue in relation to some groups of women. These actions undermine the belief in basic human rights, dignity and value of the human person and equality between men and women. These actions negatively influence women's families, especially their children. One of the most discriminated groups is women selling sex. Within one year period between 2006 and 2007 about 10000 women have been selling sex in Kyrgyz Republic².

Tais Plus NGO is an organization established and managed by sex workers. This organization has been monitoring acts of discrimination against women who sell sexual services and conducts special research in this area.

Part I

Article 1: Definition of Discrimination

Discrimination against women who sell sex in the Kyrgyz Republic is expressed through the fact that they do not have the opportunity to realize their right to life, physical and moral inviolability; right to freedom of labor, free choice of activity and profession; right to health, sexual and reproductive rights; right to privacy. The men who buy their services and other citizens of the state have access to these rights.

Recommendation 1. To make the situation in Kyrgyz Republic on realizing the rights protected by CEDAW with regards to sex workers a subject of consideration of the Committee on Elimination of all forms of Discrimination against Women and Concluding Comments of the Committee addressed to the Government of Kyrgyz Republic.

Article 2: Policy Measures to be undertaken to Eliminate Discrimination

Despite the fact that the principle of equality of men and women before the law and courts is included into the National Constitution of the Kyrgyz Republic (article 15.3), the law and other existing measures do not help women who sell sex to realize this principle. Despite the fact that formally selling sexual services in Kyrgyz Republic is decriminalized, these women become victims of systematic persecution from the law enforcement bodies based on different 'decisions' and 'orders' issued by the Ministry of Interior (and, thus, this becomes an institutional matter) or without any grounds.

In case of violations of the rights of women who sell sex, they do not receive adequate legal protection provided by law. At the same time the employees of the state law enforcement bodies commit discriminatory acts including acts of psychological and also direct physical and sexual violence against women who sell sex.

Thus, 64.3% of women who sell sex in Kyrgyz Republic reported that they have been subject to violent actions from the police³. Illegal persecutions by law enforcement bodies create fear and mistrust among women who sell sexual services. These conditions also contribute to abuse on the women selling sexual services by the men who buy sexual services.

The Kyrgyz state does not recognize that the problem of systematic discrimination of women who sell sex exists and, consequently, does not take any measures to change or ban the existing decisions, customs or practices which constitute or contribute to discrimination against women. Discrimination against women who sell sex has never been on agenda of the existing Kyrgyz government committee or parliament groups.

Recommendation 2. Immediately stop the institutional violence. Recognize sex work as a sexual right. Guarantee the rights of women in sex work in order to eliminate violence, both in Kyrgyz Republic and internationally.

Article 3: Guarantees Basic Human Rights and Fundamental Freedoms on an Equal Basis with Men

The state does not take any measures in political, social, economic and cultural sphere to ensure development of women who sell sexual services in order to guarantee realization and use of their human rights and basic freedoms. Almost 50% of women who sell sexual services in Kyrgyz Republic do not have passports or IDs⁴, which deprives them of their basic legal opportunities to realize their rights. Currently, there is no state program which could provide government documents to these women.

Article 6. Trafficking and Prostitution

Lack of protection from the side of the state creates conditions for the exploitation of prostitution of women. Specifically, the existing system of money extortion from women who sell sexual services by the employees of the law enforcement bodies makes them direct exploiters of prostitution. As a woman reports, 'police beat you up, demand money and will detain you until you pay'⁵. According to assessments women who sell sex on the streets of the capital city of the Kyrgyz Republic can only keep 12% of what they earned. The rest of the income is extorted by the employees of law enforcement agencies and pimps⁶.

Another concern is protection of sex workers against trafficking. One of the questions addressed to Kyrgyz Government, is: 'what measures are being taking to ... address the root factors... that encourage trafficking of women and girls for prostitution, with a view to better protect the rights of women and girls and to punish the penethators'??

In practice, only one measure is visible for sex workers: the struggle against trafficking is used by police to apologize their raids. In these raids, police catch and detain sex workers themselves, not traffickers. At the same time, in case if sex workers are complain to real cases of traffic, police is not able to provide them needed support.

Part II

Article 7. Political and Public Life

Women who sell sexual services are excluded from the process of making decisions which have direct impact on them and their families and children's lives. In particular, despite the recommendations of the Global Fund Against AIDS, tuberculosis and malaria (GFATM)⁸, people who sell sexual services are not represented in the Country coordination mechanism of GFATM of the Kyrgyz Republic⁹, which is a publicly elected body in charge of managing funds that are directed at reduction of harm from the HIV epidemic.

Recommendation 3. Feature presentations by women in sex work at all international and national forums on related issues. Guarantee the meaningful participation of women in sex work in the development of a response to HIV/AIDS, both on national and international level. Respect CEDAW as an international convention that guarantees, in particular, the participation of women in sex work in decision-making. For example, include sex workers at the Kyrgyz Country Coordination Mechanism of the Global Fund to decide and monitor the destinations of the funding around sex work.

Article 9. Nationality

Because they do not have identification documents, women who sell sexual services are equated with stateless people. These include women who are by origin from other countries and are, for example, citizens of Russia or Kazakhstan. But neither the Kyrgyz Republic, nor other states are willing to help these women to establish their citizenship so that these women have an opportunity to take advantage of the benefits associated with being a citizen. Thus, the citizenship of the children of women who sell sex in most cases remains undocumented. In the case when a woman finds herself without identification papers and has to undergo Antiretroviral therapy, lack of identification papers and the impossibility of obtaining them may cost her life¹⁰.

Part III

Article 10. Equal Rights in Education

Women who sell sexual services do not have opportunities for advancing their level of education, which is necessary for improving the quality of their life. Uneducated women do not have an opportunity for learning to write and read. If a woman who sells sexual services was forced to leave school early, she would not be able to access programs, which would allow her to finish secondary education outside of school system.

They also do not have an opportunity to provide their children with education. In case it becomes known of the woman's line of work in the school, where the child of the woman selling sexual services studies, the child may be subjected to persecution, including persecution on the part of school administration and teachers, and will be forced to leave school.¹¹

Article 11. Employment

Sex work, which every year in Kyrgyz Republic becomes the sole source of existence for about 10000 most poor and uneducated women and their children, is not recognized as type of work and is not included in the list of trades. Consequently, this labor is not regulated by the national Labor Code. Thus, women who sell sexual services are deprived of protection in questions of labor, and also in issues of social guarantees – particularly in the cases of retirement, sickness, invalidity, and old age and when they are no longer able to work. Also they are deprived of rights to paid vacation, protection of health and secure labor conditions, including conditions for preserving reproductive functions.

The policy of law enforcement organs makes the sale of sexual services dangerous. Police forces women to go into hiding and work in the later hours of the night and in more isolated and thus more dangerous districts, which makes women very vulnerable for violence.¹²

Pregnant women earning for their life, as a rule, are forced to work until the very deliveries, and get back to work several days after. They cannot count on paid vacations or maternity leave with comparable social benefits. Without identification documents they also cannot be registered in domiciliary women's clinics.

Women who sell sexual services in Kyrgyz Republic, as a rule, cannot access child care institutions. In many cases mothers have to take their children with them to their street night work.

Recommendation 4. Recognition of sex work as work, both in Kyrgyz Republic and internationally.

Article 12. Healthcare and Family Planning

Because they do not have medical insurance, women who sell sexual services do not have access to insurance for medicine. Formally, Kyrgyz Government acknowledge that 'NGOs are operating along with relevant State structures to provide protection, assistance, rehabilitation, and shelter and to enhance knowledge of the law among commercial sex workers, as well as to prevent HIV/AIDS and conduct training .

Reducing of vulnerability of sex workers is included into the State programme for the prevention of HIV/AIDS/STI¹⁴. In reality, all measures on protection of their health come down to few very limited programs in the sphere of HIV prevention, which are supported by foreign donor organizations on short-term basis. Sex workers are not able to reach crucially needed health services like obstetrics, pediatric services or TB services because they have no medical insurance, no money to pay for them, and because neither State nor international organizations provide these services for free.

Article 13. Economic and Social Benefits

Because they do not have identification documents, women who sell

sexual services are deprived of the right to family allowances, and also to procure of grants and loans on mortgage and other forms of financial crediting.

Part IV

Article 15. Equality before the Law

Women who sell sex are not equal with men before the law. In particular, women encounter a multitude of predicaments, for example, in filing complaints for protection of their rights and lawful interests to law enforcement organs. These predicaments may result in threats by men against women and also into persecution, psychological, physical and sexual violence against women who sell sex services.¹⁵ Attempts at appealing against actions of law enforcement officers to, for example, the Office of Public Prosecutor do not yield results. As a rule, in response to her complaint a woman receives, after several months of seeking redress, a formal notification that facts narrated by her could not be confirmed.

Recommendation 5. Justice and redress for crimes against women in sex work, both in Kyrgyz Republic and internationally.

Conclusion

It is necessary to acknowledge that Kyrgyz Republic, which has ratified the Convention on Elimination of All Forms of Discrimination against Women, has not meet its commitments. Women of Kyrgyz Republic are divided into those that “deserve” and those that “do not deserve” human rights, with women who sell sex services placed in the latter category.

This situation must change. It must become a subject of consideration of the Committee on Elimination of Discrimination Against Women and Concluding Comments of the Committee addressed to the Government of Kyrgyz Republic.

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- 12 Sex business, HIV/AIDS and Human Rights in Central and Eastern Europe and Central Asia. – Harm Reduction Network in Central and Eastern Europe. – Vilnius, 2005. p.475 sessions'13.
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- 14 Ibid., paragraph 308. See paragraphs 312, 313 and 318 as well.
- 15 Case S. – Bishkek, 2004-2006

SZEXE, Hungary

Report on Violence and Discrimination against Female Sex Workers by State and Non-State Actors in Hungary

Submitted by SZEXE Association of Hungarian Sex Workers To CEDAW
54th Session (February – March 2013)

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Executive summary

Sex workers are a large and heterogeneous community in Hungary. The majority of sex workers are women who work in indoor settings, but a significant number also work on the street. Despite their diverse circumstances, all sex workers face extremely high-levels of social exclusion and discrimination. Many female sex workers further face routine human rights violations by state and non-state actors.

Even though sex work was legalized in Hungary since 1999, sex workers continue to face discrimination from police and other authorities as well as violations of their rights to workplace health and safety. Most Hungarian municipalities failed to allot or define legal working areas for sex workers as the law requires, and sex workers are routinely arbitrarily fined, arrested and detained under vague laws.

Furthermore, sex workers are regularly discriminatorily targeted for administrative fines on unsubstantiated grounds to meet police quotas. When those remain unpaid due to financial burden, they face detention, which further affects their health and safety and their families' economic wellbeing and security. The situation has especially worsened with the introduction of the new law on misdemeanors, which converts fines to higher sentences than before.

The stereotypical and unbalanced representation of sex workers in the mainstream media, extreme intolerance by the general population and the discrimination by the authorities contribute to making sex workers one of the most vulnerable female groups in Hungary. The widespread discrimination and lack of equal access to police protection place sex workers at higher risk of being victims of abuse, including but not limited to trafficking. Additionally, the lack of or insufficient access to free, voluntary and respectful health and harm reduction services impedes sex workers' right to health.

Our report therefore concludes that discrimination and violence against female sex workers in Hungary is currently prevalent, systemic and institutionalized in social, cultural, political, health and economic spheres, and in direct contravention of CEDAW Articles 5, 6, 11 and 12.

Introduction

The Hungarian state report to the fifty-fourth session of the Committee on the Elimination of Discrimination against Women (CEDAW) addresses the list of critical issues requested by the Committee.¹ However, the Hungarian government's report omits any mention of one of the most marginalized groups of women, female sex workers. The government has undertaken no measures to ensure that sex workers have equal access to protection of the law in matters of discrimination or violence nor to ensure sex workers' right to safe and healthy working conditions. This is of even greater concern given, that as this report documents, governmental policies and state-actors are responsible for many of the human rights violations sex workers face. Furthermore, the government's stated aim to "decrease the acceptance of prostitution as a social phenomenon" (para 59) risks further exposing sex workers to discrimination, violence and other rights abuses.

The Hungarian government legalized sex work in 1999 under Act LXXV and has regulated sex work ever since.² Under the law, sex workers are regarded as professionals who engage in sexual activities in exchange for money. The government allows sex work as long as sex workers comply with the criteria set forth within the law. If not, sex workers can be fined or detained. However, these criteria are often vague, overly broad and arbitrarily enforced by police representatives and judges. The description of these criteria can be found under the 'Article 11: Employment' section.

Sex workers are a large and heterogeneous community in Hungary. SZEXE, the Association of Hungarian Sex Workers estimates that there are approximately 15.000 active sex workers either working in Hungary or of Hungarian origin. Despite their various circumstances, all sex workers face extreme social exclusion and discrimination. Furthermore, state-actors, such as law enforcement agencies often discriminate against them, denying them assistance when they experience violence or other crime. In Hungary, street sex workers are the most frequently targeted with repression, fines and detention under the current laws. Nonetheless, sex workers working in indoor settings also suffer from

stigma, police harassment, discrimination, extortion and prejudice from their immediate environment.

SOURCES

The sources of that data in this report are:

- o Research surveys conducted by SZEXE
- o Reports by independent researchers and research organizations
- o Official national statistics
- o Case documentation by SZEXE

Full references can be found in the footnotes.

SCOPE OF THIS REPORT

The present report focuses on four critical areas corresponding to CEDAW articles:

- o Article 5: Elimination of Discrimination Based on Prejudices and Stereotyping
- o Article 6: Suppressing all Forms of Trafficking and Exploitation of Prostitution
- o Article 11: Right to Health and Safety in Working Conditions
- o Article 12: Elimination of Discrimination in Access to Healthcare

PRINCIPLES

We share the principles of the Sex Workers' Rights Advocacy Network of Central and Eastern Europe and Central Asia on sex work:

- I. We understand sex work as the unforced sale of sexual services for money or goods between consenting adults. Sex work includes street sex work, escort services, telephone sex services, pornography, exotic dancing and others.
- II. Sex workers are human beings who have the same human rights as any other people. Sex workers should have the same rights and responsibilities as all other workers, and as every other citizen and resident.
- III. Protection of the rights of sex workers is crucial for effective harm reduction, HIV/AIDS, hepatitis B and others STIs prevention and treatment efforts at all levels - individual, community and national.

To ensure protection of these rights, sex workers should be able to work legally.

- IV. Barriers preventing access to health, social, and drug treatment services need to be removed to improve the health and social wellbeing of sex workers.
- V. Activities related to sex work between consenting adults should be decriminalized. All national criminal laws relating to adult sex work should be repealed. All regional and local regulations targeting sex workers to prosecute the practice of their trade should be repealed.
- VI. Sex workers and other community members should have an active role in designing commercial regulations of the sex trade.
- VII. Targeted, pragmatic, and comprehensive social programs must be developed in consultation with sex workers and implemented to improve relations between the police and sex workers as well as between sex workers in the community at large.
- VIII. Targeted, pragmatic, and comprehensive social programs must be developed and implemented with the involvement of sex workers to raise awareness about safer sex, safer drug use, and HIV/AIDS prevention, treatment and support.

Article 5: Discrimination based on prejudices and stereotyping

Sex workers report to SZEXE that they face discrimination on an ongoing basis from state authorities, media outlets and the public at large. Discrimination by authorities and widespread media stereotyping can often send a message that discrimination against sex workers is condoned by and acceptable. This discrimination has important consequences on sex workers' well-being, their ability to protect their health and safety and to seek protection and redress when their rights are violated.

The Hungarian state report acknowledges the role of media in disseminating discriminatory representations of women, but does not address the widespread stereotypical and unfair representation of sex workers in the mainstream media. Data gathered through a public opinion poll conducted by SZEXE and through a literature and media

content analysis conducted by FACT Foundation in collaboration with SZEXE found that the stereotypical and sensationalistic portrayal of sex workers in the media fuels widespread stigma and discrimination against women sex workers in Hungarian society.

In 2009, SZEXE contracted a firm to conduct a representative public opinion poll on social attitudes to sex work and sex workers.³ Of 1000 people surveyed, 10% thought that discrimination towards sex workers was acceptable and 19,4% felt that discrimination towards sex workers by authorities was acceptable. Respondents who had direct experience of knowing sex workers were significantly less discriminatory towards them than those who had never known sex workers. Few people however, reported such experiences, and a full 92% of respondents reported that they knew very little about commercial sex. According to those surveyed, the media played the biggest role in shaping public opinion about sex work. Notably, those survey respondents who held more discriminatory views against sex workers consumed more news on television and in radio. This is a strong indication that television and radio coverage of women sex workers fails to be fair and balanced even though it plays a critical role in shaping public attitudes towards these women. This is of critical concern given that television is the main source of information for close to two-thirds of the population over 18 in Hungary⁴.

In 2009, the FACT Foundation's literature review and media content analysis similarly concluded that media representations of sex work in the country were overwhelmingly sensationalistic and prejudicial, including by the common practice of referring to women sex workers using degrading language.⁵ The research found that sex work and sex workers are usually represented as threatening vectors of sexually transmitted infections (STIs) or as involved in organized. Neither of these stereotypes is substantiated by available data on sex workers in Hungary.

Sex workers were not given any opportunity to represent their personal or collective point of view or experiences in any of the 64 articles analyzed. Furthermore, none of the articles addressed the pressing

human rights and women's rights issues sex workers are facing, such as police repression, discrimination and violence. This reflects either lack of awareness on the part of journalists or an intentional avoidance of the topic due to it not being a "high-seller".

In light of these facts, it is of great concern that the National Strategy for the Promotion of Gender Equality articulates that "eradicating prostitution as a social phenomenon" is a key objective for the 2010-2021 period.⁶ This approach will worsen the extent to which sex workers are discriminated against and contribute to maintaining their social exclusion and barriers to their health and safety. We agree with the joint statement of the International Committee on the Rights of Sex Workers in Europe and Sex Workers' Rights Advocacy Network of Central and Eastern Europe and Central Asia (SWAN)⁷ that laws and policies that aim to decrease the social acceptance of sex work have the effects of decreasing the social acceptance of sex workers, increasing repression against sex workers and directly threatening sex workers' safety and human rights.

Recommendations

The Hungarian government should revise its current National Strategy for the Promotion of Gender Equality and other existing state policies and programs that currently promote discrimination against sex workers.

The Hungarian government must address discrimination against sex workers by state-actors, in particular law enforcement officers. The government must ensure that sex workers have equal access to government services, including police protection and the ability to report violence and other crime against them.

The government must undertake and fund programs and policies to reduce discrimination and stereotyping of sex workers, including in the media.

Sex workers and sex worker associations must be involved in the

conception, implementation and evaluation of policies and programs that seek to diminish discrimination against them.

Article 6: Suppress All Forms of Traffic in Women and Exploitation of Prostitution

There are no reliable statistics on the occurrence of trafficking of women in Hungary. The State's reply to the CEDAW cites 18 investigations in 2012 in the area of human trafficking, of which 15 cases concern trafficking in the sex industry.⁸ The State acknowledges⁹ that the actual number of trafficking crimes is likely to largely exceed the number of cases investigated.

In SZEEXE's experience working with victims of trafficking in the sex industry, a large number of women worked consensually in sex work prior to being trafficked. This is echoed by research by the European Roma Rights Centre in 2011¹⁰ that also found that previous involvement in sex work is linked to being in situations of trafficking. It is not involvement per se in sex work that places sex workers at higher risk of being in situations of trafficking. Rather, sex workers' lack of equal access to police protection, due to discrimination and police repression, creates a climate of impunity for abuse against sex workers, including but not limited to trafficking. Sex workers are often approached with offers of new job in the sex industry but deceived as to the conditions under which they will be working, ending up in exploitative or coercive situations.

The European Roma Rights Centre further found that Roma individuals are more likely to become victims of trafficking in Hungary due to the following factors: living in poverty, social exclusion, limited or lack of education, illiteracy, growing up in state care, being indebted. SZEEXE's experience confirms that Roma sex workers are disproportionately targets for human rights abuses, including trafficking, due to their social exclusion and perceived lack of recourse to police protection. Discrimination based on ethnic origin and on involvement in sex work are compounded for Roma sex workers making them all the more

vulnerable to abuse. The government must address discrimination based on ethnic origin and sex work experience as well as police repression against sex workers if it wishes to suppress trafficking and exploitation in prostitution.

The accounts of sex workers who have experienced situations of trafficking that have been shared with SZEXE highlight the injustice and inadequacy of present victim support services. Firstly, despite sex work being recognized as work, victims of trafficking who endured exploitation, receive very little compensation for their suffering. Secondly, the limited capacity of shelters and support services and the general lack of awareness among service providers about sex workers' issues, particularly for women who return to sex work of their own volition, also create barriers for post-traumatic recovery and support.

Recommendations

The Hungarian government must actively undertake initiatives to ensure that sex workers have access to police protection. These must be publicized to dissuade traffickers and other violent perpetrators who might otherwise target sex workers.

The Hungarian government must actively take measures to eliminate police repression against sex workers that creates a barrier to sex workers reporting violence, including trafficking, against them.

The Hungarian government should undertake training of police services on sex worker and Roma issues as part of an anti-discrimination campaign to pro-actively ensure that sex workers and Roma sex workers in particular have equal access to police protection if they are targeted with abuse, including trafficking.

The Hungarian government should adopt Directive 2011/36/EU of the European Parliament and of the Council 11 with particular attention to means for compensating victims of trafficking (for example, by making it regulatory to compensate the victim from the trafficker's property).

The Hungarian government should provide support for service providers and civil society organizations for carrying out anti-trafficking programs and prevention activities, which raise awareness on the danger of trafficking and provide appropriate victim assistance services for sex workers.⁹

Article 11: Right to Work and to Health and Safety in Working Conditions

Street Sex Work

Under the act that legalized sex work in 1999, law number 7512 was passed with the purpose of dealing with the “legal changes and the rules of combating organized crime and certain phenomena that are in connection with it” all at once. According to this law, so-called “tolerance zones” needed to be identified in each municipality with more than 50,000 inhabitants (smaller municipalities may also identify these zones) or in cases where sex work seemed to be widespread. The law differentiated between so-called “protected” zones and “tolerance” zones. Engaging in sex work outside of these tolerance zones is illegal. In practice, Hungarian authorities have been reluctant to identify such zones, so a significant proportion of sex work continues to take place illegally. This means not only that a significant number of sex workers are fined and/or detained every year but it also creates an antagonistic relationship with police, whereby sex workers fear them rather than be able to depend on them for protection from violence or other crime.

Over the years, SZEXE initiated legal cases and some districts of Budapest have been required by court to identify quasi tolerance zones, so far, these have only resulted in a couple of streets being identified that sex workers can use. However, these streets are in dark and isolated areas away from commercial activity, without any kind of security systems available making sex workers vulnerable to violence and other crime or furthering their dependence on third parties in order to protect their safety. SZEXE has publicly raised concerns that the government has been violating the law for years by not identifying these tolerance zones. The official statement of the Deputy of the Commissioner of Fundamental

Rights from 2003 (OBH 4007/2003.) also states that “municipalities violate prostitutes’ fundamental rights by not having designated tolerance zones”¹³.

As additional requirements, sex workers must possess entrepreneurial permits, regularly pay taxes and attend obligatory health checks every three months to get a health certificate. Any person who violates these restrictions on sexual services commits an administrative offence and shall be punished by confinement or fine. Soliciting, offering and advertising sexual services in protected zones are also prohibited, which may lead to fines and when unpaid, in many cases, these fines lead to detention.

The new law on misdemeanors¹⁴ also affects sex workers harshly. Since the new law came into effect in 2012, police officers are allowed to fine sex workers on the spot for being non-compliant with the often vague regulations surrounding sex work (i.e. for offering their services in ill-defined or undefined protected zones). Courts have no other option but to convert the fine to public work or imprisonment. The law determines that for an unpaid 5.000 HUF fine (approximately 15 EUR) the sentence of one day imprisonment can be received. SZEXE is involved in the case of one sex worker who has received in half a year more than 80 fines in the value of more than 4.000.000 HUF (approximately 13.000 EUR). Since she has no property, she faces three years of imprisonment. Although this is an extreme case, the situation among street sex workers is dramatic. The current practise punishes the poorest and the most vulnerable groups of our society causing serious problems in the economically most disadvantaged regions. The practice of sentenced imprisonment as a consequence of police fines threatens hundreds of sex workers in Hungary. According to the present regulations, sex work is legal outside of protected zones (the law determines the distances from public institutes, churches, schools, etc. to be respected). However, in a lot of cases it is not evident whether a certain area is a protected zone or not; the boundaries are usually vague and not publicized. Due to the lack of maps showing protected areas, sex workers working/wishing to work in a given area do not know if they can pursue sex work. Police are just as unclear as to what is within a protected area or not, however they regularly and arbitrarily accuse sex workers of illegal sex

work in protected zones, take them into pre-trial detention and initiate legal procedures. The Act LXXV of 1999¹⁵ is also a source of problems and misunderstandings since it allows municipalities to pronounce territories protected, even if they are not described as protected areas in the text of the law. Sex workers coming from other parts of the country therefore are not able to know whether an area is protected or not. They could inquire at the municipality, but in most of the cases they refuse to do so because they do not want to reveal their profession and expose themselves to discrimination there.

SZEXE have routinely witnessed how police take advantage of the lack of clarity around protected zones to routinely discriminatorily target sex workers with fines in order to fill their quotas. Sex workers are frequently charged with offences they did not commit, such as littering or violating pedestrian or traffic regulations. Since sex workers generally do not know if they are standing in a protected zone or not, and thus, do not know if they are committing an offence or not, they usually sign the tickets rather than contest, out of fear that otherwise they will be given the more serious charge of being in a protected zone and taken into detention. After receiving multiple fines (these can be as high as 5-7.000 HUF daily – app. 20 EUR) in a certain period of time, fines are aggregated and the court turns these bigger amounts of accumulated fines into the sentence of imprisonment, which can last for more than a year. SZEXE is in contact with a number of women who have served a year in jail due these circumstances.

The following table presents data from the first half of 2010, showing the high number of court proceedings in illegal sex work broken down by county (these cases were initiated on the basis of not complying with all requirements of the law on sex work).

County	Nr. of court proceedings
Bács-Kiskun	338
Baranya	58
Békés	109
Borsod-Abaúj- Zemplén	1.037

Budapest	842
Csongrád	88
Győr-Moson-Sopron	19
Hajdú-Bihar	156
Heves	72
Jász-Nagykun-Szolnok	69
Komárom-Esztergom	26
No county specified	280
Pest	54
Somogy	91
Szabolcs-Szatmár-Bereg	173
Tolna	52
Vas	3
Veszprém	3
Zala	103
TOTAL:	3.623

Indoor Sex Work

The law also sets additional restrictions on sex work taking place indoors. Renting property for sex work is regulated as follows:

“The person who makes available a building or another place for prostitution to another person, commits a felony and shall be punishable with imprisonment of up to three years.”¹⁶

This regulation is discriminatory since other entrepreneurs are able to run their business activities regardless of the ownership of the property. The financial barrier to working legally pushes many sex workers to work from rented property in situations where they fear law enforcement instead of being able to depend on them and are continually vulnerable to eviction and homelessness; or to work for third parties or out-

call where they may not be able to control their working conditions, including health and safety, to the same extent; or to work outdoors in more precarious conditions.

The law also prevents sex workers from working together in a property belonging to one of them, thus exposes them to isolation, and unsafe working conditions. Indoor sex workers face another disadvantage in comparison to other entrepreneurs: they are not able to write off rental expenses from their taxes.

Levels of Police Violence

A 2011 survey¹⁷ conducted by SZEXE investigated the extent of abuse by police officers experienced by sex workers. According to the results, more than 10 % of the 246 respondents had been asked by a police officer to offer free sexual services. A total of 43.4% of sex workers had experienced a verbal or physical assault by authorities, of these, 15,4 % of sex workers have experienced conflicts with police and other authorities frequently and 28 % occasionally. A conflictual relationship with law enforcement due to the existing law and policy framework and lack of awareness on sex workers' rights seriously threaten sex workers' safety and health.

Recommendations

- The government must proactively address and punish violence against sex workers by police officers.
- The government must cease the discriminatory targeting of sex workers with fines, arrest and detention.
- Mechanisms for sex workers to report violence or discrimination without fear of arrest or abuse must be secured.
- The government must revise sections of the law that are vague,

arbitrary and overly broad and open to abuse. Furthermore, any penalties for non-compliance must be proportionate to that for other businesses.

- Requirements for indoor sex work, especially renting conditions need to be reviewed in consultation with sex workers to ensure their safe and fair working conditions.
- Policy and law must weigh against the greater harm of creating an antagonistic relationship between law enforcement and women who are vulnerable to abuse due to unequal access to police protection.
- Municipalities are to be punished for not complying with the requirements of laws.
- Tolerance zones must be in well-lit and safe areas. They must be equipped with security measures and adequate support services for sex workers must be funded. They must be clearly defined and well-publicized.
- The government must support sensitization of police to sex worker and human rights issues implemented jointly by police and sex workers. Such programs and policies must involve sex workers in the conception, implementation and evaluation stages.

Article 12: Elimination of Discrimination in Access to Healthcare

The conditions in which sex work occurs have a profound impact on HIV and STI vulnerability. In Hungary, discrimination against sex workers, a lack of free, voluntary and respectful health services and a lack of or insufficient access to harm reduction services all impede sex workers' right to health. Although sex workers have an incredibly low HIV-prevalence rate in Hungary, it can only be maintained with adequate attention to prevention.

"...In most countries, discrimination remains legal against women,

men who have sex with men, sex workers, drug users, and ethnic minorities. This must change. I call on all countries to live up to their commitments to enact or enforce legislation outlawing discrimination against people living with HIV and members of vulnerable groups... In countries without laws to protect sex workers, drug users, and men who have sex with men, only a fraction of the population has access to prevention. Conversely, in countries with legal protection and the protection of human rights for these people, many more have access to services. As a result, there are fewer infections, less demand for antiretroviral treatment, and fewer deaths. Not only is it unethical not to protect these groups: it makes no sense from a public health perspective. It hurts us all."

Ban Ki-moon, The Secretary-General of the United Nations

One positive change in 2011 was the replacement of the regulation on obligatory health certificates for sex workers in Hungary. The new regulation has been in effect since 1 January 2012. The main changes the SZEXE managed to reach through advocacy are the following:

- The health certificate does not contain the word "prostitute" anymore, thus it does not function as a registration document that labels sex workers.
- Before the new law came into effect, sex workers were obliged to pay a significant fee for the mandatory health checks, even though they had the screenings done at their general doctor as well paid from their health insurance. During our preparation meetings with the Ministry of National Resources (former Ministry of Health), we flagged this problem and advocated for change. From 2012 on, sex workers still have to pay for these health checks every 3 months, but if they have the tests run at any doctor for free, covered by their health insurance, they are not requested to pay additional fee for the same tests.
- The SZEXE managed to negotiate and keep the previous price of the mandatory examination, in spite of heavy lobbying of doctors, who hoped for larger profits by increasing prices.

Apart from this positive example, serious problems threaten sex workers' right to access to appropriate services. The Hungarian government

cancelled the national drug and AIDS strategy in 2010, and there have not been new strategies and action plans made ever since. Several watchdog organizations have called on the government to finalize its national strategy on AIDS to deal with a rise in the number of HIV infections over the past five years.¹⁸ Low-threshold service providers are also under serious threat since government cut back funding of NGOs running long-standing successful prevention and harm-reduction programs, including grants for services for sex workers.

Recommendations

- The creation of a national AIDS Plan in the possible widest consultation with civil society and affected groups should be a top priority for the government. The plan should incorporate strategies and actions on HIV and sex work. In line with recommendations of UNAIDS¹⁹, the government should implement policies and programs that support a comprehensive, evidence-informed and rights-based approach to HIV and sex work.
- Sex workers have to be in decision-making and monitoring positions in the process and funding lines have to be matched to the outlined programs for prevention and services targeted especially at sex workers.
- Partnerships should be strengthened between the government, civil society organizations, service providers and community organizations working with sex workers. In order to achieve wide collaboration among actors, action needs to be taken to sensitize different actors to issues sex worker face.
- The access to confidential and affordable/free STI/SRH services for sex workers has to be improved.
- The access to confidential and free of charge harm reduction services inclusive to sex workers has to be secured.

About the author

The present report is the product of the joint efforts of colleagues working for the Association of Hungarian Sex Workers (SZEXE). The Association wishes to serve the interests and needs of sex workers in Hungary and of Hungarian origin. We foster equal opportunities and human rights of sex workers since we believe that sex workers are human beings who have the same human rights as any other people. Building on the needs of various sex worker groups and on sex workers' leadership in programming, we aim at protecting their rights, increasing their access to quality health, social, and drug treatment services, and lobbying for a more appropriate legal environment.

For any feedback about this report, readers are welcome to write to info@szexmunka.hu.

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HOPS as part of AESE, Macedonia

(Excerpt from full AESE submission on behalf of all Macedonian women)

HOPS is an organization that provides harm reduction, health and social services and runs a sex worker project.

Article 6 - Violence Against Women

a) Prostitution

There is serious violation on the part of state institutions with regard to women who provide sexual services. Prostitution is still treated as an individual problem in our country and there is complete absence of official response to this phenomenon. The inexistence of adequate system for protection and processing the cases of violation of their rights, especially when it is done by authorized officials, results in discouragement of sexual workers i.e. non-reporting of these cases to the competent institutions. **The state should take measures for sanctioning all serious violations of human rights of women who sell sexual services, in particular violations made by state institutions.**

There are neither special programs for social protection of women who sell sexual services, nor measures to eliminate health and safety risks of these women. These aspects are completely provided by the non-governmental sector in the sense of provision of the following: free gynecological check-ups regardless if they have health insurance coverage; free, voluntary and confidential testing for HIV/AIDS; support for obtaining personal identification documents; health insurance as well as exercising the social welfare rights in front of the competent institutions. **Special programs for support and assistance to women who provide sexual services need to be introduced, especially with regard to the provision of social protection and elimination of health and safety risks.**

PROI, Bosnia-Herzegovina

PROI is a harm reduction organization in Bosnia Herzegovina that runs a project for sex workers.

VULNERABLE AND INVISIBLE: REPORT ON VIOLENCE AND DISCRIMINATION AGAINST FEMALE SEX WORKERS AND WOMEN WHO USE DRUGS IN BOSNIA AND HERZEGOVINA

Submitted by Association PROI to the Committee on the Elimination of Discrimination against Women on July 19, 2013 for the 55th CEDAW session
May, 2013

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List of Abbreviations

B&H - Bosnia and Herzegovina

CEDAW - Committee on the Elimination of Discrimination against Women

STI - Sexual Transmitted Infection

FIGAP - Financial Mechanism for the Implementation of the Gender Action Plan of B&H

NGO - Non-Governmental Organization

EMCDDA - European Monitoring Center for Drugs and Drug Addiction

SRH - Sexual and Reproductive Health

Executive summary

Sex workers and women who use drugs are large, but extremely marginalized and invisible community in Bosnia and Herzegovina. They are highly vulnerable to HIV/STI, harassment and violence due to multiple factors, including discrimination, social exclusion and criminalization. Most of female sex workers and drug users in the country face continuous human rights violations on daily basis by state and non-state actors. This report seeks to highlight marginalization and systematic discrimination experienced by female sex workers and women who use drugs in Bosnia and Herzegovina. Despite their particular vulnerability to HIV and STI and violence, their specific needs are continually ignored by state and they face systematic barriers in the realization of their basic rights, including the right to the highest attainable standard of health, reproductive and sexual rights, right to due representation and protection in court, and the right to decent treatment, free of humiliation and violence. The report pays particular attention to violations of vulnerable women's fundamental rights, high prevalence of violence against sex workers and women who use drugs and discriminatory practices against these populations in B&H. The report is structured in line with Articles of the Convention on the Elimination of Discrimination against Women and contains information based on desk review of relevant documents, data from related researches and observation from the field. In the report we also supply with recommendations on effective interventions for improvement concerning sex workers' and drug users' rights.

Introduction

The combined fourth and fifth periodic state report submitted by Bosnia and Herzegovina (B&H) under article 18 of the Committee on the Elimination of Discrimination against Women (CEDAW) addresses the list of critical issues related to status of women in the country. However, the B&H government's report omits any mention of groups in highest risk to marginalization who meet multiple disadvantages - female sex workers and women who use drugs. The prostitution is entirely observed through trafficking issue equating sex workers with victims of trafficking and issue related to drug use is absolutely neglected.

High level of stigma, tabooisation and illegality of sex work and drug use create situation where sex workers and female drug users are on margins of society in B&H. The government has undertaken no measures to ensure these populations have equal access to protection of the law in matters neither of discrimination or violence nor to their right to adequate living conditions.

Moreover, due to political, social and cultural norms in Bosnia and Herzegovina, sex workers and women who use drugs endure harsh discrimination and lack of equality before the law as mandated for all persons in article 15 of CEDAW. These violations of the Convention manifest in violence and misconduct from state actors and citizens with impunity, a criminalized and/or stigmatized status that keeps sex workers contained in an isolated sub-group of society, and discriminatory funding restrictions that hinder access to health and other services.

Sex workers and women who use drugs are often not welcome in conversations around violations of their own civil, political and social rights. The discrimination directed at those women, by both state and non-state officials, goes on unabated. In fact police harassment, lack of access to life-saving information about their health, particularly reproductive and sexual health, and the general criminalization and stigmatization continues to keep those women underground.

A. Sex work and relevant laws and regulations in Bosnia and Herzegovina

In B&H, sex work is illegal and sex workers are a hidden population. There is no official statistic about the number of active sex workers in the country, but according to estimation of Association PROI the rough number of active commercial female sex workers in Bosnia and Herzegovina is 4500. Sex work is illegal and prostitution and use of prostitution is punished by a misdemeanour¹. Forced prostitution and sexual slavery is considered a criminal offense and punishing by imprisonment from one to ten years or by long-term imprisonment².

B. Substance use and related laws and regulations in Bosnia and Herzegovina

The location of B&H on the Balkan Route of drug trafficking contributes to increased availability of drugs in Bosnia and Herzegovina. The country faces a number of major problems in tackling the problem of drug use, including: small number of centers for drug addiction treatment, including those providing substitution therapy; an insufficient number of professionals in field of substance use; adopted state strategy and action plan and lack of prevention programmes at the local level; lack of technology (e.g. laboratory equipment) and an undeveloped drug information.³ Association PROI estimates between 2500-4000 women who use illicit drugs in B&H.

The criminal codes of Bosnia and Herzegovina and of the entities address trafficking and unauthorized production, possession and sale of narcotic and psychotropic substances as well as the promotion of drug use. Police forces do not make allowances for possessions for personal use or possession in small quantities. This causes problems when harm reduction such as provision of needles and syringes are implemented, as possession of dirty syringes might be considered as misdemeanor in Republika Srpska and as a crime in the Federation of B&H.

C. Sex work and drug use overlapping

Many researchers around the world report a significant overlap between drug use and sex work. In countries like B&H poverty and an absence of employment opportunities make transactional sex a survival strategy for majority of women who use drugs. Women may have sex with someone who gives them a place to stay, food, drugs or protection. During their work, sex workers very often meet with drugs and started using it because of curiosity or because of easier stress management and handling difficult conditions which is result of their situation. Results of Population survey on the prevalence of gender-based violence against female sex workers in Bosnia and Herzegovina reports that 37% of sex workers regularly use such drugs as heroin, cocaine and speed and other 37% use these types of drugs occasionally.⁴

Article 1-3

1. Bosnian drug laws that criminalize possession of small amounts of drugs fuel violence against women who use drugs. Women who use drugs are systematically subjected to violence from law enforcement agencies responsible for drug law implementation. Laws prohibiting drug use and possession of drugs for personal use put women who use drugs outside the law, treating them as criminals rather than as people who need health, social and other services.

2. Despite high level of stigma and discrimination against sex workers and drug users in Bosnian society, B&H Gender Action Plan overlooks the issues of sex work and drug use and doesn't contain specific activities focused on improvement of life quality of women engaged to sex work and/or who use drugs.⁵

3. Within Financial Mechanism for the Implementation of the Gender Action Plan of B&H (FIGAP) no single project is supported focused on improvement of life quality of female sex workers and/or drug users, among more than 50 supported projects of non-institutional partner.⁶

4. Official statistic on number of sex workers and female drug users in B&H is unavailable. In general, there is very little research into sex work and drug use in B&H, partly because of the stigma related to the sale of sexual and use of drugs. Absence of statistic and systematic monitoring sex workers and drug users' human rights status caused barriers for understanding of real situation and neglecting of direct human rights issues of these categories in national human rights reports.

5. The issue of these highly marginalized populations is also neglected by the report submitted by B&H under article 18 of CEDAW. The report contains no references to sex workers and women who use drugs, including in the sections of the report dealing with the state response to violence against women or HIV-epidemic, despite high vulnerability of these populations to these issues.

6. Representatives of sex workers and drug users are excluded from the mainstream processes on gender equality in the country and their influence is minimized. NGOs which directly represent sex workers and/or drug users are not engaged to government activities related to gender equality, violence, gender sensitive budgeting etc., and their role in actual gender policy formulation remain limited. NGOs representing/ assisting female sex workers and/or drug users were not consulted within the process of preparation of adoption of B&H combined fourth and fifth CEDAW periodic report.

Recommendations

- Bosnian government should work toward decriminalization of sex work and drug possession, and elimination of the unjust application of non-criminal laws and regulations against sex workers and drug users.
- Bosnian government should ensure antidiscrimination laws and regulations guarantee sex workers' and drug users' right to social, health and financial services.

- Bosnian decision makers should work together with civil society and community based organizations to confront stigma, discrimination and violence against sex workers and drug users, and transform punitive legal and social norms and practices that stigmatize and marginalize sex workers and women who use drugs towards ones that protect the rights of these populations.
- Bosnian government should strength the cooperation with NGOs representing female sex workers and drug users in implementing and monitoring CEDAW implementation.
- Bosnian government should ensure availability of statistics related to female sex workers and women who use drugs.
- Bosnian government should strength effective national machinery, institutions and procedures, at a high level of Government, and with adequate resources, commitment and authority to: (a) monitor the situation of most vulnerable women, including female sex workers and drug users; (b) formulate new policies and effectively carry out strategies and measures to eliminate discrimination against sex workers and women who use drugs.
- Bosnian government should ensure the necessary financial, technical and human resources to reduce discrimination and improve the life quality of highly marginalized women, including women engaged to sex work and/or use drugs.

Article 5: elimination of stereotypes and prejudice

Violence

7. Stereotypes and prejudices associated with sex work and drug use feeds into the culture of violence in B&H, making family aggression against sex workers and/or drug-using women a common experience. Study indicates that it was found that 85% sex workers had been exposed to one or more types of violence (psychological, physical and sexual).

The most common perpetrators of violence were husbands/partners, clients, family members and pimps. Four out of five sex workers had experienced psychological violence, two out of three had experienced physical violence, and three out of five sex workers had experienced sexual violence. Every seventh sex worker (16%) had suffered an attack with a weapon.⁷

8. 25% of sex workers suffered psychological and/or physical violence from police representatives. Most of these (92%) reported that they suffered psychological violence, while 44% had suffered physical violence. Most vulnerable to violence by the police are sex workers who regularly use drugs: about half of women in this group had suffered psychological violence by the police and over a quarter had suffered physical violence (28%).⁸

9. 80% of sex workers do not report violence cases to law enforcement institutions. More than 60% sex workers experiencing violence do not use any of available post violence services.⁹

10. Researching over the world indicate that intimate partner violence is more commonly experienced by women who inject drugs than women in the general population.¹⁰ The perpetrators of domestic violence toward women who use drugs are usually either parents or sexual partners, who generally also use drugs. According to European Monitoring Center for Drugs and Drug Addiction (EMCDDA), social, physical and psychological factors can predispose women to influence and exploitation by male partners.¹¹

11. On the territory of B&H there are nine safe houses for victims of domestic violence with 173 available places led by NGOs.¹² However, mapping of available services for most vulnerable and marginalized women in Federation of B&H showed that none of these shelters address substance use problems and needs of women who use drugs. The shelters are not designed for drug using women and avoid providing of services for this category.¹³

12. The protection gaps force sex workers and women who use drugs

to remain in violent relationships or face potential homelessness, compromising their safety and violating their right to live free from violence. Each case of violence makes woman even more vulnerable, causing sometimes life-threatening injuries, further pushing the woman into poverty, homelessness, and forced sex work, violating her maternal rights, prompting riskier types of drug use, making her more susceptible to HIV and Hep C, and increasing psychological trauma and self-loathing.

13. BiH government theoretically has established good framework for addressing gender issues and ending violence against women (The Law on Gender Equality in B&H, Laws on Protection from Domestic Violence adopted in both, the Federation of B&H and in the Republic of Srpska, Gender Action Plan of B&H, Social Inclusion Strategy of B&H), but neither of those laws and policies do not take into consideration vulnerable and marginalized population of female sex workers and women who use drugs and human rights abuses against them.

Recommendations

- Bosnian government should ensure for female sex workers and women who use drugs equal protection of laws against rape and other forms of violence and universal access for all women to a full range of high-quality and affordable health care, including sexual and reproductive health services.
- Bosnian government should address the issues related to access to shelters for women who use drugs and experience violence, in line with international standards. Shelters must be available for all women who experience violence, and special provisions for women with drug problems should be developed in order to close a clear protection gap.
- In order to encourage sex workers and women who use drugs to report acts of violence, Bosnian government should ensure safe mechanisms for them to do so without fear of repercussions, humiliation, or breach of confidentiality.

- Bosnian government should modify current laws and policies in order to ensure addressing the need of direct assistance, capacity building, and awareness raising in relation to violence against most marginalized women, including drug users and sex workers.
- Violence against sex workers and women who use drugs should be regularly monitored and reported.

Article 6: trafficking in women and exploitation through prostitution of women

14. There has been a growing trend of trafficking in victims B&H citizens on the territory of B&H, which number rose to 21 in 2010.¹⁴ Sex workers' illegality and lack of equal access to law and police protection creates the environment of impunity for abuse against sex workers and place sex workers at higher risk of being in situations of trafficking. Sex workers are often approached with offers of new job in the sex industry but deceived as to the conditions under which they will be working, ending up in exploitative or coercive situations.

15. Women who use drugs are more likely to become victim of trafficking due to their poverty, social exclusion and illegal drug activities. Trafficker target women with drug addictions to recruit into trafficking situation or supply drugs as a way to entice inexperienced drug users. Often traffickers use drug addiction to keep victim in the trafficking situation.

16. The overlapping between drug use and sex work makes women highly vulnerable to trafficking. However, in B&H there is no program focused on prevention of human trafficking which targets sex workers and/or drug users and these populations are not in focus within the priorities of "women belonging to vulnerable groups".¹⁵

17. At the same time, lot of Bosnian civic and government professionals engaged to human trafficking issue contemplate trafficking in misconception and assimilate victims of trafficking for the purpose

of prostitution with voluntary sex workers. Equating sex workers with victims of trafficking prevents the expression of opinions and attitudes by sex workers, worsens their working conditions, increases stigma and disables discussion on possible ways of preventing trafficking.

Recommendations

- The Bosnian government must actively undertake initiatives to ensure that sex workers and women who use drugs have access to police protection. These must be publicized to dissuade traffickers and other violent perpetrators who might otherwise target these populations.
- The Bosnian government should undertake an anti-discrimination campaign among service providers and law enforcement agencies to pro-actively ensure that sex workers and drug users have equal access to police protection and other available services if they are targeted with abuse, including trafficking.
- The Bosnian government should provide support for service providers and civil society organizations for carrying out anti-trafficking programs and prevention activities, which raise awareness on the danger of trafficking and provide appropriate victim assistance services for sex workers and women who use drugs.
- The Bosnian government should undertake awareness raising activities to ensure professionals engaged to human trafficking issue understand the difference between voluntary sex works and human trafficking.

Article 11: work, pensions and social welfare

18. In 2004, the Government of FB&H adopted the decision to utilize the standard classification of occupations, which is based on International Classification of ISCO. Under this classification, the occupation “salesgirl

of love” is identified under code 5149.04, Section „Service and sales workers”.¹⁶ This occupation would be the closest to correspond with the currently used term “sex worker”. However, at the same time prostitution in B&H is illegal and punished by misdemeanour.

19. Because of illegality of sex work activities, sex workers are excluded from B&H Labour Law as well as other legal regulations in the area of labour and employment. As a result sex workers do not have pension and disability insurance, health benefits, parental or family leave, retirement plans or vacation pay. Nor do they have recourse when they are wrongfully dismissed or discriminated against at work.

20. Sex workers cannot organize into labour unions through which they could address labour site exploitation, bargain for better working conditions, or collectively negotiate wages.

Recommendations

- Bosnian government should consider laws and regulation which will decriminalize sex work and recognize sex work as an occupation so that it can be regulated in ways that protect workers and customers.

Article 12: equal access to health care

1. While overall women and girls experience vulnerability to HIV and STI, this vulnerability is particularly heightened in the case of female sex workers and drug users. B&H is country with low HIV-prevalence, however almost 30% of sex workers in B&H have had other STI.¹⁷

2. Results of numerous research show that the key factors of risk behaviour for HIV transmission are unprotected sexual intercourse, inconsistent use of condoms, multiple sexual partners, common change of partners, frequent untreated STIs with a considerable role of the social and biological context and co-factors which enlarge the possibility of exposure to HIV risk. The social climate in B&H, similar to many countries,

is negative towards this especially threatened population, limiting their rights, which has side effects to their psychosocial health and represents additional, contextual risk factor for HIV, including a limited approach to corresponding services and support. Vulnerability of sex workers in relation to HIV infection also increases through their economic situation that is often made more difficult by criminalization, violence and stigma.¹⁸

3. In case of suspecting having an STI, more than half of sex workers in B&H refer to a private doctor which can point to a certain lack of trust, fear of stigma and thus insufficiently available health care.¹⁹ Discrimination against sex workers and drug users, a lack of free and respectful health services and a lack of or insufficient access to harm reduction services all impede sex workers' and drug user's right to health.

Recommendations

- Health services should be made available, accessible and acceptable to sex workers based on the principles of avoidance of stigma, non-discrimination and the right to health.
- Partnerships should be strengthened between the government, civil society organizations, service providers and community organizations working with sex workers and drug users. In order to achieve wide collaboration among actors, action needs to be taken to sensitize different actors to issues sex worker face.
- The access to confidential and affordable/free STI/SRH services for sex workers and drug users has to be improved and access to confidential and free of charge harm reduction services for sex workers and drug users has to be secured by Bosnian government.

About the author

The report is the product of joint efforts of colleagues working for the Association PROI.

Association PROI is non-governmental organization established in 2001 in Sarajevo that offers locally accessible services for most vulnerable populations in solving problems associated to social exclusion, drug use, risky sexual behavior and psychosocial development. Association PROI is dedicated to the most vulnerable groups of women in Bosnia and Herzegovina.

Our target groups are: female sex workers, female injection drugs users and female partners of injection drug users. We advocate for civil and human rights of marginalized women and foster equal opportunities and access to services of our target population. Association PROI works to prevent, respond and stop violence against sex workers and women who use drugs.

For any feedback about this report, readers are welcome to write to **info@ugproi.com**.

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Dignity, Tajikistan

Dignity, Tajikistan is an organization by and for sex workers founded in 2012.

Joint submission for the 56th session of the Commission on the Elimination of Discrimination against Women (CEDAW)
Geneva, Switzerland, 30 Sep 2013 - 18 Oct 2013

Alternative report

NGO 'Etibor' (Dignity)
SWAN Foundation for the Human Rights of Sex Workers

Republic of Tajikistan
2013

Etibor (Dignity) NGO is an organization established and managed by sex workers. This organization has been monitoring acts of discrimination against women including transgender women who sell sexual services and conducts special research in this area.

SWAN Foundation for the Human Rights of Sex Workers is regional network consisting of organizations led by sex workers and civil society organizations providing health services to sex workers.

Introduction

The report documents human rights violations that women and transgender women sex workers face due to their status as "sex workers" and demonstrates the impact of these on women and transgender women sex workers' living and working conditions. This report is based on information collected by Etibor ("Dignity") in the course of daily activities with sex workers and country-level UN consultation with sex

workers devoted to HIV and Sex Work on a regional level (October 3-4, 2012). This report also relies on current research in the fields of HIV and gender and a content analysis of media representations of sex workers in the country.

Submitters of the report emphasize that the report discuss sex work and sex workers based on the following definition: Sex workers include “female, male and transgender adults and young people (18 years of age and above) who receive money or goods in exchange for sexual services, either regularly or occasionally”. It is important to note that sex work is consensual sex between adults, which takes many forms, and varies between and within countries and communities. Sex work may vary in the degree to which it is more or less “formal” or organized¹.

Article 1. Definition of discrimination

Sex workers – women, men, and transgender people – suffer extreme stigmatization and are subjected to systematic and systemic discrimination in the Republic of Tajikistan. Sex workers are frequent targets of violence, and in particular of gender-based violence, by members of law enforcement, clients, and hostile segments of society under the pretext of religious values and the need to punish women who transgress or disobey moral codes of acceptable gendered behaviour².

1 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. – WHO. – December 2012. – p.12. Source: http://apps.who.int/iris/bitstream/10665/77745/1/9789241504744_eng.pdf (access on 11 Sept, 2013)

2 The description of persecution of sex workers and the stigmas and discrimination they experience were voiced and recorded during a series of consultations in Tajikistan aimed at preparing a Regional Consultation on HIV and Sex Work in 2013. The first stage of the country-wide consultation was conducted in collaboration with the UN and the community of sex workers, including women and transgender persons, on 3-4 October 2012 in Dushanbe, Tajikistan (Reference further: Results of in-country consultations with sex workers, October 2012, Dushanbe, Tajikistan)

Recommendation

- To ensure human rights of sex workers in Republic of Tajikistan by CEDAW mechanisms and to recommend to the Government in Concluding Comments to address stigma and discrimination towards sex workers.

Article 2. Policy measures to be undertaken to eliminate discrimination

The constitution of Republic of Tajikistan guarantees equality between men and women by article 17 of the 1994 Constitution of the Republic of Tajikistan. Republic of Tajikistan adopted two main laws aimed to guarantee gender equality and to protect women from domestic violence. First one is The Act on State guarantees of equal rights for men and women and equal opportunities in the exercise of such rights, adopted on 1 March 2005. The second one is Law of the Republic of Tajikistan “On The Prevention Of Domestic Violence” adopted on 19 March 2013.

Despite the fact that the principle of equality of men and women before the law and courts is guaranteed by legislation, sex workers are unable to protect themselves using the state mechanisms due to the antagonistic relationship with law enforcement created by the penalization and state repression of sex work

Sex work in Tajikistan is penalized and is punished according to the Code of Administrative Offences, Article # 130 which stipulates penalties for sex work in the form of fines. In actual practice, this article is used by police as cover to target sex workers with routine extortion under threat of fines, arrest, detention sex workers or to publicize sex worker’s livelihood³.

Law enforcement agencies conduct routine raids to round up sex workers. After being brought to police stations or temporary detention

³ Results of in-country consultations with sex workers, October 2012, Dushanbe, Tajikistan

facilities, sex workers are subjected to forced testing for HIV. Often the test results are disclosed in front of other detainees and members of the police⁴. These practices are counter to the UN Guidelines on HIV-AIDS and Human Rights (UNHRC and UNAIDS 2006). They also further expose sex workers to violence and discrimination.

The penalization of sex work fuels and creates cover for widespread abuse by state-actors against sex workers, the large majority of whom are women. The antagonistic relationship this creates between law enforcement and women and transgender women in sex work, precludes sex workers from having access to police protection in case of violence or other abuse by both state actors and non-state actors, including partners and family members. The penalization of sex work disproportionately harms women and is an obstacle to women's equality before the law as is discussed at greater length in the last section.

Recommendations

- To decriminalize sex work by excluding the Article #130 from the Code of Administrative Offences of the Republic of Tajikistan in order to remove the basis for extortion and blackmailing as well as other illegal actions.
- To stop police practices of unlawful arrest and detention extortion, abuse and forced HIV testing on sex workers during police raids.
- To ensure sex workers have equal access to police protection, fair process and justice.

Article 3. Guarantees Basic Human Rights And Fundamental Freedoms On An Equal Basis With Men

Women sex workers in Tajikistan face violations of their political, social and economic rights based on widespread discrimination against them. Here, we examine: discrimination against sex workers with regards to

⁴ Ibid

legal documents; discrimination against sex workers' children and their right to schooling; prejudicial and hateful media representation and lastly, obstacles to redress.

Most sex workers are women who, in order to flee circumstances of poverty or social judgment, migrate to other locations to work. As a result, a significant portion of women in sex work do not have passport or IDs. This deprives them of access to essential social and economic services and the fundamental right to legally be in public space.

The significant portion of sex workers does not have passports or IDs, which deprives them of their basic legal opportunities to realize their rights. Many sex workers living in regional centres came from remote areas do not have residency permits. Police discriminatorily target sex workers for extortion and arrest, using their lack of passports and residency permits as a pretext for unlawful and abusive practices. There are many situations when sex workers are not able to obtain the ID or situations when ID are stolen by clients or confiscated by police as a tool of extortion. Recovering ID requires residence residency permit or returning to or one' parents' home where one might have had a residency permit. However, women are often women kicked out from their parental homes after parents or relatives learn about their occupation. There are even cases when women lose their legal residency permit without any notification or request for her consent from officials doing the procedure⁵. Despite the discriminatory obstacles to women in sex work getting essential legal documents and the discriminatory seizing of their documents and targeting them for repression when they lack them, there are no procedures to facilitate sex worker's getting or retaining their documents or to protect and uphold the political, social and economic rights of which they are deprived without their legal documents.

Children of women sex workers face widespread discrimination and exclusion. If a sex worker and her children live in small town, children are singled out and harassed with taunts of: "You are the son or daughter

⁵ Case O, documented by Etibor (Dignity) NGO

of prostitute". Due to this, school age children are socially isolated and are usually not accepted in school clubs or hobby centers by their administrators⁶. This discrimination causes both social and psychological harms to women in sex work and their children.

The mass media representations of sex workers fuel discrimination and violence against them by state and non-state actors. Sex workers are generally represented as women who do not care about themselves, their children or their future. Sex workers are portrayed as the acceptable objects of disgust through statements such as: "How is to be under each dirty man?". Sex workers are portrayed as essentially different from others through lines such as "Maybe your body feels the need to do it [sex work]"⁷. It is considered normal to judge women in sex work in an insulting and humiliating manner. Furthermore, in news coverage of sex work-related issues, women's basic human right to privacy is violated. As a result, sex workers are often publicly exposed in coverage that is hateful and prejudicial and that risks causing them further harms.

According to research data, 60 per cent of women sex workers have only primary education or none at all and as a result, many cannot read or write (PSI, 2012)⁸. The state has a responsibility to ensure that poor women are not deprived of education and that sex workers and their children have access to education and literacy services. Furthermore, the state has the responsibility to ensure that sex workers', despite low levels of formal education, can access redress for violations of their human rights committed by state or non-state actors.

6 Results of in-country consultations with sex workers, October 2012, Dushanbe, Tajikistan

7 Kak my s politsiyey nraov prostitutok lovili // Vecherka. Novaya Gazeta Dushanbe. – 2 November, 2011. Source: <http://vecherka.tj/society/reportazh/kak-my-s-politsiej-nraov-prostitutok-lovili/> (access on 10 Sept, 2013)

8 PSI Research & Metrics, "Central Asia Republics (2012): HIV and TB TRaC study understanding risk behaviors associated with HIV transmission and utilization of HIV prevention services among SWs in Almaty (Kazakhstan), Chui Oblast (Kyrgyzstan), and Dushanbe (Tajikistan). Small Scale Midterm Study." PSI Social Marketing Research Series, (2012). – p. 13. Source: <http://www.dialogueproject.org/download/3.pdf> (access on 8th of September, 2013)

Recommendations

- To ensure women and transgender women sex workers and their children are not discriminatorily targeted for repression based on lack of legal documents, for seizure of their legal documents or for exclusion from receiving legal documents. To ensure that programs are in place to actively reverse this discrimination by assisting sex workers with regards to their obtention of legal documents.
- To ensure women and transgender women sex workers' children do not face discrimination and exclusion from school or social activity groups, be they governmental or non-governmental.
- To ensure media representation of sex workers does not fuel violence and discrimination against them by portraying sex workers as objects of disgust.
- To ensure poor women and girls have access to education, including education when women and transgender women sex workers are adults.
- To ensure the basic human rights and fundamental freedoms for sex workers and their children based on acts and laws adopted by the Republic of Tajikistan

Article 5: Sex Roles And Stereotyping

The Gender Assessment of HIV program Report says: "Tajikistan is a highly patriarchal society where masculinity ideas are dominating. Resulted from masculinity being dominated in Tajik society, men have more control over resources and bear decision-making power. When it comes to decision making in relationships, men are expected to dominate and women to be passive. Consequently, unequal parties are not in a position to negotiate when they have sex, how often and how they can protect themselves from sexually transmitted infections (STIs) and HIV. Lack of bargaining power in negotiating the conditions of

their health and livelihood puts women at risk and prevents them from seeking sexual health advice”⁹.

Due to basic gender inequality female sex workers are subjected to more severe violence. There are known cases when men declaring religious values kidnap sex workers, shave their heads as a sign that the woman is fallen and throw them out to public shaming. Also acts of violence against women sex workers have been are shot on video and these clips are distributed via Internet¹⁰.

Women in Tajikistan are considered as decent if they are married. If the woman is divorced or single she is considered as indecent and could be subjected to violence more frequently. According to the nationwide survey done in 2011 only 7.4% of sex workers are married or live in civil partnership, others are single, divorced or widowed¹¹. Given this fact violence against female sex workers are perceived as normal action and even good one as a measure to educate women to live in proper way.

Police performing its duties in public places (parks) could stop any couple which is perceived as sex worker and her client and require passports and marriage documents. In the case that the couple does not have these documents, police extort money (regardless of whether this couple is sex worker and her clients or not)¹².

Mass media promotes the idea of punishing and “correcting” sex workers by jailing them “If the girls of easy virtue had served in prison 3-6 months, it will be a good lesson for them. During this time, they can be taught to sew, pastry skills. Coming out of a special prison, they may have a certificate that will help get a job”¹³.

9 Lola Yuldasheva. Gender Assessment of HIV Programming in Tajikistan. – Dushanbe, 2011 / UN WOMEN. – pp. 8-9. Source: http://www.untj.org/docs/files/library/Gender_assessment_revised_eng-Engendering%20HIV-AIDS%20response.pdf (access on Sept 6, 2013)

10 Results of in-country consultations with sex workers, October 2012, Dushanbe, Tajikistan

11 Data of national HIV serosurveillance survey 2011. National AIDS Centre

12 Focus group discussion with sex workers (Dushanbe, summer 2012).

13 Prostitutsiya: arestovyyat' ili vospityvat'? // Vecherniy Dushanbe, 30 Aug, 2013.

Recommendations

- To ensure that adopted Act on State guarantees of equal rights for men and women and equal opportunities (2005) is implemented taking into account all forms of discriminations towards all women without difference based on occupation, including sex work, gender identity, HIV status or any other signs
- To undertake efforts to resist roots and consequences of patriarchal norms bringing harm to women

Article 12. Healthcare And Family Planning

Healthcare services are available for sex workers with limitations. According to national rules of healthcare provision each citizen has a right to get healthcare services if a person has a passport and permit for residence. As mentioned in Article #3 many sex workers do not have passports or/and permit for residence. As a result, sex workers face barriers in getting primary and essential healthcare services.

Sex workers are included into National HIV Program for 2010-2015. Sex workers are mainly perceived as vulnerable group, and HIV should be prevented among them in order to care of general population. Given this perspective health care providers, including HIV-service NGO put their major emphasis on testing all sex workers for HIV with or without their knowledge. A majority of sex workers do not realize that they have been already tested for HIV, especially if the test result is negative¹⁴. It occurred because the personnel responsible for carrying out HIV tests in state medical facilities do not provide the pretest counseling of standard quality as required in national regulations on HIV testing¹⁵.

Source: <http://gazeta.tj/vd/7956-prostituciya-arestovyvat-ili-voस्पityvat.html> (2 Sept, 2013)

14 Focus group discussions done by Etibor (Dignity) NGO in June 2013 with sex workers in Dushanbe.

15 Postanovleniye Pravitel'stva Respubliki Tadjikistan ot 1 aprelya 2008 goda №171 g.Dushanbe. Ob utverzhdenii Poryadka meditsinskogo osvidetel'stvovaniya s tsel'yu vyyavleniya zarazheniya virusom immunodefitsita cheloveka, ucheta, meditsinsko-

As mentioned in the Article # 2 law enforcement agencies conducting routine raids forced sex workers to be HIV tested. Disclosure of results in front of other detainees and members of the police is frequent practice¹⁶. In accordance with the Law on HIV and HIV testing procedures such actions are illegal. In particular Art. 14 of the HIV Law guarantees: Prisoners and detainees have the right for free confidential HIV testing and for counseling on the basis of informed consent, as well as on information on health status

Recommendations

- To stop unlawful mandatory HIV testing of sex workers conducted by police
- To stop HIV testing of sex workers conducted by medical facilities without provision of counseling of standard quality and further receiving informed consent of sex workers to be tested on HIV
- To ensure the implementation of the Law on HIV which guarantees the confidentiality of HIV testing results

Article 13: Economic And Social Benefits

Sex workers are invisible citizens of the country due to frequent absence of IDs and permits of residence. Given this fact sex workers face many obstacles to place children to kinder garden or school. According to data obtained in the research in Dushanbe, capital of Tajikistan (2012, PSI) 77.8 per cent of sex workers is having children, mean number of

go obsledovaniya VICH – infitsirovannykh i profilakticheskogo nablyudeniya za nimi i Spiska lits, podlezhashchikh obyazatel'nomu konfidentsial'nomu meditsinskomu osvidetel'stvovaniyu na VICH - infektsiyu po epidemiologicheskim pokazaniyam. Source: <http://nc-aids.tj/normativno-pravovie-dokumenti/postanovlenie-pravitelstva-rt/18-2011-04-05-10-15-32.html> (access on 10 Sept, 2013)

16 Results of in-country consultations with sex workers, October 2012, Dushanbe, Tajikistan

children per sex worker is 2.11¹⁷. By other words, extrapolating this data on overall estimated population of sex workers over the country which is 10 000-15 000¹⁸ we have found out that 16 000 – 25 000 children have almost no access to pre-schools and to secondary education.

Getting any kind of social support for sex workers in small cities is almost impossible, because women are persecuted as sex workers. Officials have no legal grounds to refuse women who are known as sex worker in a specific locality in provision any social benefits but they are known to require more confirmation papers or longer processing with documentation¹⁹. Finally only a few are successful in getting those benefits which are guaranteed by the legislation.

Recommendations

- To ensure applying legislation guaranteeing economic and social benefits to all women without discrimination on different basis – occupation in sex work or gender identity.

Article 15. Equality Before The Law

Sex workers are not equal before the law. In case of illegal actions against sex workers from police, clients or other third parties sex workers have no opportunity to submit a complaint to police and seek legal defense. Main reasons are mistrust to law enforcement bodies'; fear to be publicly identified as sex worker by police and subsequent further shaming among relatives; fear to be object of persecution by the perpetrator or even fear to be object of persecution by police itself. For example,

17 PSI Research & Metrics, "Central Asia Republics (2012): HIV and TB TRaC study understanding risk behaviors associated with HIV transmission and utilization of HIV prevention services among SWs in Almaty (Kazakhstan), Chui Oblast (Kyrgyzstan), and Dushanbe (Tajikistan). Small Scale Midterm Study." PSI Social Marketing Research Series, (2012). – p. 13. Source: <http://www.dialogueproject.org/download/3.pdf> (access on 8th of September, 2013)

18 APMG report on PSE & risk behavior among IDUs & CSW in Tajikistan. – 2009.

19 Case NM, documented by Etibor (Dignity) NGO

police frequently allow the perpetrator or other third party to submit a complaint against the sex worker who was herself, the victim. Often staff of law enforcement bodies place sex workers at extreme danger by forcing sex workers to serve as informants providing information on wealthy clients for the purposes of police extortion rackets. If sex workers refuse to cooperate, they are subjected to violence or threats that their families will be told about their occupation or sexual identity. If they do agree, sex workers can be targeted by the clients on whom they informed police. High police officials are involved in such actions also²⁰.

Etibor (Dignity) NGO doing outreach among sex workers with purpose of HIV prevention frequently hears about police illegal actions. In average 4 out of 5 sex workers talk about such cases, but no one agrees to submit complaint even with support of lawyer. One case is processed by Etibor (Dignity) NGO. The case of human rights violations happened on 8th of May 2013 when the policemen arrested outreach worker of Dignity and three sex workers. Policemen spoiled organizational ID of outreach worker, were verbally abusive and beat the women. All four women were stopped in police station within 1 hour without official charges or reasons. Dignity called for a lawyer, it was night time. Lawyer helped with writing of complaint to Prosecutor Office for actions of policemen. Later sex workers refused to sign this complaint as they were afraid of further abuse from police.

Usually police arresting sex workers do not follow the procedure defined by law: the protocols of arresting are not made. Sex workers' rights to due process are not respected and arrest and detention are unlawful. Sex workers are detained for some period of time as a means to pressure them to pay extortion or to force them to have sex in exchange for their release²¹.

20 Case IS, documented by Etibor (Dignity) NGO

21 Numerous reports of sex workers contacted by Etibor (Dignity).

Recommendations

- To stop police unlawful actions related to sex workers, including any kind of violence, violation of privacy, pressure to collaborate in favor of personal benefit of police officials
- To ensure mechanisms for sex workers to report violence or discrimination without fear of arrest, persecution or abuse by police or other third parties

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LINKS AND RESOURCES

Using International Human Rights Mechanisms

International Women’s Rights Action Watch Asia Pacific (IWRAP)
(English)
<http://www.iwraw-ap.org/>

CEDAW Knowledge Resource
(English)
<http://www.iwraw-ap.org/knowledge/index.htm>

Special Features of CEDAW
(English)
http://www.iwraw-ap.org/using_cedaw/features.htm

Guidelines on How to Write a Shadow Report
(English)
http://www.iwraw-ap.org/using_cedaw/sr_guidelines.htm

International Women’s Human Rights Defenders (IWHRD)
(English)
<http://www.defendingwomen-defendingrights.org/>

Claiming Rights, Claiming Justice: A Guidebook on Women Human Rights Defenders
(Multilingual but not Russian)
<http://www.defendingwomen-defendingrights.org/resources.php>

Sex Workers' Rights in Central Eastern Europe and Central Asia

Sex Workers' Rights Advocacy Network (SWAN)

(English/Russian)

<http://www.swannet.org>

Arrest the Violence: Human Rights Abuses Against Sex Workers in Central Eastern Europe and Central Asia

(English/Russian)

<http://www.opensocietyfoundations.org/sites/default/files/arrest-violence-20091217.pdf>

Central Eastern Europe and Central Asia Dialogue, Global Commission on HIV and the Law

(Russian)

<http://vimeo.com/channels/eecardglobalcommission>

"You Must Know About Me: Rights Not Violence for Sex Workers in Macedonia"

<http://www.youtube.com/watch?v=aXhyzUya9BE>

Sex Workers' Rights Globally

Global Network of Sex Work Projects

(Multilingual)

www.nswp.org

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