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The Oldest Profession: Is Sex Work, Work?
Kaiser Family Foundation
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GEORGE TEMBO: Good morning everybody and welcome to the session, we've got a full house. My name is George Tembo, I work for the United Nations Population Fund in New York. I would like to introduce my co-chair, Dr. Marijke Wijnroks who is the Ambassador for AIDS for the Netherlands and she has over 20 years experience working with HIV/AIDS and she was previously the Chairman of PCP Board for UNAIDS.

Just to remind you that this session is being simulcast to Kolkata so we've got some of our panelists there so there's an interactive discussion between us here and in Kolkata. I've been asked to give an announcement that there are headsets available outside for those who want this session to be translated so just outside there are headsets that you can go and get.

The way this session is set up is that I'll give objectives of the session and then we will ask our panelists to say a few words in a very short interventions of five minutes and then we will go to Kolkata where some of our panelists are also there to give you their interventions. Then at the end of it all we'll take it to the audience here and in Kolkata to have an interactive discussion.

Let me just give you a few objections of this session so that we are all on the same page so that we know what we want to achieve in this session. We want this session to

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provide the basis for the legal, policy, labor and public health rationale for creating and enabling an environment in which sex work is integrated into communities as simply another occupation. It aims to discuss sex work from a labor rights perspective moving beyond the sometimes paralysis discourse of sex work as inherently sexually exploitative. Sex work networks and organizations have advocated for many years that sex work should be view as work and this is an essential component of a human rights best approach to HIV prevention, treatment, care and support.

There have been several recent reports, research and recommendations that are set to significantly influence the global agenda on this. The ILO Order of Work Recommendation 200, the Report of the Global Commission which was recently launched in New York about a few weeks ago, the UNAIDS Guidance Note on HIV and sex work which was reissued in 2012 and the WHO UNFP UNAIDS Secretariat and SWP Guidelines on HIV and AIDS T.I. Prevention and Treatment Amongst Sex Workers in Lower and Middle Income Countries.

Additionally there are also recessions and global epidemics among sex workers undertaken by Johns Hopkins University and the World Bank. Most of you know about the investment framework which provides an additional important vehicle for transforming the responses to HIV and sex work.

As I mentioned earlier, this session will be

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interactive among the panelists both here and in Kolkata and it will be led by both myself and The Ambassador. It will highlight the perspective of sex workers, look at new information on the scale and nature of the HIV burden on sex workers. It will also consider sex work as work and ILO Recommendation 200 and it will discuss recommendations for the Global Commission on AIDS on their law which was [inaudible] recently as I said earlier on.

The directions will address the need for enabling environments in which HIV prevention for www can be implemented effectively. It will also the complete advantage of regulated and protected sex in contrast to the social, financial and health costs of criminalizing and stigmatizing sex work.

Those are basically the objectives and those are things that we would like to achieve in this session. So to start to ball rolling I would like to ask Ambassador Marijke as the previous Chair of PCD, Ambassador of AIDS and you've have extensive experience, can you describe what you think the current political environment on sex work is now?

MARIJKE WIJNROKS: Thank you George and of course I'm really pleased to respond to that. I think the very significant first response is that we do have this panel discussion across two locations with the sex work meeting in Kolkata because they were denied entry into the United

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States, so I think that's a very clear response to the question of political context. I myself am from the Netherlands, in the Netherlands sex work is legal, it's considered a legal occupation, that means that sex workers are protected by Labor Laws. It also means that sex workers in the Netherlands pay income tax so there's downsides to everything.

I think The Netherlands is one of the very few government donors that support sex worker programs internationally, but there's also a downside to that; over the last couple of years we've seen an increasing tendency to more strictly regulate sex work in an attempt to control human trafficking. I think all of us in this room know that this is doomed to fail because human trafficking and sex work are two very different issues and should not be confused. But still this is happening, just as a side note.

As George eluded to, on the positive side there's a lot of emerging evidence that sex work is work and that the current legislation that many countries do have in place that limit the rights of sex work and actually criminalize sex work applied to the sex workers themselves.

It's counterproductive both from a human rights perspective and from a public health perspective. You've heard very powerful testimony this morning in plenary just to underscore those issues and you have a lot of experts on the

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panel that will be talking about this recent evidence and I'm very much looking forward to it.

GEORGE TEMBO: Thank you very much Marijke. Our next panelist is Naomi Akers from Washington D.C. Naomi's been a passionate advocate for the sex worker rights movement since 1995. She has worked in a variety of sex work venues both legal illegal including the right of brothels, escorting, exotic dancing, massage parole work and street based sex work.

She's a member of the San Francisco HIV Research and Vaccine Trials Network and [inaudible] group for the past four years from 2009 to 2011. As of August 2006, she's the Executive Director for the St. James Infirmary a free medical clinic for sex workers where she studied as a volunteer in 2002 and has been a client since 1999. Naomi, from sex worker's perspective, why should sex work be the same as work?

NAOMI AKERS: Good morning everyone. First I just want say thank you to everyone for being here and to open up with a quote from a sex worker from Uganda who was in the march in Kolkata the other day from the Freedom Festival. "When you're doing sex work of course you see it as work, it buys your food, pays for school. If it was decriminalized, if one could choose to be a sex worker in a safe environment I think it would be a good job.

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What makes it bad work are the laws and policies." I want to give a shout out to the sex workers in Kolkata, I saw pictures from your march it was very beautiful, I'm not sure where the camera is filming but to say I wish we were together. How sad it was that I couldn't meet you. We're supposed to be turning the tide together so. I'm not crying, it's just the light in my eyes.

I was trying to prepare for that question; why should sex work be work? And honestly I got a little anger because I'm tired of defending my profession. I don't understand why I should be asking that question, I guess my question is why shouldn't be work? It's a profession. Work, I looked it up in the dictionary because I'm like am I missing something?

Work is an exchange of a physical or mental activity for currency. It pays our bills, pays our rent, it pays for child care, it provides healthcare for our families. This is a profession, I did it in illegal environments and legal environments and it was very, very different in those two contexts.

The whole visa issue with coming to the United States, I just want to say what pisses me off so much about it is the question is about have you done anything immoral? My sex work was not immoral, I was very upfront in negotiated with my clients [applause] thank you, I was transparent, this is what I will provide, this is what I won't provide, this is

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much it's going to cost.

Would you agree to that service? Yes or no, and then we went on with it. The problem is is the policies and for most sex workers they're either working illegally so we can't organize, we're living shadows, we're living in secret, we can't talk to our healthcare professionals about what we do so we're not getting adequate occupational health and safety care. We're afraid of stigma, we can't talk to our families about what we do, our work without a tremendous backlash.

Imagine having a job where you couldn't tell the closest people in your lives what you do for a living. If you had a bad day and you just needed to process, that you had to keep all of that inside. And then how do we find each other? Having sex worker professional organization is criminalized and often it comes with a sentence enhancement of being a felon or being a labeled a trafficker or a pimp. We come here to this conference because there's so much funding around HIV and sex work and then I come here expecting to meet with my sisters and brothers in this profession and they're denied access to this country. It's very sad.

For sex workers in the United States who work in legal settings, they're defined as independent contractors and under our law independent contractors don't have the right to organize and from unions. Here's an example of how

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this gets played out; in Los Angeles porn actors were denied access into the Actors Union, the Screen Actors Guild. That was supported by a law because of what they do for a living.

Then we see yesterday on the ballot on Los Angeles law makers are trying to put an initiative to require condoms in porn at to require registration systems with the state without giving us any benefits or any inclusion in that process, the right to better wages, the right to determine our own workplace safety. So I'm tired of saying all of these people want to regulate our bodies without giving us an rights, we wants the rights. We'll tell you what we need, please listen. Thank you [applause].

MARIJKE WIJNROKS: Thank you very much Naomi, that was very clear. Our next speaker is Deanna Kerrigan from Washington D.C. Deanna is an Associate Professor in the Department of Health Behavior in Society at Johns Hopkins Bloomberg Public Health.

She has been conducting research related to HIV prevention in sex work for over 15 years including intervention research related to social and structural factors in HIV risk amongst sex workers in the Dominic Republic and Brazil.

She's recently led two initiatives sponsored by the WHO and World Bank and UNFPA to document a modeled role and impact of community empowerment based comprehensive HIV

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prevention among sex workers in lower and middle-income countries. Deanna, our question to you would be; what is the latest research telling us about the nature and scale of the AIDS epidemic among sex workers?

DEANNA KERRIGAN: Thank you for the question. Since the beginning of the global HIV epidemic sex workers have been known to experience a heightened burden of HIV. However, sex workers' HIV and health risks and rights have often gone unattended and global resource allocation related to HIV prevention, treatment and care has not been based on rigorous analysis in terms of the public health and social science related to sex work and HIV.

As part of an effort to understand the global epidemics of HIV among sex workers, a systematic review was recently conducted on the prevalence of HIV among female sex workers whereas other recent reviews had been conducted on male and transgender sex workers by our team at the Johns Hopkins School of Public Health. This covered data from the last five years, over 100 studies, 50 countries and 100 thousand female sex worker participants. Details of this systematic review and [inaudible] analysis will follow in a session later today but I'd like to highlight some of the findings.

Overall HIV prevalence among female sex workers across regions was approximately 12-percent. The highest HIV

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prevalence among female sex workers varied significantly by region with the highest prevalence found in Sub-Saharan Africa with a pooled HIV prevalence of 36.9-percent and individual country estimates surpassing 50-percent in some cases.

Across the region, HIV prevalence among female sex workers was approximately 14 times greater than the overall prevalence among the general population of women of reproductive age. Sex workers experienced significantly higher risks than their general population counterparts in every region including a 29 times greater risk in Asia, a 12 times greater risk in Latin America and a 12.4 times greater risk in Africa.

To better understand not only the level of burden but also the nature of burden of HIV among sex workers, we also conducted eight country case studies examining the policy and social environment surrounding access to services and risk among sex workers across settings. In settings where sex work is recognized as an occupation, an enabling policy and social environment can be created whereby stigma and discrimination against sex workers can be directly addressed and access to prevention and treatment services can be facilitated. However, these settings are few and far between.

The coverage of HIV prevention services among sex

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workers is low, with generally less than 50-percent of sex workers reporting access to very basic HIV prevention services.

This level of coverage is unacceptable given the high burden of HIV experience by sex workers as indicated by this recent review of the literature. Few systematic HIV interventions were documented for male and transgender sex workers or the clients and regular partners of sex workers in our review. Consistent condom use between sex workers and their regular partners was significantly lower across geographic settings, although quite high with new clients across context.

These data indicate the need for a review of the UNGASS indicators as well as the need to regular paying and non-paying partners of sex workers with HIV prevention efforts rather than focusing solely on new or most recent clients in terms of both programming and monitoring and evaluation efforts.

I'd like to briefly share some highlights from two of the case studies that we documented; first, from Brazil, a concentrated epidemic and then from Kenya, a generalized epidemic. Brazil is known for engaging socially marginalized population groups through community based organizations in their internationally recognized response to HIV including but not limited to female sex workers. The overall

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prevalence of HIV is less than 1-percent in Brazil, however the median national prevalence among sex workers is approximately 5-percent.

Despite significant gains in tackling structural factors associate with sex work including gaining recognition of sex work as an official occupation in Brazil, stigma and discrimination and violence still continue to exist in Brazil with regard to sex work.

Whereas 15-percent of female sex workers reported having experienced some form of sex work related violence in the last four months in a study of sex workers in Rio de Janerio. Additionally, less than half of sex workers even in Brazil, which has historically prioritized the needs of this group have appropriate access to HIV prevention services based on the most recent UNGASS indicators.

We know that promoting and sustaining safer sex and reducing HIV involves more than just access to testing and receiving condoms. In turn, the level of programmatic reach with comprehensive empowerment based HIV prevention interventions which have been proved effective in Brazil, India and in other settings is quite low, much lower than even the UNGASS indicators represent.

Such data suggests that even in the context of important gains in successes with regard to sex work, human rights and HIV prevention in settings like Brazil, sustaining

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significant investment in HIV prevention among sex workers is critical.

We can also explore different epidemic scenarios such as a generalized epidemic in the case of Kenya which has a very different legal and policy context surrounding sex work, where sex work is not recognized as an official occupation and where sex work is often criminalized under the guise of multiple types of indirectly related laws and legal codes.

Currently HIV prevalence overall in Kenya is approximately 6-percent, nationally 8-percent among woman, whereas the HIV prevalence in terms of pooled data for female sex workers in Kenya is approximately 45-percent. There is also little indication that overall prevalence in Kenya is on the decline despite significant declines nationally in that setting. Mathematical modeling has shown that up to 14-percent of new infections in Kenya are associated with sex work even in the context of a generalized epidemic where traditionally less attention has been paid to these issues.

In terms of programmatic reach with effective HIV prevention services according to the most recent UNGASS data, only 59-percent of sex workers in Kenya were able to identify the main modes of sexual transmission and reject major misconceptions about transmission.

We also find from the literature that 32-percent of Kenyan sex workers reported some sort of physical or sexual

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violence in the last year and that rape, including gang rape from state actors including police, is quiet common in this and other settings. There is a clear need for additional resources and investment in sex work, human rights, and HIV prevention in the context of this and other generalized epidemics where less attention has historically been paid to sex workers.

Let me close by saying that our comparative analysis from our eight country case studies indicate that sex worker leadership plays an integral role in the development and sustaining of effective community empowerment based response to HIV prevention among sex workers.

We see that where sex workers organizations have been funded and have been able to partner effectively with government actors, the response to HIV among sex workers has has a significant impact in stabilizing and reducing HIV. In turn, support for sex workers rights organizations is critical to sustain an effective response to HIV and the promotion of sex workers' human and health rights. W

e do need more systematic assessments of the epidemiology of HIV among sex workers, but also research that further documents the ongoing, increased structural and social vulnerability of sex workers to HIV.

Lastly, given the dramatically heightened burden of HIV risk among sex workers globally, comprehensive community

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empowerment based HIV prevention, treatment and care, which we know from the literature and our recent mathematical modeling to be effective should be expanded immediately across settings to address the needs of what is clearly a radically underserved population. This expansion in services and investments should include not only female but male and transgender sex workers and the clients and partners of sex workers. Thank you [applause].

GEORGE TEMBO: Thank you very much Deanna. Our next panelist is Richard Howard who works for the International Labor Organization. Richard has got extensive experience on HIV works and currently works as a Senior Advisor in the Asian-Pacific region. Richard, yesterday you did a session on this, I want to talk a little bit about the Recommendation 200. But more importantly I want you to tell us what implication it has for sex workers and sex workers' work.

RICHARD HOWARD: Well first of all I'd like to say that it is undeniable that sex work is work and that sex work is a legitimate form of economic activity. However, the question rises; is sex work decent work? And the answer is clearly no. Now this is not decent work in the sense of morality, I grew up in South Carolina and my mother would have a very clear idea of what was decent and what was not.

The decent work for ILO has nothing to do with morality, it has everything to do with are the fundamental

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rights of workers protected? Decent work is based on several fundamental rights. The decent work agenda is created or enforced through the development of labor standards with the fundamental role of ILO constituent members. There are 188 member states of the ILO and the constituent members comprise of labor departments, workers organizations or trade unions and organizations of employers.

Decent work describes a working environment where wages are fair, where there are reasonable working hours, safe working conditions and access to social security including healthcare, accident coverage, disability benefits and unemployment as well as pensions. All ILO Labor Standards that have been developed to protect or promote decent work at the country level do not distinguish between groups who are included and groups who are not excluded.

There has never been a formal exclusion from sex workers from any ILO convention. Decent work should exist and be protected for all human beings regardless of the legality of work, regardless whether this work takes place in formal or informal economies or whether this work is recognized as work by national governments.

So the question arises; why is sex work not decent work? I think the purpose of this panel is partly to address that. I think criminalization is a key barrier that we face along with misinterpretation of religious doctrine and

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discrimination. I'd like to mention briefly Recommendation 200 as an intermediary strategy for addressing the working conditions and improved HIV prevention and treatment and services for sex workers.

In June 2010 ILO tripartite Partners developed a labor standard on HIV in the workplace to protect rights for people with HIV and improve access to prevention and treatment. It was very clear as I witnessed the second round of these parliamentary discussions that our partners wanted to ensure that groups who are most vulnerable of HIV were included in the implementation of the standard. There was a great deal of discussion on sex workers and the importance of their inclusion and prioritization in the implementation of the standard.

So what does the standard say? Very briefly; it protects the employment rights of all workers with HIV, it prohibits mandatory testing as a condition to get jobs or to keep jobs. It ensures confidentiality of HIV status, prohibits firing or job switching due to HIV status as long as people are fit to work, able to do their jobs as defined in job descriptions.

Again, the priority of this recommendation, of this labor standard was to focus on groups who were most vulnerable to HIV. I think one of the strengths of the recommendation is that it addresses fundamental factors that

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put workers at risk for HIV including lack of occupational health and safety and protection from HIV transmission in the workplace. And it calls for protecting those workplaces which are most vulnerable to HIV transmission and addressing sexual harassment and violent in the workplace and lack of access to adequate health services.

So these standards are all well and good, I think we have a solid international framework for delivering on this agenda but very little has been done as you know, at the country level. So what can we do? I think our role as the ILO is to facilitate partnerships with those members of the ILO constituency.

First and foremost is the role of trade unions. As we noted, all workers have the fundamental right to organize and negotiate for their rights under the protection of national labor law. Alliance with trade unions are critical, in Cambodia the Food and Service and Entertainment Trade Union has invited sex workers to participate in the trade union and have negotiated for better working conditions with some degree of success. I think this is a model.

At the global level and national level the ILO responsibility to ensure partnerships however sex workers would like to develop those partnerships, whether it's membership or some other type of alliance or affiliation with organizations that already exist. So trade unions are one

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very important route here.

The second approach is to work with the management of establishments to implement ILO Recommendation 200 at the workplace level through the establishment of a set of simple guidelines as has been done in some bars and locations in Thailand. So workplace programs not just in the factory or the mining company or the bank, but also in the places where sex work is taking place.

Finally, the importance of working with national labor departments to ensure that standards and guidelines and policies are in place to implement ILO Recommendation 200 in the sex industry. So again, we are just at the beginning of this movement and we have made some significant progress but really most of the work is in front of us. Thank you very much [applause].

MARIJKE WIJNROKS: Thank you Richard, I think that provides a very interesting bridge to our last speaker on the panel, Mandeep Dhaliwal the last Washington speaker before we switch to Kolkata. Mandeep is the Cluster Leader of the Human Rights Gender, Sexual and Sexual Diversity UNDP and I think more than the Cluster Leader Mandeep is an activist on all of these issues.

Mandeep has been leading the work on the Global Commission on HIV and the Law, the report that was published week, it's a very influential report. We would like to ask

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Mandeep if she could go a little more into detail on the Recommendations that are stemming from the report of the Global Commission on AIDS and the Law that would support the proposition that sex workers work.

MANDEEP DHALIWAL: I think I'll just begin by saying that the Commission reviewed public health evidence, human rights evidence as well as heard accounts and received submissions from over a thousand authors from 140 countries so these recommendations have truly a global basis.

The second most important thing is that I want to say hello to colleagues in Kolkata and many of them were involved in the regional dialogues and really came before the Commission and spoke of their experiences with tremendous courage and a lot of that have very powerfully influenced the Commission's recommendation.

The recommendations are based on predicated on the fact that the Commission recognizes sex work as a legitimate occupation. So based on that, they looked at where is the most harm being caused to sex workers, what legal frameworks are actually making sex workers more vulnerable to HIV and where is there example and evidence of good practice where legal framework actually supports sex workers' rights, support them to be healthy, support to be equal members of society?

They essentially focused on three key areas of law.

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One you heard Cheryl Overs speak about this morning, was the conflation of sex work and trafficking and how anti-trafficking laws are actually really causing a lot of harm to sex workers because there's this misguided conflation that actually stems from poorly and overly broadly worded U.N. conventions; CEDAW and the Palermo Protocol.

One of the recommendations is for the U.N. with partners to think about reviewing these protocols. We've now had them for a number of years, they were passed with the best of intentions I'm sure and in line with the Charter of the United Nations which upholds the human rights of all citizens.

But now we've seen that actually how they're being translated into national legal frameworks and how they're affecting the lives of vulnerable communities is a bit of a problem so it's time for a review. So that's one of the major recommendations.

The other recommendations are that we need to repeal laws that prohibit consenting adults to buy or sell sex as well as laws that otherwise prohibit commercial sex in any way. Over 100 countries criminalize some aspect of sex work and I think the call from this conference is very clear; it is time to decriminalize private adult consensual sexual behavior and that includes sex work [applause].

And it has to be said, I know I've been involved in

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or witnessed many discussions over the years where we say remove punitive laws, remove discriminatory laws but actually what we're saying decriminalization and I think we can't be allergic to the word anymore.

One of the other things that the Commission saw a lot of evidence about was around police violence and there's a very interesting connection between these punitive, discriminatory laws or the discriminatory application of civil and administrative laws as well as criminal law against sex workers.

And that is it tacitly authorized the police to harass sex workers, to bribe sex workers, to perpetrate violence on sex workers and the Commission has called for countries to take all measures to stop police harassment and violence against sex workers.

Marijke spoke earlier about the links around sex work and trafficking and how that's leading to kind of an over regulation of sex work and one of the things that the Commission saw that was happening even with countries with allegedly good legal frameworks, was mandatory HIV and STI testing of sex workers.

Again, sometimes not being followed up with healthcare and the Commission has called for a prohibition of mandatory HIV and STI testing of sex workers because it causes harm and is an ineffective use of public health

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resources.

The Commission also has said that human trafficking is a big problem, they don't deny that human trafficking is a big problem but they've said that what we need are enforcement of good anti-human trafficking laws which actually punish the traffickers and don't result in violations against sex workers' rights.

They've also said that child sexual abuse is a very big problem and sexual exploitation is a problem but they have to be very clearly distinguished from consensual adult sex work. Those laws should be strongly and robustly enforced but there should be no criminalization of consensual adult sex work and consensual adult sex work cannot be conflated with human trafficking.

The Commission has also called for insuring the existing civil and administrative offenses are not used to penalize sex work and harass them and increase their vulnerability to HIV. They've also called for an immediate closure of all compulsory detention or rehabilitation centers for people involved in sex work or for child who've been sexually exploited because the evidence is that these just don't work in any way and they just increase harm.

Something that's very germane to being here in Washington D.C., they've called for a repeal of punitive conditions in official development assistance citing

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specifically the United States' Government's PEPFAR anti-prostitution pledge and its current anti-trafficking regulations because they inhibit sex work' access to HIV services, they violate human rights and they actually just squander our investments in HIV.

You cannot on the one hand spend millions of dollars on HIV prevention and on the other hand promote policies and laws in your own country and abroad which actually violate rights and prevent people from benefitting from those investments [applause].

Finally, I'd just like to say that there are a lot of good examples of legal frameworks and policies cited in the report which have been evaluated. For example, New Zealand which decriminalized prostitution years ago, put in a legal framework which is very positive and it's resulting in keeping HIV prevalence in this population very low in New Zealand and overall very low.

The Commission has also cited the ILO Recommendation 200 as a very positive example but there's numerous other ones and we've also cited the Sonogachi Project that's been going on for years in Kolkata. As an example, very good practice where the legal empowerment of sex workers as well as the boarder empowerment of sex workers has kept rates of HIV low in these populations and has also helped to curb trafficking and some very interesting models there.

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So there's a blueprint in this Commission report of what you should do and what you shouldn't do, so I encourage people to read it. It's available on the Commission website and we have some copies with us so if you'd like a copy of the report I'd be happy to give it to you after the session.

I just want to finish by saying one more thing, and that's really around this whole treatment as prevention and I was very encouraged to hear the WHO Plenary say something about decriminalization at the end, it was very encouraging.

But I think we have to be very cautious also about treatment as prevention is a very important intervention, but if we're looking at focusing that first on key populations; on men who have sex men, sex workers and injection drug users, that's terrific. Of course, as Hilary Clinton said why rob the bank? Because that's where the money is.

Well of course our interventions must be targeted to people who need them the most but it's only going to work if their human rights are protected and if the laws protect their rights and respect their dignity. So I think along with the urgency to provide treatment as prevention, there's an urgency to have legal frameworks which actually protect those who are most vulnerable [applause].

GEORGE TEMBO: Thank you so much Mandeep and congratulations and thank you for coordinating that work. I think if you haven't got that report, like Mandeep said

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please try and get the report, it's one of the best reports that I've ever read. I'm plugging the Commission for you Mandeep, but it's an excellent report try and get one.

Now we want to move onto Kolkata, I don't know whether we are connected now so keep your fingers crossed that the technology works. Can Kolkata hear us? I want to introduce Kay Thi Win who is in Kolkata and Kay Thi is the Chair of the Asia-Pacific Network of Sex Workers and she's the Program Manager of the targeted outreach program PSI [applause].

Kay Thi, I'm going to be very slow and deliberate and ask you the question I want to ask you; what legal reforms are necessary to support sex workers' human rights as workers? I'll repeat that again, what legal reforms are necessary to support sex workers' human rights as workers? [Break in audio]

KAY THI WIN: they respect the rules. Sex workers are also involved in the war to keep space, sex workers have real involvement in society to keep space, sex workers have involvement in society to place meaningful rules. On the other hand, sex workers are considered criminals and they have no decision making power.

Finally I want to say the oldest profession needs lots of support to fix it, on the other hand this is economic power, that's why we need legal [inaudible] and once we have

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[inaudible] we can reduce stigma and discrimination, reduce harassment and without [inaudible] nothing is possible. We need real involvement in all of our work, the key to demands sex workers in Myanmar or Asia or all around the world is simple; we demand the sex work is recognized as work. We sex workers demand that we are not treated as [inaudible]. Sex work is work, sex work by definition is not trafficking, treat us as workers and not as [inaudible].

I will say that if we do anything about sex workers and HIV programming we need to thinking about sex workers to include meaningful participation and nothing for us without us. As earlier today, I wish for a happy and healthy life for all sex workers. Thank you [applause]. [Break in audio]

FEMALE SPEAKER 1: Akram is going to speak in Hindi and I'm going to translate for him. I come from the Southern part of India, Misor. Misor is very famous for it's cultural heritage as well the Kings. I come from Misor where since the Kings' time sex work has been prevalent and what was very important in those days was sex work was treated with a lot of respect and dignity.

Since that time sex work was not limited only to the female sex workers, it was also among the male sex workers as well as the transgender sex workers and in those days transgender sex workers used to enjoy a certain privilege because they used to provide a lot of safety and security to

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the Kings and the Queens.

Sex workers believe we are doing our work and we need to be treated as other workers and therefore we need to have our own rights and here we are demanding our rights as workers [applause]. We are also human beings, we are not just anybody else, we need to be treated as human beings with full respect and dignity. HIV prevention can only happen if we are treated as equals as you all.

[Break in audio] sex work. By doing this work we are taking care of our families, of our land and taking care of our responsibilities. So why is it that we are not treated as workers? The fact that I am a sex worker has given me the opportunity to come here and talk to all of you and present in front of all of you, therefore we demand that it is our work.

I would like to end my speech by saying rights and only rights can stop the wrong. Thank you very much [applause]. [Break in audio]

GEORGE TEMBO: Now we want to move to the next session where we have to have an interactive discussion from Kolkata whether there are any questions from Kolkata to the panelists. Kolkata can you hear me? Does anybody have a question there? They can come forward and ask the question to our panelists. I don't think they can hear me. Kolkata can you hear me? No I don't think so. Are there any

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questions? [Break in audio]

GEORGE TEMBO: I think in the interest of time why don't I hand it over to Marijke and see if we can have an interactive discussion here while we sort out the technical difficulties.

MARIJKE WIJNROKS: Well we can still continue the link with Kolkata because [inaudible.]

FEMALE SPEAKER 1: Wherever we are, even if I'm sitting in the desert and what is echoing in my ear is that across the globe the sound is coming to me that sex work is work and it's our right. So this is something that's making me feel very happy.

KAY THI WIN: I want to say that we are very different and we see in Kolkata but we are also talking about equal rights that sex work is work. We are demanding our rights to be equal to other people, thank you.

MALE SPEAKER: Any more questions for Kolkata? I would say Washington, don't think you can stop sex workers from coming together [applause]. We are here in Kolkata that doesn't stop us from talking and coming together. Do you think that by restricting sex workers from the entering the states, forget it. Is it true sex workers? Yes. We are having more fun than you in Washington [applause].

MARIJKE WIJNROKS: Well Kolkata, I tend to agree with you that you're having a lot more fun than we're having here in

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Washington. It is certainly a very lively dynamic. Thank you very much for your questions. Those were comments more than questions, would anyone of the panelists like to reflect on those comments that were made from Kolkata?

FEMALE SPEAKER 1: We took it as a challenge and I should say that Washington could not stop us from coming together, you may have stopped us from going to D.C. but you have not stopped us from coming together. Across the globe we have come together in Kolkata and have celebrated this freedom festival.

The U.S. Government can never stop us. Any country, any government can challenge us but we are here to fight and all the sex workers across the globe are together in it. You cannot stop us. I would like to express my happiness on behalf on all of the sex workers in the world because we have been able to take this challenge successfully against the U.S. Government and be here together for it.

FEMALE SPEAKER 2: We demand sex workers to be workers, sex workers rights, human rights, thank you [applause].

FEMALE SPEAKER 3: We want to stop all the criminalizing of [inaudible], we want sex work to be recognized as work and reduce all the mafias that are extorting us and asking us for money. They need to understand that sex work is not criminal work.

We right the same rights that all the all workers have.

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My body is my business and I'm the Principle Director. Thank you [applause].

FEMALE SPEAKER 4: Hi Washington. This is an African group, we are representing the African sex workers I'm Daisy Nakatu, Sonia Hajarabrate, Felisda Abdallah and Beyonce [misspelled?] from Uganda. We just [inaudible] that even the African sex workers were able to come to Kolkata and we are going to [inaudible] thank you [applause].

MARIJKE WIJNROKS: Well once again this only confirms is having much more fun than Washington D.C. so I suggest next time we party together. Maybe first we'll take some few questions and comments from the floor here and then ask the panelists to respond to all of them. If you would please mention your name and the organization you work for.

HARLOVE HURTON: Sure thank you so much for your incredible presentations and they were all incredibly enlightening. But my question is—my name is Harlove Hurton [misspelled?] Northeast Two Sprit Society that's based in [inaudible] a question for a way of identifying the indigenous populations or native populations? And if so, is there a way to pull out that data and to release that data? That's it, thank you so much.

MARIJKE WIJNROKS: Thank you. Maybe first take a few questions, then I'll ask the panelists to respond. More questions?

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MEG: My name is Meg, I'm with Swap Chicago, I'll just continue I'm really sorry if I cut you off. I was sort of wondering since PEPFAR's Anti-prostitution Loyalty Oath was created in 2003, repeatedly across the globe people have talked about bad effects of this policy and have increasingly documented the bad effects of treating all prostitution as trafficking.

So I'm just really curious why 10 years later has nothing really been done to change this policy and why in U.S., especially in cities like Chicago, the sole efforts to improve the lives of individuals in the sex work trade are really focused on rescuing these people? Thank you.

ERIC CARLSON: Hi there, Eric Carlson from the ILO in Santiago, Chile I work with HIV/AIDS in South America. We've been working with trans-sex workers in Chile for the last couple of years and we're trying to identify the next steps given the limited resources and what we can do. They've come up with about three different groups of work that they'd like to see done.

One is linking to established unions, mainstreaming them with the labor rights. One is reducing violence and harassment and another is for those who do—some choose sex work and some choose to do other types of work and to look for job creation in other fields for those who want to.

Given limited time and resources and everything, from a

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labor perspective what do you think is the most important step for—what should we concentrate on first? A lot of our colleagues and the trans-sex workers are very concerned about violence, some would like to really see an end to violence first before looking at other issues. What is it then; mainstreaming on labor rights, reducing violence, alternative job creation for those who want other jobs? What are your thoughts on that topic?

MARIJKE WIJNROKS: Thank you, on this side?

MARKE AFRICOME [misspelled?]: Marke Africome from the Netherlands, I'm a doctor and a relative outsider to this discussion and this might have been talked about before a lot already but I was thinking as a world's right approach, would it be more accepted to go from the perspective to take a pragmatic perspective and say sex work is there. Then go from there and then take the human rights in it instead of advocating sex work is work, which has also a moral—like you said Mr. Howard, a morale side to it?

MARIJKE WIJNROKS: We'll take maybe one more question over there and then we'll switch to the panelists.

ANNA SANI: Hi there, my name is Anna Sani I work with Vocal New York in Brooklyn here in the United States. I wanted to say that obviously we're so inspired by the sex workers activism overseas especially as an Indian sex workers in the United States I share Naomi's deep sadness that we can't

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benefit from meeting you in person so this travel does so much violence to us here in the United States as well as the people overseas.

What I've experienced here in terms of sex workers activism is that it's very much dominated because of overlapping oppressions by white sex workers, middle and high income sex workers and there's a real absence of the massive movements, mobilizations that we see overseas of poor sex workers, sex workers of color.

So I'm wondering if anyone on the panel can provide some advise as to how we can join as sex workers—the most at risk sex workers and the sex workers that are so in need of organizing, how we can make that happen on a massive level in the United States and Canada?

MARIJKE WIJNROKS: Thank you. I just discussed with my Co-Chair, we'll take these three interventions because we have to wind and then ask our panelists to respond, so you first.

FEMALE SPEAKER 5: Thank you very much. Mine actually is just really recognizing the HIV Global Commission for the work that was done around the globe. And the process that's really used where you engage all sex workers, transgender people, [inaudible] but also to do the assessment within the countries.

Then at the regional level, the presentation that was done, that was really great. I think it has been the first

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platform that we've had and I don't whether it will happen especially with all the policies and laws that are happening around sex workers. I also want to acknowledge NSWP when Kolkata team of sex workers, transgender people giving up the voices with their passion, I think they're had more fun than we've had.

And what is happening here is really like we are just a drop in the sea, I feel our voices haven't really presented. The information has been denied and yet when you look at the programs and the activities they are really good for us to speak about, for us to share information but also to share the issues that really affect us. But all the information and chances were prohibited by the travel ban.

On the other hand, like the person who just left the floor, I feel we've been denied a lot of information and also access to share our experiences and what is happening within countries. The violation is really, really high, the attack is very high, the stigma in this profession is very high and I'm wondering what is this really going to be at the end of the day? Yes, we've been here, some of us were maneuvered to come in but after her what is going to happen. What are we going to do? Thanks [applause].

MARIJKE WIJNROKS: Thank you. I'm sorry we really have to close down the number of interventions because I really want to have our panelist respond. I think you're next.

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JIM ADEROZ: Hi my name is Jim Aderoz [misspelled?] I'm from the International Network of Religious Leaders Living with HIV in Arela and I'm a Board Member. My question to the panel is and I'm anticipating a negative response but I'm looking for positive responses if there are any.

In your encounters with faith community and religious leaders who have taken a more progressive stance on interventions with the sex workers community, my organization does work progressively and affirmatively with the sex workers community which is I think, unusual in the faith community, so I'm curious as to your responses, thank you.

MARIJKE WIJNROKS: Over there.

SIENNA BASKIN: Hi my name is Sienna Baskin, I'm with the Sex Workers Project in New York City, I'm an attorney and I represent sex workers and victims of trafficking and I just wanted to offer a comment. I think those of us who care about sex workers rights and health sometimes feel blindsided by the anti-trafficking movement when we really should be working together. Trafficking is labor rights violations as much as it is any other kind of violation and recognizing sex work as work would actually benefit victims of trafficking as well.

I just have one tiny example, I represented some victims of trafficking who were trying to get compensated after they had been trafficked, all their earnings had been taken from them by the traffickers, and the courts ruled that they

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could not be compensated because those were illegal proceeds. So just one example of an injustice that is perpetrated against everyone in the sex industry by not having that recognition [applause].

MARIJKE WIJNROKS: And then the very last intervention.

CASSIE: I'll keep it quick. Hi I'm Cassie and a little bit of a statement. I think maybe everyone probably found this panel really inspiring and if you weren't already an ally maybe you are now so if maybe the panel can make some quick remarks about what the little people can do to support sex workers. I think there's lots of great grass roots movements and things we can do to support each other if you could make a comment.

MARIJKE WIJNROKS: We'll now give our panelists an opportunity to respond to the comments and questions. Naomi would you like to go first?

NAOMI AKERS: Yes, thank you. I lost track of a lot of the questions however, I would like to address I think part of why there isn't enough sex workers representation in the movement in general, not exclusive of the travel ban as to why they couldn't be here with us.

The dominant funding around sex work is HIV related, there's so few dollars that are given to sex workers organizing and activism and for us to fight for our rights. At the St. James Infirmary most of our budget is around HIV prevention and

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so that's where we end up and we're a direct service organization. Then how do we—because it's a sort of stably funded, well staffed organization we are better positioned to be able to advocate for our rights to afford to send people to come here.

Most sex workers are not getting scholarships to come to this conference, they're not getting a salary to organize other workers, we don't get any money organizing or activism or for policy work, we have to do all that through our funding raising of general funds. That's disappointing and I think that that need to change and we need to advocate for more money to just for just basic human rights advocacy work for sex workers.

I have to say too, when I was a worker and I worked for many years, I wasn't aware of the sex workers rights movement, I was really busy making money and so I think we need to figure out how we can help sort of bridge the gap between workers who have to struggle to pay the bills and struggle to pay the rent and to take care of their kids and take care of their families, rent is high.

So how can we make that happen for people? It's through compensation, it's through scholarships, it's through stipends, it's through economy. The Anti-trafficking movement, it's a slap in the face in a way because all of us in the community, in the sex workers activism movement, we are all

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against trafficking, it's horrible.

Then when it's conflated with the work that we're doing or when we see all of these anti-trafficking funds going to local police departments to make raids and rescues on adult workers who are engaging in consenting behavior, to justify that as some kind of rehabilitation and it's for our own good is really insulting.

If you've ever had a problem in your life how would you feel if the police came and arrested you and threw you in jail to help you with your problem? They strip search you, they bent you over, they stared up your asshole, you had male sheriffs watching you take a crap and shower and were violated. That's your help, how do you like that? [Applause].

DEANNA KERRIGAN: Just to briefly respond to the question about data on the Native American community, our review was focused on lower and middle income countries so we don't have access to that data right now. However, we definitely saw higher prevalence among ethnic minorities and migrant populations in that review so it certainly highlights the importance of that issue.

RICHARD HOWARD: Just one comment on what is next. I think it's essential that in parallel with efforts to ensure decriminalization that we also need to see sex workers participation in trade unions to begin negotiating labor rights now and addressing these violations.

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I'd like to introduce Susanna Mozcarkorska [misspelled?] who was on the International Trade Union and Confederation, she's the coordinator for our HIV programs and she was one of the main advocates for sex worker inclusion and Recommendation 200. So I think that we need to begin forming alliances both at the international level and at the country level to include sex workers at the table in national tripartite mechanisms to negotiate labor rights.

MANDEEP DHALIWAL: I'm going to try and address a number of the questions that came up but I also haven't keep track of who asked what. I think someone asked priority, what are priority actions? I think violence reduction is priority action, I think it's one of the most egregious human rights violations and it's something that everybody can get behind and that's an important thing to do.

Just to kind of encapsulate the Commission's recommendations around decriminalization, they're very about decriminalization alone is not enough. It's about decriminalization, reduction of violence, access to quality, appropriate services and legal protections of human rights including the right to work in safe conditions. That's really what the main message is.

From that I'd really like to say that for me as a feminist, it's really depressing that feminists are waving anti trafficking flags and I think as a feminist I'm a sex

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workers right activist too. I just think it's high time that people realize that sex workers' rights are not special rights, they're human rights. There are women's rights, there are children's right, it's the same thing.

And I think in order to really kind of tackle the harm that's being caused by this complete misguided anti-trafficking effort that we really need to bring together the Women's Rights Movement, the Sex Worker Rights Movement and the HIV Movement to really aggressively put this anti-trafficking effort back on track into doing which is preventing trafficking and not violating the rights of sex workers and increasing HIV [applause].

GEORGE TEMBO: Thank you Mandeep, I think you've summarized it well and thank you to all our panelists and everybody whose asked questions and people in Kolkata. Can I just invite my Co-Chair to give a few concluding remarks?

MARIJKE WIJNROKS: It's quite difficult actually to sum up such a very rich discussion. Just a couple of points, I think first of all the very important point if you missed the input of our friends in Kolkata and I hope this is the last time we will have separate meetings.

I think it is very interesting from our two panelists from Kolkata who provided the historic perspective that indeed, sex work is the oldest profession and in the past sex workers were treated with respect and had very different

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positions in society. So somehow things have gone wrong and we need to turn that around.

I think Naomi, you started very clearly like why should we ask whether sex work is work, of course it's work what, else would it be? So I think we can be really short on that. There is abundant evidence provided by all the panelists that sex work is work and should be recognized as a legal occupation both from the sex workers themselves, from the labor perspective, from the human rights perspective, from a public health perspective. So how do we make all this abundant evidence into policy? Because you all know that before evidence gets translated into policies there's politics, there's morality, there's ideology that impacts and stops it. So how do we really effect those issues?

Then there's the confusion between the trafficking exploitation and sex work, those are really very different issues and I'm really pleased that the Global Commission's report is so clear about that, that these are different issues and should not be confused.

I think that partnership that come out is very important with the trade union, there's actually a trade union for sex workers in the Netherlands and they have [inaudible] supportive of sex worker organizations in other countries to help them come up with their rights and protect their rights.

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The really important thing sex work leadership and I think we've seen a lot of it in this conference, I think there's much more of it in Kolkata, we've seen at a glimpse of that leadership in our linkage with Kolkata. I think the last message would be to the International AIDS Society that no more AIDS Conferences are organized in countries that ban entry to people that should be part of our dialogue, thank you [applause.]

GEORGE TEMBO: Thank you very much Marijke and I think it's very clear that we've come a long way but we've also got a long way to go. We can only get there if we all work together. Thank you to all the panelists and thank you everybody and thank you Kolkata, thank you for coming to this session [applause].

[END RECORDING]

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