

RESEARCH FOR SEX WORK 9

Sex Work and Money



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□ | EDITORIAL

In 2003, US policy began to restrict foreign aid so that money for HIV-prevention and anti-trafficking work would not include organisations working to empower sex workers. The policy says that organisations that receive US government money must have a policy opposing prostitution, but the policy also says that this cannot be used to deny care, treatment or prevention materials including condoms. This means that sex workers can be given condoms and treated at clinics funded by the US government.

However, this policy has been interpreted in different ways. Some organisations have an anti-prostitution policy but have not changed their work with sex workers. Others have resisted these restrictions by asking why some activities were questioned. Some organizations have begun to restrict what they say out of fear of losing their funding because of this policy. One organisation asked translators to sign an anti-prostitution pledge. Many more have used this policy as a justification for existing prejudice or to discriminate against sex workers. Women's Network for Unity writes in this issue that sex workers in Cambodia have been fired for reaching out to male sex workers through the largest group of sex workers in the country. In Thailand, sex workers have been turned away from a clinic for men who have sex with men. This adds to the risks faced by sex workers.

Two lawsuits were brought against this policy in the US. Both rulings were against this policy, but both decisions were based on the US Constitution's First Amendment, about freedom of speech. This is very good news for the organisations that brought the suits. However, other organisations that want to benefit from these decisions may have to bring their own actions. Furthermore, freedom of speech in US law does not change the situations of organisations outside the US: they are still expected to have an anti-prostitution stance in order to receive US government money. Freedom of speech in US law stops at US borders.

Restrictions related to prostitution are not the only worries in US funding strategy. US policy promotes abstinence over other prevention methods, including condoms. One third of the US HIV prevention money is devoted to abstinence. Condoms are the only proven effective method to prevent the sexual transmission of HIV. Since the US implemented this policy, condom shortages have erupted all over Africa. A Ugandan civil society representative at UNGASS reported that there are condom burnings on university campuses in her country. This is counter to all prevention efforts. Anna-Louise Crago's piece offers more detail about condom shortages experienced by sex workers in West Africa.

Other issues of fundamental importance to sex workers and projects serving sex workers include access to anti-retroviral therapy. The high cost of ARVs is meant to be offset by trade agreements about patents on medicine and enabling greater access to reduced price drugs. Anil Gupta and Ananya Mukherjea describe the difficulties accessing ARVs in developing nations, with special attention to sex workers. This information is complex but people who advocate for universal access to treatment need to understand the ways that trade agreements affect access.

– *Melissa Ditmore, August, 2006*

■ | CONDOM SHORTAGES IN SUB-SAHARAN AFRICA

By Anna-Louise Crago

"It has happened to us that we have had condom shortages, not for long amounts of times, that is, for 2 to 3 weeks or a month. The clinic has no more condoms. There are none left to give to sex workers. It happens because those who supply you no longer have any supply. I do not know why. Our condoms come from the United States.

"Last year, it happened more. There was a shortage that lasted close to 2 months. It fell during the FESPACO, the large African film festival in the capital city of Ouagadougou. There were so many people and there were no condoms to give out to sex workers. There was a total stock-out of American condoms, that was in all of Ouaga, the city as a whole."

Foro Maimouna, is a mid-wife with SIDA-3, an HIV-prevention project for sex workers in Burkina Faso. They are just one group of a number of African sex worker groups to report shortages in low-cost or free condoms in the past year.

Sex workers are among the hardest hit by the HIV pandemic in Africa. In certain areas, the rate of HIV infection among sex workers has hit above 80%. Sex worker groups in many countries have fought and successfully lowered infection rates through peer-run safer sex education and condom distribution...that is when there are condoms to distribute.

On the African continent, USAID has been the major donor of condoms. In 2004, USAID supplied 480 million condoms overseas, that is 315 million fewer condoms than in 1990.

Since Bush inaugurated his President's Emergency Plan for AIDS (PEPFAR) in 2003, nearly 60% of all funding to prevent sexual transmission of HIV in the plan's 16 focus countries has gone to promoting abstinence and being faithful, the so-called A and B of the ABC approach. C of course is meant to be condoms for 'high-risk groups' such as sex workers and truck drivers. So while free or low-cost condoms are disappearing from youth groups and rural clinics in some of the areas in the world hardest hit by AIDS, sex workers, at least, are supposed to still have them readily available.

However, parallel to this, the US imposed a 'global gag rule', effectively defunding groups seen to be 'promoting prostitution' or 'the legalization of prostitution'.

The results of these combined policies have varied greatly across both PEPFAR focus countries and other African countries, sometimes with wide variations state by state. Most markedly, in Uganda, American policies dovetailed perfectly with the ones of the recently born-again First Lady, Janet Museveni. The Office of the First Lady, which is a PEPFAR grant recipient, repeatedly attacked condoms as ineffective while promoting virginity parades. A massive condom shortage occurred 2005 in that country when the government held up Engabu condoms in a warehouse that were intended to be distributed as free or low-cost condoms around the country.

According to Jodi Jacobson of Center for Health and Gender Equity, "Although PEPFAR



Participants at a Network of Sex Work Projects workshop in Abuja, Nigeria, December 2005.

has flatlined the condom procurement budget, the absolute picture [in Africa] has not changed completely because of other sources stepping in. But donors such as the British government and World Bank Map program may not keep on. Concern about condom supply is that they are looking at a pending shortage because of the shift.

“We saw condom stock-outs in Kenya, in Zambia, and in Tanzania when we were there. A woman from Lifeline Plus Foundation in Nigeria talked to me about an area where she works with sex workers to which her organization was supplying condoms. But she was no longer able to get condoms

to give out to sex workers. She said the sex workers were washing and drying male latex condoms after use and hanging them on the line to dry, which is incredibly dangerous... Her anecdote is that we are already seeing some disruption. I cannot figure out why, because at the top they are saying that there are condoms.”

Irene Patrick-Ogbogu directs Women Health Education and Development, a group that does outreach to sex workers in Abuja, Nigeria has similarly seen condom shortages develop into a more permanent situation.

“Free condoms are no longer available. Even before the funding restrictions, there has been a problem with the Nigerian climate vis-a-vis free commodities. The restrictions have just helped to fuel the artificial scarcity of free condoms. The available ones are getting more and more expensive everyday.

“Groups that are receiving funding from the US (mainly Faith-Based Organizations) lay emphasis on Abstinence and Being Faithful for sex workers which I find totally hilarious. We always try to make groups who say they are working with sex workers understand what the focus of their interventions should be especially in terms of access to condoms for sex workers.”

In Ivory Coast, another PEPFAR focus country, Martine Ago is president of Bléti (which means hope), a small group of sex workers, receiving care at the Clinique Confiance.

“The condoms at the Clinique de Confiance are distributed for free. But when there aren’t any, we buy them in stores. The majority buy the cheapest condoms that cost 100 CFA [US \$.019] for a pack. The other condoms in pharmacies cost 250, 400, 500 or up to 3000 CFA [US\$ 0.48, 0.77, 0.96 or up to US \$5.78], it varies. Recently, for the first time this year, we had a problem with a supply break of condoms in Ivory Coast. At that time, the cost of condoms on the market doubled. A pack of 12 condoms which would normally cost 1200 CFA [US \$ 2.31] was going for 2000 or 2500 CFA [US \$ 3.85 or \$4.82].

“There were no condoms. Really, to find them was very difficult. There were certain places where people, we do not know how, managed to get a hold of them so they would resell them for a lot more money. Sex workers from elsewhere tried to call on their compatriots to get condoms (from their home countries). It lasted a month.”

However, not only PEPFAR focus countries have felt the strain. Sylvia Mollet-Sangare, founder and consultant for Danaya So, a group with 2000 sex worker members in 5 cities in Mali, recounts month-long condom shortages.

“For the moment, there is a brand of condoms that is officially sold in Mali, with social marketing and funding from the United States. There are often shortages. They had a monopoly until recently. Now, there are other brands that have arrived.

“During the shortages, prices go through the roof on the market, anything goes. It means we can try and search for condoms in another city or in a neighbouring country. It means there are no longer any condoms available and sex workers have to decide to wait it out or continue working (without them).”

Whether due to domestic or American policy, or poor planning in responding to the vacuum left by USAID, the largest procurer and distributor of condoms in Africa during many decades, condom shortages show few signs of going away. Until the concerted political will and resolve to end the crisis emerges, condom shortages risk becoming entrenched. On a continent where 89% percent of HIV+ people have no access to treatment, this means a death sentence for thousands of people.

The full cost in human lives of such policies has yet to be seen but it seems a fair bet that sex workers in sub-Saharan Africa will be among the most devastated. As Femi Soyinka, President of the 2005 International Conference on AIDS and Sexually Transmitted Infections in Africa (ICASA), says “How can you measure the cost [of such policies]? You cannot. What is the cost of a human life? You cannot calculate it. You can only know that the cost is too high.”

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■ | CONTRIBUTING TO “DEVELOPMENT”: MONEY MADE SELLING SEX

By Laura María Agustín

Earlier this year I was in Ecuador talking with poorer women who sell sex and who might consider travelling to another country to do it. Politicians in wealthier countries talk about ‘economic migrants’ as though their desire to make money were a bad thing, and in many such countries migrants have a better chance of being allowed to stay if they present themselves as victims (refugees, asylum-seekers, ‘trafficked women’) than as people who have just arrived and are willing to do whatever work is on offer.

This prejudice against economic motives is ridiculous, since we live in a world where individuals are not only expected to make money but where success in life is judged on how much money they make. And economic motives are entirely acceptable when migrants find jobs in the so-called ‘formal’ sector of the economy, which refers to businesses that governments have decided to recognise (and regulate, tax, inspect and so on), even if these businesses pay workers miserably and provide neither decent working conditions nor fair workers’ rights. Only jobs said to be in the ‘informal’ economy are considered unacceptable, despite the fact that nowadays there are probably more jobs available ‘informally’ than formally. Note: No one knows the numbers here, since businesses and people that are not registered anywhere cannot be counted.

The term informal economy or sector was invented in the early 1970s to describe income-generating activities not protected by labour legislation in poorer countries.

At the time it was presumed that the informal sector was a transitory phenomenon associated with lower levels of economic development, something that would disappear as development occurred. This presumption has however been proven incorrect. A greater number of workers than ever before are now working outside the ‘formal’ economy and they are engaged in an increasingly diverse range of activities and situations (ILO 2002: v).

Now, however, the categories informal and formal are increasingly accepted as descriptions of economies in wealthier countries, too. Businesses said to be formal, simply by being recognised by bureaucracies, are said to be ‘real’, ‘productive’ and normal. Informal economies are called grey, black, submerged, underground and often thought of as bad, undesirable, temporary, not serious or not productive. To workers, however, the technical status of a business may not matter, a secretarial or factory job pretty much consisting of the same tasks in both licensed and unlicensed businesses.

Informality produces unjust working conditions and rampant opportunities for mistreatment of all workers, but at least non-migrant workers may fall back on the basic rights, protections and benefits that citizenship provides. Migrant employees’ safe standing, on the other hand, depends on the personal relationships they are able to develop with owners, managers and other employees. If something goes wrong, these workers cannot appeal to government authorities or ask for help



Massage Parlor Sign in Khmer and Vietnamese. Courtesy of Ama Marston for Women's Network for Unity, Cambodia.

in criminal-justice systems. Why? Because they can be dismissed at bosses' will and, if they are migrants, easily harassed or deported back to their home countries. Workers who enjoy citizens' rights are, however, increasingly subjected to temporary and informal contracts and poor working conditions (Precarias 2000-6).

So, informal jobs sound like something to be avoided, right? But migrants without official permission to work in formal-sector businesses are glad to get them. Companies that are not officially recognised and licensed employ people

without official permission to work, which explains the vast number of migrants working in countries that will not issue them visas and work permits. Restaurant, construction, domestic, factory, agricultural, caring and sex workers alike share this 'clandestine' situation. Without work permits, migrants cannot regularise their status, become documented residents or enjoy normal rights, but they can make money. The word informal makes these businesses sound small, temporary, unstable or even benign, composed of street traders and vagabonds, but this is far from the truth. Industries that are highly evolved and very large are called informal only because they are not (yet) formally recognised. The sex industry, which takes in both licensed and unlicensed businesses and many operating under non-sex licences (like bars), generates billions of dollars worldwide and uses sophisticated, high-technology equipment and business methods. Informality provides opportunities for businesspeople to operate outside government rules and make large profits, and for workers to accumulate more money than they could any other way, if they are willing to use sex. This applies to legal citizens and undocumented migrants, whether they have a lot or little formal education and whether they are women, men or transgender.

'Flexible workers' is a term referring to those who, rather than following a classical career-path or staying within a set profession their whole lives, change jobs according to the demands of markets and the information they receive from personal networks. Flexible workers go where the jobs are, and, if they are to succeed, they need to be adaptable. Sex workers are prime examples, flexible in where they work and what they do. And although some people have no moral objections to selling sex, others do but become morally flexible, suspending their objections in order to make money. This applies to most migrants, whose priority is on making as much as possible as fast as possible—sometimes to pay off debts contracted in order to travel, sometimes to be able to continue travelling and sometimes to send or take home.

Money that migrants send home is called remittances, and in some countries they are a major source of income. Records of these payments, through banks and services like Western Union, show which country the remittances come from but not what kind of work produced them. Given the enormous difference between wages for selling sex and most other jobs, it's obvious that a

large proportion of remittances must come from sex work.

A lot of people have thought that remittance money goes to buy only basic survival and consumer items (food, refrigerators, jewelry, DVDs), but recent studies reveal how money sent home by migrants finances important social and structural projects known as 'development' (O'Neil 2004; Sørensen 2004). This goes for money made picking strawberries, carrying building materials, giving babies baths and selling sex. It doesn't matter whether this money comes in the form of coins, bills or credit lines, the amounts mean the same no matter how they were earned, and they are used to finance construction projects, small businesses and cooperative agriculture for families, communities and whole regions. Besides, the buying of a consumer item like a stove, which means the ability to boil bad water, can make the difference between unhealthful and healthful lives for people who then are able to work on larger projects.

In Ecuador, a lot of negative comments were made about women who sell sex abroad. I was told they 'force' husbands to find other sexual partners, that they withhold mother love from children and that they ruin traditional family life. Social workers talk about migrants as a problem when they return home, as though their new knowledge were worthless and as if they had become strange and 'different'. Since remittances from migrants represent the largest source of income outside of petroleum in Ecuador, these ways of thinking are extremely disturbing, implying that money is acceptable but the people who provide it are not. Migrant workers become sources of 'development' while not being either thanked or included in its benefits, just another socially marginalised and stigmatised group in their own countries. No wonder many of them don't want to return once they've been away for a while.

'Development' itself has been the object of enormous criticism for some time, as richer countries continue to impose 'aid' and 'progress' on poorer ones (Harrell-Bond 1986; Escobar 1995). Nevertheless, most cultures do have their own visions of developing, and migrants who send money home contribute to the realisation of those visions, including the millions who sell sex.

Societies that allow sex businesses to flourish and proliferate could include them in government accounting. This decision would subject businesses to conventional government controls: a) norms for permits to operate (eg, safe construction, proper compliance with zoning); b) requirements that health and safety standards be met in the workplace; and c) normal labour protections for employees, including inclusion in the states' social-security systems whether they are migrants or not. Recognition of this economic sector is not identical to traditional notions of 'regulation' associated with commercial sex, which consider only 'prostitution' and arrange workplaces for the convenience of business owners, management and clientele – never workers. I agree with the ILO that the only way to protect those employed in sex businesses is for governments to recognise their existence (Lim 1998).

This article is centred on the theme of this edition, money, and therefore does not expand into the many related themes conventionally addressed: whether sex work can be considered 'dignified' labour and the myriad ways that workers can be mistreated. By always returning to moralising issues, however important they may be, research on commercial sex has become narrow,

reductionist and repetitive. Elsewhere I have written about how research reveals that the meaning of buying and selling sex is not always the same but rather depends on complex socio-cultural contexts (Agustín 2005; 2006). Money is a cultural as well as material object and alternative moralities exist in considering money's uses and benefits.

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■ **SHOW ME THE MONEY: A SEX WORKER REFLECTS ON RESEARCH INTO THE SEX INDUSTRY**

Excerpts from Jo Weldon's presentation at the Sex Work Matters Conference in New York City, 30 March 2006.

I question the social basis that leads researchers to believe that the questions they're asking are worth asking. This seems so widespread that I wonder if it doesn't enter into many other areas.

I'm terrible with money. Because I'm often in conversations about strippers, I frequently hear how terrible all of us are with money. Over the years I've considered this: I started stripping less than a year after graduating from high school, and stripped the majority of my adult life, and almost all I saw were successful and responsible (as far as I knew) men throwing away large amounts of cash on something they didn't need. Where would I have learned to be good with money?

Marian Friestad, Ph.D., professor of marketing at the Lundquist College of Business at the University of Oregon and past president and fellow of the Society for Consumer Psychology says, "In the United States, talking about money is harder than talking about sex." (Getlin)

As a sex worker who is frequently interviewed for research and theses, I believe this to be true, because while every interviewer asks me whether I was sexually abused as a child, none of them have ever asked me a single question about the financial mindset, or even the financial motivation, involved in my decisions to work in the sex industry. No one has ever asked me if my parents argued about money in front of me, if I got an allowance, if I had a job in high school, if I was raised to value money as a form of status or simply as a means to an end, and so on.

I believe that the reason these questions so rarely come up is that people continue to think only about the sex involved, and not about the labour.

Much of the current psychological literature about sex work refers to either deviance or post-traumatic stress disorder resulting from sexual abuse. I believe that these are vital issues and should not necessarily be subordinate to the psychology of earning and handling money. However, it seems to me that without the financial element entering the equation in any form, the results of these studies can only provide a fragmented view of the psychology of sex workers, and certainly not one complete enough to be applied to developing legislation designed to address the needs of sex workers.

While doing research for this presentation I came across many lists of names of papers and studies about sex work. I was looking for work that addressed the needs of labor rather than those addressing suggested governmental controls. However, papers that addressed the financial concerns of sex workers were so rare that at first I thought there were none at all. Since money is the sole procurer of food, shelter, status, healthcare, community,

childcare, and more it seems odd that all these issues are addressed primarily as they are affected by the sexual standards and behavior of the interviewees, and rarely as they are affected by their understanding of and feelings about money. I am simply puzzled that financial psychology seems to be viewed as almost entirely irrelevant.

Experiences I've had in casual conversations are telling to me. People who find out I've worked in adult entertainment, and sometimes even the clients I've seen when I've been working in the sex industry, have so frequently asked me certain questions that it seems to me that the assumptions they carry must permeate our society's consciousness. Because researchers are a part of our society, I assume that they are not immune to the common perceptions of sex workers as desperate, abused, amoral, predatory, lazy women. I believe that their research questions must be examined on this basis, and the reasons for their questions explained.

In a recent conversation on a message board at stripper forum dot com, a person relatively new to the group asked if it was really all about money. Every respondent to her post said that yes, they began dancing for the money. In another recent conversation on the same message board, a person posted that she was doing research about dancers and wanted to ask them about their childhoods. She posted, "...I am looking to examine the psychology of women in the adult trade and need to have conversations with various women, of any legal age, regarding their upbringing, childhood, young adulthood and current life status. ..." (<http://www.stripperweb.com/forum/showthread.php?t=62416>).

The respondents to this all objected vehemently to the poster, saying things like, "I'm a little bit sick of people wanting to question our childhoods and upbringing to see if it somehow relates to us choosing to strip for a living." "Who's to say that we have any type of special 'psychology'?" "Are we not normal human beings just like everyone else?" When the poster reprimanded them for jumping to conclusions and said she was surprised by their reactions, one said, "I'm actually very open alot [sic] of the time to talking about dancing, answering questions and whatever people want to relate to it at the time for free. I just get a bit tired of the whole childhood issue being brought up time and time again that's all...."

The one thing the workers talk about most, the one thing they show up for day after day, is very rarely discussed in research. How they feel about money is rarely, if ever, compared to the way other workers feel about money. Instead, their sexual deviance is questioned at every turn, when few of them ever say, "I got into it because I needed the sex." *In Taking It Off, Putting It On*, Chris Bruckert observes of the studies she has read that, "Perhaps the most telling finding was how few comments were made by interviewees about sexuality; it appeared to be largely incidental." (Bruckert 2002: 89)

A quote from SWEAT says, "People enter the profession for various reasons, the most common being unemployment or a desire to improve their income." (Pauw) Bruckert observes, "Workers [strip joint dancers] may see themselves as entrepreneurs, and put a great deal of effort into maximizing their income through grooming and other skills." (Bruckert 2002:148)

And yet, as I stated at the beginning, this money comes at a unique cost. It separates the women who would do such a thing for money from the women who would never do such

a thing for money. The constant search for a single unified field theory about why sex workers are doing what they do cannot be solved by addressing only the sex side of the equation, since they all claim to be doing it for the money. That some researchers claim they are in denial shows the denial of those researchers to accept that their theories are not comprehensive enough to address the many issues that occur in sex work. The work side must also be addressed. The element of money, if entirely ignored, becomes the biggest of white elephants in the middle of the room. And yet the questions are never asked; financial desperation is examined, but never financial motivation. Beliefs about sex and morality are examined, but rarely beliefs about money and work ethic. The possibility that the simple exchange every other labourer is assumed to make, that of doing something relatively undesirable for compensation, is treated as deviant, when in fact that element is the most normal thing about the decision to enter the industry, solely because of the nature of what it is they're doing that they wouldn't be doing if they weren't getting paid. The financial experience the women are having is often assumed to be completely irrelevant compared to the sexual experience the men are having; the experience of the men is taken to define the exchange, in a way that doesn't seem all that feminist to me.

When I read about stripping, certain sentences leap out at me, such as this one from Alison Fensterstock, a former commercial stripper who is one of the founders of the burlesque convention Tease-O-Rama: "You make money....You watch your income come in physically bill by bill....This is the most immediate way of making money." (Fensterstock 2005: 74) This is a psychological experience I can easily identify with, as a former stripper; this is one of the conditions of sex work that influenced the way I handle money, and I believe similar conditions influence most workers who handle cash and contribute to achieving a significantly different understanding of finance than the understanding of the more commonly recognized population of workers who receive checks twice a month. When comparisons to other jobs are made, this aspect is rarely if ever mentioned, as if, without the stripping, all other things about the jobs are equal to other jobs. However, the ability to acquire the job entirely without a resume and to leave their first working shift with cash make more of a difference to most of the women who decide to do it than the social and sexual aspects.

I'd like to close with what I believe is a fact: a sex worker can apply for a job in one day, work that night, and make enough to pay a bill the next day. There is no substitute for this in our society, and until we acknowledge the unique economic need sex work fulfills, and acknowledge money as a motivation for working in the sex industry, there can be no useful approach to solve any of the problems in and around the sex industry.

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■ | MONEY AND POLITICS IN CAMBODIA

Women's Network for Unity

Male, transgender and female sex workers in Cambodia work in brothels, bars, karaoke bars, in parks and on the street. The currency is the riel, but most transactions use US dollars or, near the Thai border, Thai baht. Sex workers typically earn low rates, often less than one dollar. Most sell sex because they have nothing else to sell. Earnings vary depending on venue, negotiating skill, and desperation. WNU interviewed 33 sex workers and five sex business owners or managers about money and other aspects of their work and lives between December 2005 and February 2006.

Sex workers in the Garden, a park area in the capital, reported asking for 5000 to 10,000 riel (approximately US \$ 1.25 to \$2.50). This is similar to other places in Cambodia. The same range was reported by sex workers in Kompong Speu. In Sisophon, near the Thai border, Khmers pay 50 baht (approximately US \$ 1.25) for sex, while Thais pay 100 baht (approximately US \$ 2.50) to brothel workers. Brothel employees keep half of this and give half to the brothel. This is typical elsewhere in Cambodia. One woman in a massage parlor reported that her clients pay about 3000 riel (approximately US \$.75) but sometimes 4000 riel (approximately US \$ 1) or 2000 riel (approximately US \$.50). Women who work in bars tend to earn the most money. A "karaoke girl" who sings with bar patrons and also sells sex may be paid as much as \$10 per month and not be charged for food and rent. One karaoke girl in Pursat said, "Sometimes I have sex with clients and for 'one sex' the client pays \$10, and the room costs 5000 real [\$1.25]. For the whole night, it's \$20 and 10,000 real [\$2.50] for the room." Another said that she works only with foreigners, who pay between \$15 and \$20 for an hour and up to \$100 for the whole night. Most patrons of sex workers in Cambodia are local men.



Brothel in Cambodia. Courtesy of Angus McIntyre for Women's Network for Unity.

Most sex workers in Cambodia want to earn more money than they currently do, but over time their earnings decrease. Sex workers said things like "It's still the same, before, I couldn't earn enough and I still can't earn enough." And "I used to earn more when I was beautiful. And now, things are more expensive than before – things like clothing, food and transportation." "In 2003, I had much and could give my children money to go to school. But in 2005, I can not earn much money, which is why my children stopped going to school." (Schools are not free; students pay their teachers directly.)

Women's Network for Unity, the 5000-member sex workers organisation in Cambodia, was founded in 2000, with the support of twelve local organisations. The intention at the beginning was for WNU to become an independent organisation with the mission of



Brothel area in Cambodia. Courtesy of Angus McIntyre for Women's Network for Unity.

promoting the empowerment of sex workers. WNU became an independent organisation and elected its board on December 22, 2002.

Cambodia is dependent on foreign aid. Health services are usually provided by non-governmental organisations. Otherwise, care is not given without payment. Many health and development programs in Cambodia receive funding from the US Agency for International Development and many other donors. In late December 2002, a cable was sent to

all USAID grantees stating that "Organizations advocating prostitution as an employment choice or which advocate or support the legalization of prostitution are not appropriate partners for USAID anti-trafficking grants". Similar language was subsequently applied to HIV-prevention moneys made available under the President's Emergency Plan For AIDS Relief (PEPFAR) and the United States' Global Fund. However, the guidelines for implementing these restrictions do not preclude offering health care and treatment.

When these funding restrictions were introduced at the end of 2002, many organisations became hesitant to support WNU for its mission of empowerment of sex workers. Organisations withdrew their support from WNU at this time. The director of one prominent international NGO receiving USAID money suggested changing the goals of WNU from empowerment to health in response to the funding restrictions. Other former supporters telephoned to dissuade the sex workers from forming their own organisation.

Since then, funding restrictions imposed by the US have become more institutionalised with a requirement for organizations to adopt a policy against prostitution. In Cambodia, these funding restrictions appear to be used by some organizations as an excuse to promote stigma and discrimination against sex workers and gay men. These restrictions have been interpreted a variety of ways, with some programs having clinics continue to offer care to sex workers while other programs have forbidden outreach workers to capitalise on their contacts with WNU. In 2006, male sex workers reported being fired from outreach positions for reaching out to WNU, the group with the largest number of men who have sex with men in Cambodia.

About the author:

Women's Network for Unity is a Cambodian sex workers organisation with 5000 members. It is the largest sex workers organisation in the country and uses a rights-based perspective in all programming.

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■ | MONEY AND SEX: WHAT ECONOMICS SHOULD BE DOING FOR SEX WORK RESEARCH

Alys Willman-Navarro

The sex industry is a global, multi-billion dollar business employing millions of women. According to a 1998 study by the International Labour Organisation on Thailand, Malaysia, Indonesia and Philippines, the sex sector accounts for between 2 and 14 percent of GDP and employs between .25 and 1.5 percent of women in those countries (Lim 1998). Yet when sex work is discussed in the research and policy realms, the focus is usually on the sex, while discussions of the role of money rarely go beyond explaining its presumed 'causes'.

Consider the story of 'Magda', a part-time sex worker in Managua, Nicaragua. When I met Magda two years ago, she was working at the Eastern Market three days a week, and as a domestic employee on the other days. She and the five women she works with charge clients 25 córdobas (US\$1.50), of which 15 go to the owner of the room where they work.

Magda's story can be viewed through different lenses. She can be seen as a victim of poverty and male exploitation, to be "saved" from life on the street. Alternately, we could view her as psychologically vulnerable, to be admitted to a social services program aimed at improving her self-esteem. A health services perspective would focus on whether she uses condoms with her clients.

Surely Magda is socially vulnerable, and faces important health risks. But focusing only on these aspects misses other important dimensions. If we choose instead to locate her experience within larger issues of economic opportunity, employment, and gender discrimination, the picture changes. Asked why she chooses to work in one of the poorest areas of the city rather than in the tourist-oriented areas of town, Magda explains:

"Of course I could work other places. At the [tourist] Intercontinental Hotel you can earn more money, but it's more dangerous. The client could take you anywhere in his car. You don't know where you're going or how many are waiting for you. It's better to work where I know the surroundings and I have my *compañeras* nearby."

Understanding how Magda weighs the costs and benefits of different work options moves away from the fixed identities of victim, deviant or disease carrier. Magda can now be understood as a pragmatic entrepreneur making a living using the options available to her. She can be understood not only as an individual, but also as part of a system of social and economic exchanges. In this way, an economic analysis can add an important dimension to research on sex work, one that could help move the debate beyond issues of morality and health policy toward underlying concerns of economic and gender inequality. Little by little, economists are taking up this challenge.

What is economics good for?

Economics is the study of decision-making. Economists assume that people are fundamen-

tally rational beings who choose among the available options the things that make them better off, especially in material terms, and avoid options that do not.

Economics has traditionally had little to say about prostitution. The easiest explanation for this is that economists like to work with numbers, and many commercial sex transactions happen off the books. But beyond the methodological issues, there are moral biases at play. Economics is the study of *rational* decision-making, and prostitution, like other illicit activities, is largely considered an *irrational* activity, i.e. something no one in her right mind would do. By this line of reasoning, there is no need to explore the incentives and disincentives facing sex workers, since as irrational beings, they would not respond to them anyway. Economists' failure to challenge this perspective has helped feed policies aimed at criminalizing sex work or rehabilitating sex workers, rather than at addressing the constraints and needs of sex workers, or the larger context in which they work.

Fortunately, this is changing. In recent years, economists have applied their analytical tools to study illicit networks, treating supposedly irrational actors as if they had legitimate reasons for doing what they do. Not surprisingly, they found that, moral issues aside, participants in illicit markets respond to incentives and disincentives and run their operations in ways very similar to formal businesses, and very often overlap with the formal sector. One influential study of the financing activities of a drug-selling gang shows how gang members respond to incentives (higher wages, prestige) and disincentives (risk of imprisonment or death) in very rational ways under the constraints present in their neighborhoods (Levitt and Venkatesh 2000). Other parts of the informal economy including sex work may be similar.

Some economists have built formal models of the commercial sex market. These have been primarily concerned with explaining why sex workers generally earn more than women of their same education level in other sectors, and more than men in many other jobs as well. The first formal economic model to be published in an academic journal, "A Theory of Prostitution", argues that prostitutes' wages are higher than others in order to compensate for lost marriage income (Edlund and Korn 2002). Unfortunately the model assumes that both men and women prefer marriage to commercial sex, and predicts, against real-world experience everywhere, that as male incomes and female education levels rise, there will be less prostitution.

More recently, economists have built and tested models with information collected from sex workers. These examine the effect of a prostitute's willingness to accept certain risks, specifically unprotected sex, on her earnings, and find that sex workers who are willing to perform unprotected sex will be compensated for doing so, while those who prefer to use condoms earn less. One model, based on research in Calcutta, estimated this loss at up to 79 percent of earnings (Rao et al 2003). A second model, based on a study of Mexican sex workers, factored in both risk and bargaining power, and found that those who were willing to forego condom use could earn 24 percent more than other workers, and up to 47 percent more if they were considered attractive (a measure of bargaining power)¹ (Gertler et al 2005). These models challenge the dominant view in health policy that blames the spread of disease on the lack of education or access to condoms by pointing out that there are economic incentives driving behavior. Despite the narrow focus on condom use, such models are an important step forward in that they consider prostitutes as rational agents responding to incentives.

What can economics do for our understanding of sex work?

Economists can add an important dimension to research about sex work by asking the same things we ask about other economic sectors. How is the sex industry organized? What kinds of jobs are available, under what conditions and for what types of employers? What incentives influence workers' decisions? What role do informal networks of families, friends and coworkers play in drawing women into sex work and keeping them there? As always, the best sources for this information will be sex workers themselves, preferably through research conducted by or with them.

Perhaps the most important contribution economics can make to sex work research is to follow the 'money trail'. Money is power, and power defines the rules of any game. Economists can ask: where is the money coming from? How much do workers, employers and intermediaries get to keep? How much is the state able to appropriate through various means, including taxes, bribes, fines on sex workers or clients, or overall boosts to the tourist and entertainment sectors?

An economic perspective also asks how prostitutes spend the money they earn. After all, how a prostitute spends her money explains a great deal about why she entered and remains in this line of work. Do her material aspirations include property ownership, savings for her own business, upward mobility, or simply survival? What are the labor market institutions that constrain or promote her autonomy in meeting these goals?

In Nicaragua I have met sex workers who are barely making ends meet. I have met others who send their children to some of the best schools in the capital – something their neighbors working in factories or teaching school have not been able to do. They didn't do this by cashing in on one lucky night, but through years of rational choices. What economists should be working to understand is how sex workers like Magda, acting under constraints and responding to incentives, make decisions about their lives and careers, and how policy can expand the available options and protections. There is still a long way to go.

Notes

The names of sex workers in this article have been changed at their request to remain anonymous.

1 The study interviewed only female sex workers. A sex worker's attractiveness was determined by whether the interviewer considered her attractive or not.

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■ | **SEX WORKERS AND FINANCES: A CASE STUDY OF NEW YORK CITY**

By Juhu Thukral

The sample of this study includes 52 indoor sex workers, 6 men, 8 transgender women, and 38 women. Researchers from the Sex Workers Project in New York City met sex workers of all genders through direct outreach at a gang clubhouse, through law enforcement officials, at a nightclub, via the internet, through other sex workers and through cooperating organizations. All names of sex workers in this study have been changed to protect their identity and privacy.

Finances

Indoor workers in this sample often moved in and out of sex work at different times of their lives. Many turned to sex work only in times of need. Some utilized it as a regular stream of income, while others used sex work to supplement income from other work. Finally, a few respondents were coerced into sex work. For many people who are living on the margins, sex work appears to be a strategy for survival when they are most vulnerable. Participants clearly turned to sex work because of the potential earnings that can be made. However, the money made through sex work is often quickly made and quickly spent. This monetary dynamic often serves to keep respondents involved in sex work.

Some participants supplemented public assistance with income from sex work, ranging from \$65 to \$600 per month.

No one in this sample received child support at the time of the interview. However, Antonio, a male sex worker, reported “giving as much as I can” for child support.

Earning and Saving

Many respondents had financial goals related to the desire to retire or transition to other work. Some invested in education, while others invested in real estate. Some research participants were not able to save, and others simply were not concerned with saving. However, 52% (27 of 52) of respondents described wanting to save money. Monetary goals for those who were saving ranged from \$150 per month to \$4,000 per month. Those with the highest goals were more likely to meet their financial goals than other sex workers.

Another way to gauge financial goals is by examining earnings. Lisa said, “My dream is to make \$20,000 a month, and that’s realistic, before 9/11 and before I hurt myself.... I think I could make \$10,000 a month now, but I don’t think I am.” Scott wants to earn \$4,000 per week. He saves \$4,000 per month that he wants to invest in real estate. Sean, who has no expenses and lives with a “sugar daddy”, regularly saves \$2,000 per week.

Not everyone had such high goals—many respondents worked only part-time, often to supplement their income from a legal job. Debbie discussed the tension between spending time on her mainstream job and sex work, saying that sex work has not brought in as much money for her: “I’ve been distracted by my other job”, which is in real estate.

Forty-four percent (23 of 52) of respondents had reached their weekly fiscal goal for sex work in the week before the interview. In attempting to understand the financial situations of many indoor sex workers, it is also helpful to consider the desired earnings per client, which ranged from \$75 per client (net, after expenses) reported by one dominatrix and massage parlor worker to \$1,000 mentioned by an independent escort. Trafficked women were rarely able to keep the money they earned, which was reported as low as \$13 per client, or just over half the takings of a \$25 session in a brothel catering to Latino immigrants.

Those who did save had goals such as paying for school (university tuition or student loans), retirement, business ventures, “rainy days and emergencies”, travel, and “for dry spells”. A few people saved for housing-related purposes: Leticia says she wants “to buy a car so I can move out of the projects. It’s too dangerous here,” while Lisa wants to invest in an “asset like a house”. Those who saved to invest in other businesses talked about saving for a production company, real estate, and a clothing store. Some respondents invested in their families: one woman put \$400 per month into a trust fund for her children. Even the trafficked women had come to New York with the intention of working and saving, although two of the four were unaware until it was too late that they were going to engage in sex work.

Shortfalls

Thirty-eight percent (20 of 52) of participants said that they did not regularly meet their financial goal when working. Therefore, while some indoor sex workers’ experiences lived up to their fantasies of earning a relatively lucrative income, others were struggling to make ends meet. However, in those instances when money fell short and they did not meet their financial goals, respondents generally had some plan in place to deal with these times. These strategies included borrowing money from friends or family; making extra calls to get work that would not normally come their way; relying on savings for living expenses; cutting back on expenses; and incurring credit card and other debts. The four trafficked women reported being physically and verbally abused when they fell short.

Sex work, despite its unpredictable returns, offered greater financial stability to many respondents. Maria reported that she used to steal clothing when she did not have enough money, but that she no longer does this now that she is involved with sex work. Emiko explained that her goal and her basic needs were not the same. “Enough money means it’s not like I can’t live; my ideal is much higher. I can pay rent and I can eat but I wish I could make money more quickly.” Celeste reflected similarly. “The poorest times in my life were before I became a sex worker. After I became a sex worker, I never had to panic about the rent, but before I had to pick between eating and paying rent.”

However, not all respondents reported greater stability. Amelia, who had a history of problems with addiction, said that she fell short more often while working indoors. She reported being less motivated to go out with clients when she was not high because she would think more about the dangerous possibilities when she was sober. Instead, she would go hungry or try to find sources of emergency food.

Perhaps the most interesting finding related to this question was how respondents were affected by unforeseen events. In these instances, one crisis could derail them financially.

This is similar to the experience of other workers in unstable employment or low-wage industries who live paycheck-to-paycheck. Examples of events that resulted in financial setback include a tragic accident; experiencing an abusive relationship; being the victim of identity theft; parental illness; and the birth of a child. The nationwide economic downturn, which was compounded by the events of September 11, 2001, seemed to affect some sex workers more than others. Indeed, a number of respondents noticed a significant change in their ability to make and save money through sex work after September 11, 2001. Jessica told interviewers that she had \$2,000 saved for implants but wasn't making enough money so this savings went to her living expenses. Gretchen said that she was "dependent on her earnings" and could not save at this time. Others described having saved in the past, but not being able to at this time.

A sex worker's venue and relationship to employers are likely to influence ability to achieve financial goals. For example, the women working in the gang clubhouse reported lower financial goals than the rest of the sample. The maximum earnings goal reported per week from the women working in the gang clubhouse was \$500. In general, they were the population least likely to be able to meet their goals, excepting the trafficked women. The trafficked women in the sample all had difficulty making their financial goals, because they were unable to keep their earnings. For 2 of them, the situation was so dire that it was impossible to even conceive of goals. One trafficked woman said that she was expected to earn "\$250 a day—that's how much [the trafficker] wanted me to make. I didn't get to keep any of it. The house charged \$25 per client, and the house took \$12." Another was told to earn \$125 per day in a similar-sounding venue. These women were regularly beaten or threatened if they did not earn as much as the traffickers demanded.

Lessons learned

Sex workers' earnings were limited by venues in which they shared money with management, while those who worked for themselves were the most driven to earn and save money to invest. For some, sex work enabled them to have stable middle-class lives. However, most sex workers were not wealthy and many were struggling to earn enough to support themselves and their families. This was especially true of those who wanted to send money to their families in other countries, in part because the four trafficked women included in this sample all came to the US wanting to support their families outside the US. Greater autonomy in the indoor sex industry also correlated with higher earnings and better working conditions.

About the author

Juhu Thukral is the director of the Sex Workers Project at the Urban Justice Center. This is an excerpt from the second report from the Sex Workers Project, *Behind Closed Doors*. The full report can be downloaded from www.sexworkersproject.org.

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■ | "I DID IT... FOR THE MONEY": SEX WORK AS A MEANS TO SOCIO-ECONOMIC OPPORTUNITY

By Melissa Petro

In the last decade feminist theory regarding sex work has endeavored to deliberately reposition sex work as 'work', and to validate sex workers' experiences, actions, perceptions, motives and survival skills by recognizing a sex worker's agency and ability to make choices in the global arena (Kempadoo 1998). Most academics have moved beyond the debate of whether or not women's participation in sex work is inherently 'coercive' or 'consensual'. An important aspect of the methodology of this ethnographic study exploring the relationship between female sex workers and their professions was the presupposition that choices made or continuing to be made by any individual woman working in the sex industry are principally informed by that individual's geo-political location—her race, ethnicity, nationality, citizenship and immigration status, as well as her socioeconomic background. I use this framework to explore socioeconomic motives for participation in the sex industry.

Sixteen women from various aspects of the industry were interviewed, and extensive participant-observational research conducted in Den Haag, Amsterdam, Berlin, Krakow, Warsaw, London and New York City. All women interviewed cited money as a reason for entering into the sex industry. Except in one case, entering into sex work was described as an informed decision, participants reportedly having considered other options first or simultaneously and willingly choosing sex work as the best option given all options. Women reported "need[ing] money" for various expenses and under specific circumstances, including everyday living expenses (including housing and food), college costs and credit card debt, to travel, leisure and luxury expenses.

While money was a recurrent motivation in becoming employed in the sex industry, it was rarely a woman's only reason for choosing sex work. Most women interviewed disclosed multiple reasons for choosing sex work as a job over other occupations. Prior to becoming sex workers, a number of women reported feeling "fascinated" with or "curious" about the industry. Some women were attracted to the sex industry because they reportedly perceived sex work as "exciting" or "interesting". Only two interviewees gave no other reason in addition to money for becoming sex workers .

Veronica & Alex

Veronica and Alex, interviewed together, both migrated from Russia to Poland with the intention of working as nude dancers. In their joint interview, they explain how a lack of economic opportunities in their home country motivated their migration. Educated to become a history teacher, Alex reported, "It is not very possible to find a job [in Russia]."

For many, migration is perceived as a road to take to improve one's economic condition, to seek other opportunities and, in

Veronica:

It is not that I prefer [sex work], but if I work at my profession in Russia, I will have only thirty dollars a month so you understand. I finished medical school; I don't have a job. I never work [as a pharmacist after graduation] because it's not very good money... [Working as a dancer] I have in one day money which my parents have in one year. I have in one day. So it's very good business.

Theresa

I was 19 the first time I danced. ... I was stuck in Florida and I needed money to get back. I was with my cousin, and... we had my godson with me and we went to go visit her brother and we got in a fight with him and we had spent all our money. We had no way to get home. And, it was like "what are we gonna do?" So, I was like, all right, fuck it, let me see, I'll go dance, you know? I'll give it shot, you know, just to make the money to get home.

some cases, to break away from oppressive local conditions caused by globalization (Kempadoo 1998, Altink 2000, Buchowska 2000). Alex and Veronica's decision to migrate to Poland to become table dancers is better understood in the context that sex work is one of few options available to women looking to migrate and one that some women purport to prefer, compared to, for example, working as domestic, working in restaurant, or entering into a paper marriage.

In their interview, Veronica and Alex described how working conditions are different for Russian women in Poland because of racism expressed by both management and customers. "Polish people are horrible to us," Veronica said. When I asked if people thought poorly of them because of their job, Veronica replied: "I think it is because we are Russian. Not because of [working in a strip club]." Alex agreed, "In Poland, it is better to be prostitute than to be Russian."

Veronica and Alex, interested in traveling to the United States for the purposes of sex work, repeatedly interrupted the interview to ask about exotic dancing in the United States. At one point I said, "I think people have misconceptions about the States. It's true that there's more money there, but it's also very difficult for migrant women to work in the States." Alex replied:

True, it's difficult, I have many friends who immigrated to the United States and, life is difficult. They make a different future for their children, they think it will be better, I don't know. It's always difficult to be foreign anywhere. No—if you are rich it is not problem for you anywhere, yeah? But if you are poor, if you have to work then it's always difficult.

This and the preceding quotes demonstrate Alex's identification as a member of multiple marginalized groups, namely: a sex worker, a Russian living in Poland, a migrant and a poor worker.

Anita

Anita's narrative is markedly dissimilar to others in that Anita, interested in living and working abroad, was recruited under false pretenses by a third party in her home country, Ghana, to migrate to and work in the Netherlands. This situation of transnational sex work is commonly described by anti-trafficking and prostitute's rights organizations as a "one-step pattern of traffic in women". According to Anita, she entered into a binding contractual relationship with this third party without the knowledge that the contract involved sex work; indeed, she was told explicitly that her job was something entirely different.

Once in the Netherlands, Anita was compelled by a number of factors to carry out her obligations by working as a prostitute.

Veronica:

We have a strange boss. He is very difficult. He's not so kind. He always say, "Ahhh, You have good money, what else do you want?!" ... The rules are [not the same] for everyone. [The rules are] not for some girls he likes and for some girls he don't like. [The management] hates Russians.

Anita:

We come in as an immigrant citizen. ... People tell you, "Do you want to go to Europe? You wanna make money? We can help you." ... They tell you to come and they'll give you a job, but they do not tell you the job is prostitution. ... They tell me I was gonna come and work in a [hairdressing] salon. She tells [me] she has a lot of girls who work for her, and they are immigrant. Me – I'm educated, I can read and write. Well, when I got here, for the first few days, I was looking around. I was wondering what was this thing and I thought, ah, "I can't believe people are doing this" and they said, "Well you're gonna do it too." I told them, "I'm sorry, I can't do this" and they said, uh, "Bullshit." I told them I was gonna go home but, because my passport was already fixed from when you come in...you feel no choice.

Without a valid passport, Anita could not return to her home country without notifying the authorities and risking deportation. "If I ran to the cops," she said, "I could go back home, but I couldn't come back. And it depends; when you go back you could have problems." Anita is referring to threats made by her traffickers. She explained, "If you don't [pay your fees], they go down on your family. They destroy them." In debt to her traffickers and as an illegal, Anita had limited job opportunities besides prostitution. She said, "I can read, I can write. Without documents you can't do anything." In her interview Anita spoke of "black jobs", meaning undocumented work. She explained, "There are 'good' jobs and there are 'black' jobs, like cleaning jobs or taking care of old women or for old people. [As an illegal immigrant] you can do these jobs." Anita felt these jobs were inadequate for her given her current financial situation.

After she has paid off her debt to the traffickers, Anita intended to apply for a visa and to continue living and working legally in the Netherlands for some time. For Anita, "Europe means working, and getting money." The reasons which first motivated Anita to migrate to the Netherlands compelled her to remain in the country, despite her predicament. Anita admitted, "If I had known from the beginning, I don't think I would be here. I realize I continue to work here when I could have gone home."

Consistent with my presupposition that geo-political factors mitigate an individual woman's negotiation between coercion and consent motivating her to enter, and remain a part of, the sex industry, migrant women's narratives generally express fewer and less desirable employment options than sex workers working in their home country. For many women—migrant women included—sex work is an attractive option for work. For some, like Veronica and Alex, it is a viable option. For Anita it was, arguably, the only option. This conclusion is not meant to dichotomize sex workers into home or host, black or white— that is, I am not concluding that migrant workers' participation in sex work is conclusively more a result of coercion than women working in their home country; rather I only wish to conclude that migrant women, by and large, experience the sex industry differently as migrant women and ethnic/racial minorities. Migrant women sex workers tolerate not only the rigors of sex work, but also those conditions exacerbated by xenophobia and racism, as well as the challenges of any immigrant worker of any job. Advocates on behalf of sex workers would do better to address labour and immigration policies, rather than focusing energies on the regulation or abolition of sex work, particularly transnational sex work. If one considers a lack of options to be a "coercive" reason for a woman to enter into sex work, one should work to increase the number of options available to women considering sex work (especially migrant women), rather than crusading to eliminate sex work as an option altogether.

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■ CHINESE MIGRANT SEX WORKERS IN HONG KONG

By Zi Teng

Hong Kong is an economic and financial center in Asia, and has become one of the most popular destinations for international tourists and businessmen. The Chinese government simplified the visa application procedure for mainland Chinese to visit Hong Kong and many mainland Chinese tourists came to Hong Kong. According to the figures of the Tourism Commission, the number of Hong Kong visitors had reached over 14 million by the end of August 2002, which was 58% higher than in 2003. The Tourism Commission showed that more than 8 million mainland visitors came to Hong Kong during the first eight months in 2004, which was 66% higher than that of 2003 and 97% higher than that of 2002. Among these people, 2.6 million came to Hong Kong as 'individual tourists', making up 33% of mainland tourists.

Not everybody can benefit from the simplified visa application and immigration procedures. Some jobs are not eligible for Hong Kong working visas, and sex work is one of the examples. Sex workers from mainland China cannot legally work in Hong Kong. They lack support from the society and the police brazenly suppress them. However, mainland Chinese women come to Hong Kong to illegally work as sex workers, pushing them into the 'black market' and worsening their working environment. Ever since we began our outreach service for mainland migrant sex workers, the requests for assistance keep rising.

Zi Teng carried out research to understand the situation of mainland migrant sex workers in Hong Kong, especially their experiences with the police. We directly approached sex workers from mainland China who work the streets in the neighborhoods of Jordan, Yau Ma Tei, Sham Shui Po and Yuen Lung, avoiding middlemen and third parties. They answered questionnaires about their work and their interactions with the police. Talking directly with them helped us to build up a relationship with them, to increase their trust of us, which helped us learn more from them as well as increasing the credibility of the information.

Since China opened its economy and entered the World Trade Organization (WTO), its economy has grown steadily. However, the lay-off of workers continues. According to the November issue of *'Bulletin'* in 2002, the Economic System Reform Office of the State Council estimated that the unemployment rate in urban areas was about 7%, while there was a redundant labor force of 150 million people in the rural areas. If the lay-off situation worsened, the unemployment rate would rise to 10%. Based on social and economic structural factors, unemployment is more prevalent among women. With heavy economic burden and limited choices, many women have chosen to work outside their hometown. However, as the society denied sex work, mainland migrant sex workers in Hong Kong were not recognized as labor force. Therefore, they were not only exploited by criminal gangs but also suppressed by the police and the Immigration Department.



Zi Teng members and international supporters at labour day march and rally in Hong Kong 1 May 2004. Courtesy of Angus McIntyre.

Reasons to work in Hong Kong

Most respondents came to work in Hong Kong for economic reasons. Among the 108 respondents, 76% came to work in Hong Kong because of the 'low income in hometown'. The next popular reason is 'unemployment' (14%) and 'family problems' (12%). Most of them were farmers in their hometown (53 respondents), thus earning a relatively low income. 22 of them said that their annual family income was less than RMB\$500 (US \$60). Others only earned between RMB\$500 (US \$60) and RMB\$3000 (\$361) annually. Because of the low income, more than a half of the respondents (57 people) had more than once worked outside

their hometown to earn better living. Generally speaking, they did not expect to earn a lot merely HK\$2000 (US \$263) (49 respondents) to HK\$3000 (US \$395) (37 respondents) in Hong Kong.

The reason why they chose to work in Hong Kong, more than 70% of respondents gave that they were introduced by their acquaintances. Some of them had come to Hong Kong before (52 respondents). Only a very few of them came to Hong Kong for the reason of low transportation fees (4 respondents) and easy visa application (5 respondents). Generally, they came to Hong Kong as tourists (65%) while the second popular response was to come on business (19%). Most of them had to pay a total cost of less than RMB\$1000 (US \$120) to come to Hong Kong (33 respondents), but 29 respondents had to pay more than RMB\$4000 (US \$480) to come to Hong Kong.

Scenario of working in Hong Kong

Generally, most of the respondents reported an unsatisfactory working environment with long working hours and low income. Most of them were self-employed (92%). They usually worked for 10 hours or above every day. One of them even worked for 15 hours a day. Nevertheless, they averaged fewer than 3 customers each day (52%), only very few of them got 4 to 6 customers (15%). The majority of respondents received less than HK\$150 (US \$20) per service (92%). A quarter of them even received less than HK\$100. Yet, their average daily expenses ranged from HK\$100 (US \$13) to HK\$200 (US \$26) (85%). From the above, we could understand that they earned only a meager salary.

Occupational Safety and Health

The research revealed that mainland migrant sex workers' health and work safety was not protected. More than half of the respondents would not absolutely insist their customers to use condoms (52%). 70% of them attributed to the reason of 'customers did not want to, did not want to affect the business'. This showed how much a customer's will can af-

fect their health and work safety. What is more critical is that 80% of them did not carry condoms for fear of police arrest or charges and therefore chose to risk performing unsafe sex. From the above, we see that they are aware of safe sex, but how the police worked conversely made them more vulnerable to sexually transmitted infections. When they suspected they were infected, only four of them would turn to the doctor. Others tended to buy medicines themselves (70 respondents) or deal with the problem after they went back to their hometown (29 respondents) because neither can they afford the expensive medical fee (59 respondents), nor do they know where they can obtain health checkups (49 respondents). As a result, even though they are aware of occupational health issues, the monetary problems and the unfamiliarity with working environment increased their risk at work.



Courtesy of Angus McIntyre.

Apart from the health problems, personal security is another difficulty for mainland migrant sex workers. 11 out of 108 respondents were raped before. Nearly a quarter of them were cheated by people who disguised themselves as police. Almost 30% of respondents were not paid for their service, with three were not paid for services more than 8 times. 25% of respondents were robbed and 13 of them were physically abused. Swindling and harassment by the triad society is also one of their difficulties at work. They were frequently targeted by villains and often left the problems unsolved (49 respondents) or merely sought help from other sex workers (64 respondents). They did not call the police as they were afraid they could not continue their work once they exposed their identity therefore making them more vulnerable to villains.

However, although they generally did not find the working environment in Hong Kong satisfactory, nearly 75% of respondents said they would work in Hong Kong again. There was also 20% of them saying they had not made their mind. Only very few of them said they would not come again.

From the above findings, mainland migrant sex workers came to Hong Kong because of the economic difficulties. Not only did they have to deal with a bad working environment, they were also forced to perform unsafe sex for the sake of satisfying customers, to make a bit more money, as well as to avoid being arrested by the police for possessing condoms. As they were not legal labor, they often became the target of villains, whereas the police could brazenly abuse them, further marginalizing their work. Mainland migrant sex workers have little access to the judiciary system and the majority of the mainland migrant sex workers were not aware of their legal rights, but they largely believed that Hong Kong law is unfair. It is time to officially deal with the issue of mainland migrant sex workers, to acknowledge their labor and so avoid abuse of power by law enforcement.

Reasons to work in Hong Kong and the working situation

The research revealed that the working environment of mainland migrant sex workers was abominable with long working hours and low income. It no doubt is unsatisfactory work. Since they received very low income on the mainland, they intended to solve their family's economic difficulties by taking risks to work in Hong Kong. This presented to the public, who perceives mainland migrant sex workers in a negative way, a very different picture: They were not coming to Hong Kong out of greed, rather, the burden of shouldering their families and the lack of other possible alternatives pushed them to make such choice. Stigmatization does nothing to improve their abominable working environment, neither does it help to cope with their or their family's living difficulties. It further marginalizes them, making them more vulnerable.

Although the working environment of mainland migrant sex workers is not satisfactory and there is evidence of police corruption and misuse of power, more than half of respondents are willing to take the risk to work in Hong Kong. As a consequence, if the corresponding departments do want to deal with the issue of mainland migrant sex workers, the livelihood and welfare system of mainland people should be first improved. Mainland women could then earn a living without leaving their hometown. Certainly, the best solution would be to acknowledge sex work and restore the legitimate labor rights and labor status to sex workers. Mainland women could then apply to work in another place legitimately. Organized crime and law enforcement would no longer be able to take advantage of them, which would put an end to all kinds of suppression and abuse of power. Mainland women could eventually work in a safe and fair environment.

About Zi Teng:

Zi Teng is a non-governmental organization formed by people of different working experiences. They are social workers, labor activists, researchers specializing in women studies and church workers etc. who care and concern about the interest and basic rights of women.

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■ | MONEY AND SEX WORK IN JAMAICA

By Marlene Taylor

Most research on sex work focuses on the sex rather than on work and the money it produces. When I began working on HIV prevention with sex workers in Jamaica I quickly recognized that individual sex workers' relationships with money is linked to their vulnerability to HIV and STIs, violence and exploitation.

Dawn is a forty- two year old Go-Go dancer, who wept as she spoke about being raped by five men. She was only nineteen years old at the time of the incident. She sold sex in all fourteen parishes of Jamaica. Dawn consumes large quantities of alcohol and marijuana to "ease the tension." She says that she is trying to quit her years of smoking crack cocaine. She has no money saved.

Sex workers attitudes to money and their spending and saving habits are not uniform. Of the 50 sex workers I interviewed in Jamaica, 64% had bank accounts and most had hopes of building their savings up and of acquiring a home for themselves. A few sex workers from the Ocho Rios reported balances of upwards of US \$8000 as a result of committed weekly saving. I noticed that sex workers often encourage others to save when they sit and wait for their clients, often discussing targets. One sex worker, an intelligent and motivated young woman of about 20 told me that she already has over US \$11,000 saved which she hopes to go towards establishing her own Go- Go club.

However these inspiring examples are only a part of the picture. Many sex workers have never had a bank account and struggle each day to maintain themselves and their dependents, which often includes children, other family members and boyfriends. Not all of the spending is for basics though with money trickling away on lifestyle items such as restaurant meals, clothes and costumes, cigarettes, drugs, alcohol. Health care was also cited by some.

I decided to extend the discussions successful savers were having about money to this group. I asked if they had any particular goal they would like to attain within the next year. And worked with them to identify the weekly amount that they needed to reach that goal so that at the end of the first year of savings they will have a "nest egg" that would, or could, be the beginning of making their dreams come through.

This appeared to work well with several women reporting back that they had opened bank accounts and started saving. One girl ran up to me and thanked me for introducing her to the idea of saving and says she now saves more than the J\$ 2000 each week we had planned together. Others clearly did not attain the discipline of saving and are "stuck" in the vicious circle of selling sex only to spend it all, almost immediately. Although my research did not explore this further, I have a sense that unwise spending is often driven by personal issues.

Jamaican Go-Go Dancers Abroad

Jamaican sex workers travel to other Caribbean countries such as Antigua, Barbados, Santo Domingo, The Bahamas, St. Martin, Tortula, St. Lucia, Puerto Rico, Tobago, Curacao for one month

Marsha has three children. She says that every Monday she gives each child approximately US \$10 to put in their bank accounts. On Tuesdays she puts US \$300 in her account. She wants to own a fleet on taxi motor cars.



Women working in an club in Jamaica. Courtesy of Marlene Taylor.

intervals or longer. Invitations are made by managers of night clubs in these countries via connections in Jamaica. Sex workers say they travel to work where business is better and they earn US dollars.

In Antigua, Curacao and Santo Domingo particularly the sex industry is very organized and there are numerous open commercial sex establishments. In Barbados there are parties for groups of “high class” clients that sex workers from other islands go to meet. They stay in groups in local hotels for a season of such parties to minimize costs and return with the money they have saved.

Business is said to be real good on these islands

where tourism thrives such as the Bahamas and clients pay large sums for services, even though brothels are closed down regularly.

When asked if sex workers from other countries should work in Jamaica, most said “Why not? We like or would like to travel abroad to work, so it is only fair to allow them here.”

International Sex Workers in Jamaica

Strip clubs in Jamaica are increasingly employing exotic dancers/sex workers from Russia, Santo Domingo, Venezuela and other countries, to add a different flavour. Management pays to import and accommodate these exotic beauties who are, therefore, expected to stimulate maximum spending from patrons. Jamaican sex workers typically see international sex workers are known to be more aggressive to “do business” and get tips and say they often complain that there isn’t enough work. As a result, some move around from night club to night club, hoping to make more money and/or find a rich mate that will “meet their every need”.

Many sex workers from abroad have no visas to the USA but target North American clients, often getting them to provide expensive accommodation and regular allowances to keep them while in Jamaica pending the opportunity to travel more widely.

Many Jamaican sex workers also prefer to “do business” (sell sex) with tourists for the same reasons. However because of the perception that tourists from first world countries take better care of their health better than we do in Jamaica, they sometimes agree to unprotected sex whom they believe will be free of HIV and STIs. This is a concern in a country where a recent study of 450 sex workers found 9% to be HIV positive.

There is clearly much work to be done in Jamaica to educate sex workers, the government and health workers to reduce sex workers vulnerability to HIV and STIs. The information I collected from sex workers about their financial aspirations, motivations and attitudes to saving convinced me that encouraging sex workers to address the financial issues in their lives and supporting them to save and budget should be an important part of our work with sex workers.

Arlene is a street wise girl, who knows how to sell sex safely. She keeps out of trouble, uses no stimulants and saves religiously. At 21, she already owns a car and a small wooden house. She says she wants to start traveling twice per year to other Caribbean countries for “bigger business”.

About the author:

Marlene A. Taylor has worked as Targeted Interventions coordinator for four years at Jamaica AIDS Support Ocho Rios, Jamaica. She has extensive experience in working with sex workers and men who have sex with men. She now works as an independent HIV/AIDS consultant who works specifically with Sex Workers.

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■ | THE TRIPS AGREEMENT, HIV, AND INTERNATIONAL SEX WORK

By Amit Sen Gupta and Ananya Mukherjea

The Trade Related Intellectual Property Rights (TRIPS) agreement, signed as a part of the World Trade Organisation (WTO) agreement, was the most fought mechanism of the General Agreement on Tariffs and Trade (GATT) negotiations. Until 1989, countries like India, Brazil, Argentina, and Thailand had opposed even negotiating even individual issues within TRIPS, let alone the entire agreement. They soundly argued that Intellectual Property Rights (IPR), including patents on drugs, are not a *trade-related* issue. They further argued that the history of IPRs shows that the domestic laws of nations develop alongside the development of their economies and their science and technology abilities. Strong patent protection inhibits the strengthening of science and technology (S&T) capability and education in developing nations. It was reasonable that many countries' domestic laws did not favor strong patent protection WTO agreement, and it was illogical to thrust a single patent structure on all states of the globe, irrespective of the stability of their economies. Each argument, however, was systematically subverted during the GATT negotiations, leading to the signing of TRIPS, which required countries like India to submit to a strong patent protection regime. This new regime no longer allowed domestic laws that enabled domestic companies to manufacture much cheaper versions of new drugs invented elsewhere.

TRIPS Agreement: Features

The TRIPS Agreement covers two categories of intellectual property; *industrial* (trademarks, patents, geographical indications, industrial designs and trade secrets) and *literary and artistic* (copyright and neighboring rights). It establishes minimum universal standards in the management of all areas of intellectual property (patents, trademarks, copyrights, etc. with respect to processes as well as products), aiming to implement these standards globally through an enforcement mechanism of the WTO. *TRIPS requires universal patent protection for any invention in any field of technology, and all member countries are expected to comply.*

Most WTO members already enforced some form of intellectual property protection even prior to the TRIPS. As of January 1995, fewer than 20 of the current WTO developing and least developed countries excluded pharmaceutical products per se from patenting. The key difference with the adoption of TRIPS in 1995 was that nations became bound to established *universal standards* of patent protection. The TRIPS accord, thus, impinges on national sovereignty, preventing individual states for adjusting laws to suit their own needs. Further, as TRIPS is part of the WTO system, any member nation failing to conform TRIPS, if challenged by another member country, is subject to the WTO dispute settlement system. Even before TRIPS was signed in 1995, countries like the Republic of Korea, Mexico, Chile, and the Andean Group

IMPACT OF TRIPS AND HIV FOR WOMEN AND FOR SEX WORKERS

Around the world, women bear the brunt of the HIV-AIDS pandemic. In addition to being at higher risk for infection than men in many parts of the world, they also tend to have access to fewer resources – condoms, clinics, or drugs – and they do the vast majority of care work for others who are sick. All sex workers, and particularly those in prostitution who are also mothers, wives, or daughters, have added impediments to maintaining or regaining health. Unorganized sex workers often have little leverage to enforce the use of condoms, a situation that heightens their risk level, and they are also at greater danger of being forced to submit to unprotected sex with police, pimps, or landlords. Despite the fact that sex workers themselves are in danger of infection, community leaders and healthcare workers too often view them as 'spreaders' of the virus instead of needing to protect themselves from it. While ample evidence shows that trained, orga-

countries had succumbed to US pressures and amended their patent laws to allow patents for pharmaceutical products. Argentina, Brazil, Guatemala, Morocco and Turkey introduced pharmaceutical product patents in 1995, well before the end of the 10 year transitional period allowed for developing countries. India, was actually the last significant country to hold out and make use of the full 10 year transition period, but had to allow product patents by 1 January 2005.

How does the TRIPS agreement impinge on the pharmaceutical sector and on the manufacture and sale of medicine? Article 27.1 entails that patent owners enjoy the same exclusive rights with respect to imported products as for products manufactured locally. This is contrary to what countries like India and Brazil formerly allowed for, making the local manufacturing of patented drugs mandatory. Such a provision has major consequences for the development of domestic industry in developing countries, causing imports by multinational corporations to be treated the same as local products. The agreement also compels countries to provide protection in all sectors, ensuring that even food is now subject to patent law. As well, article 33 imposes a long (minimum 20 year) patent period.

To summarize, the TRIPS agreement took away the sovereign right of nations to legislate based on public interest, forced countries to provide for 20 year patent protection even for areas like health care and food security, opened the way for multinationals to enter developing country markets even if there was domestic manufacturing capability, and put in place mechanisms for trade retaliation and sanctions if countries did not comply with provisions of the Agreement. It was designed to maintain the monopoly control of a handful of transnational pharmaceutical companies over the manufacture and trade of drugs. The TRIPS Agreement was signed around the time when countries like Brazil, India and China were emerging as major centers for generic drug production. The TRIPS Agreement was, thus, also a means to dampen the challenge to the monopoly of US and European pharmaceutical companies.

TRIPS Agreement: Flexibilities

Defenders of the TRIPS agreement argue that certain flexibilities allow members to safeguard key areas of concern, especially related to public health. Such measures include the following:

- Allowing countries to import patented drugs from the world market at reduced rates.
- Excluding substances found in nature, animals, and plants from patentability.
- Compulsory Licensing

nized prostitutes have been some of the most effective prevention workers, there continues to be more emphasis on forced testing, forced retirement of post-adolescent prostitutes, and the increased social and political marginalization of sex workers in many countries such as Bangladesh, Uganda, Dominican Republic, and South Africa. Political marginalization means that infected sex workers have little recourse to manage their own testing, to influence their own health care plans, or to obtain HIV-AIDS medications. When limited drugs are available, they are sometimes made available only to families or, primarily, to mothers whose circumstances are stable enough to afford the ability to return to the same clinic daily or weekly for months and years. When drugs are extremely limited and sex workers are continuously subjected to arrest, relocation, or harassment at public clinics, or when they are subject to highly irregular client schedules, it becomes close to impossible for them to obtain, store, and take the strictly scheduled antiretroviral regimen. All along Bombay's Falkland Road, HIV+ prostitutes are forced to go to different clinics at different times for different prescriptions, and this kind of unnecessary inconsistency drastically and permanently decreases the efficacy of their medicines not only for them but for the entire population.

– *Ananya Mukherjea*

Compulsory licensing is perhaps the most important safeguard because it has the potential to break the monopoly for which patents provide. Article 31 allows compulsory licensing – the government authorization for another manufacturer to manufacture a patented product on public interest grounds, without the permission of the patent-holder. TRIPS can be interpreted to provide for a number of grounds for the granting of such licenses: high prices; non-availability; to promote commercial activity; etc. Article 31 also allows governments to use patented products for non-commercial use.

However it is not so easy to issue compulsory licenses. A prospective licensee must first attempt (unsuccessfully) for a ‘reasonable period of time’ to obtain authorization from the patent-holder to use the patented invention ‘on reasonable commercial terms and conditions’, except in cases of national emergency, extreme urgency, or ‘non-commercial public use’. Furthermore, any use of compulsory licenses must be ‘predominantly for the supply of the domestic market’ (Article 31 (f) of the authorizing country, and the user must pay the patent holder ‘adequate remuneration’ taking into account ‘the economic value of the authorization’’. (Correa 1999)

The requirement that a compulsory license should be authorized “predominantly” for the supply of the domestic market places constraints on exports of generic drugs by countries like India to less developed markets. However a liberal interpretation of ‘predominantly’ can be that anything that is just less than 50% of a production under compulsory licensing can be exported. This could potentially allow India, for example, to continue supplying on-patent drugs to Africa and Asia by manufacturing them through compulsory licenses issued to Indian companies. However, there have been very few instances of compulsory licenses actually being used by a WTO member country to produce cheap generic drugs despite the fact that the HIV epidemic has overwhelmed entire countries (see below) and large parts of southern Africa and Asia. Breaking patent monopolies through Compulsory Licenses (CLs) is as much a political matter as a legal interpretation of the TRIPS Agreement. The United States and countries in Europe have consistently hampered the issuance of CLs.

HIV-AIDS Crisis

In 1995, when the global pharmaceutical industry achieved a major victory through the TRIPS signing, few anticipated the public outcry that was to come in the next ten years in response to the galloping

LIFE EXPECTANCY & HIV/AIDS RATES IN SELECTED SUB-SAHARAN AFRICAN COUNTRIES

Country (HDI rank)*	1990	2002**	HIV prevalence to (% ages 15 49) ***
Central African Republic (169)	47.2	39.8	13.5 %
Lesotho (145)	53.6	36.3	28.9 %
Mozambique (171)	43.1	38.5	12.2 %
Swaziland (137)	55.3	35.7	38.8 %
Malawi (165)	45.7	37.8	14.2 %
Zambia (164)	47.4	32.7	16.5 %
Zimbabwe (147)	56.6	33.9	24.6 %

spread of the HIV-AIDS epidemic and the pharmaceutical industry's utterly callous response to it. More than 3 million people died of AIDS and nearly 5 million people became newly infected with HIV in 2004. Just under 40 million people (nearly half women) were living with the disease, yet fewer than 1 in 5 people at high risk of infection had access to proven prevention interventions. The number of AIDS orphans climbed to 15 million, 12 million of whom live in sub-Saharan Africa. The following table shows the devastating impact of the epidemic in sub-Saharan Africa – the worst affected region of the world.

NUMBER OF PEOPLE (15-49 YEARS) WITH ACCESS TO ANTIRETROVIRAL DRUG TREATMENT FOR AIDS, AND ESTIMATED NUMBER WHO ARE IN NEED, BY COUNTRY*

Country	Need for Treatment in Dec. 2004**	People Receiving Treatment in Dec. 2004**	Percent Receiving Treatment
Angola	34,500	3,000-3,500	9.4%
Argentina	35,500	30,000-33,000	88.7%
Botswana	75,000	36,000-39,000	50.0%
Brazil	179,000	154,000-160,000	87.7%
Burkina Faso	45,000	3,000-3,500	7.2%
Burundi	40,000	3,000-4,000	8.8%
Cambodia	22,000	4,500-6,000	23.9%
Cameroon	95,000	12,000-15,000	14.2%
Central African Republic	40,500	1000	2.5%
Chad	30,000	500	1.7%
China	122,000	7,500-9,500	7.0%
Colombia	25,000	11,000-13,000	50.0%
Côte d'Ivoire	84,000	4,000-5,000	5.4%
Democratic Republic of the Congo	167,000	3,500-4,500	2.4%
Ethiopia	211,000	10,000-13,000	5.5%
Ghana	55,000	1,500-2,000	3.2%
Haiti	42,500	3,000-4,000	7.8%
India	770,000	20,000-36,000	3.8%
Kenya	220,000	24,000-33,000	12.5%
Lesotho	56,000	2,500-3,000	4.9%
Malawi	140,000	10,000-12,000	7.9%
Mali	20,500	1,000	4.9%
Mexico	39,500	26,000-32,000	73.4%
Mozambique	199,000	6,500-8,000	3.6%
Myanmar	46,500	1,500-2,000	3.8%

* Includes developing and transitional economy countries where estimated people needing treatment is > 20,000

** Estimates from UNAIDS/ WHO

This table is from UNAIDS/WHO, 3 by 5 Progress Report December 2004, January 2005

www.who.int/3by5/progressreport05/en/

Such a massive crisis should have elicited a focused and rapid response. In one respect, the crisis did evoke such a response in that medical scientists rapidly developed a number of drugs to control AIDS. Most HIV+ people in the global North have access to an array of antiretroviral and opportunistic infection drugs, which might allow her/him to maintain a job and home. In contrast, an HIV+ individual in the global South has just a 1 in 8 (Table 2) chance to access medication. The difference is the ability of the patient or her/his country to pay for treatment. The tragedy is further compounded by the fact that these drugs need not be so expensive. But large pharmaceutical companies, in their blind pursuit of profits, use patent protection to price their drugs at 40-50 times the cost at which generic companies can produce these drugs.

Brazil is a leader in providing treatment to HIV-AIDS patients through (1) its willingness to use patent law with strong compulsory licensing provisions to bargain with multinational pharmaceuticals to lower prices and (2) through pledging state resources for HIV-AIDS treatment. Even Brazil, however has not gone all the way to actually issue a compulsory license to its domestic companies – a step which would have further brought down domestic prices of ant-retrovirals. In India, however, until the nation enacted its new law in 2005, pharmaceutical products were not protected by patents. This allowed India to export cheap antiretrovirals to a number of developing countries. The country's record of treating its own HIV + population is abysmally poor however – essentially a function of its public health facilities. While the limitation of patent protection is important in determining access to antiretroviral treatment, there are also other very important factors that play a role.

TRIPS out of WTO

Clearly we have a situation that is unacceptable. The issue of how we address the TRIPS Agreement needs to be firmly addressed. While the battle to ensure that the flexibilities in the TRIPS Agreement are allowed to be used by developing countries must continue, it is also necessary to understand that the TRIPS is undeniably an iniquitous Agreement. No national legislation in the area of patents can meaningfully address the legitimate interests of its citizens while remaining within the framework of TRIPS. The agreement needs to be taken out of the WTO: this is the terrain for future struggles. Developing countries had argued precisely this in the Uruguay Round of GATT negotiations before the WTO Agreement was signed, and it is high time to return to this argument. HIV-AIDS has cruel and unacceptable consequences for people without access to adequate legal representation or economic power, and this saga is a powerful reminder that patent protection and health care do not mix.

Resources

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About the authors:

Amit Sen Gupta was commissioned to write a paper about access to treatment for Womyn's Agenda for Change, a non-governmental organisation in Cambodia that offers technical support to Women's Network for Unity, the sex workers organisation there. Ananya Mukherjea edited and updated this paper for Research for Sex Work.

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■ | ANNOUNCEMENTS



In a Philippines protest, the riot police have shields while the transgender activists are wearing only towels.

Death of Tonette Lopez

Tonette Lopez, APNSW's much loved human rights lawyer died in April in The Philippines. Tonette was a proud sex worker and transgender rights advocate, who fought publicly for the rights of sex workers and sexual minorities in the Philippines and across the Asia Pacific Region.

Tonette was proud of the fact that she had helped pay her way through law school by working as a sex worker in a karaoke bar. When she was refused entry to the ceremony to be recognized as a lawyer before the Philippines Supreme Court because she was in women's clothing, she held a nude protest on the steps of the court, and shortly after became the first open transgender person to argue cases before the court.

At an APNSW South East Asia meeting in 2004, Tonette composed a sex workers rights anthem for APNSW which has since been translated into at least 4 other languages and is sung by sex worker activists all over Asia.

– *Khartini Slamah, APNSW coordinator, and Andrew Hunter APNSW Making Sex Work Safe project coordinator*

A Report from the International Committee on the Rights of Sex Workers in Europe (ICRSE) on the European Conference on Sex Work, Human Rights, Labour and Migration

"I found it a must for all people working on trafficking. We only see one side of the picture and spend half our time also having to do business with the abolitionists. It was therefore a real education and the lessons learnt are already being put to good use!" – representative from Poland

"It was a wonderful opportunity to meet sex workers from other countries even out of Europe, and that was so interesting, I've been learning so much...Even if we sometimes had some 'conflicts' here and there, I really felt a union those two days, and it is so motivating." – representative from France

"It gave just the empowerment that we need here in Finland to fight against the Swedish model." – representative from Finland

The European Conference on Sex Work, Human Rights, Labour and Migration, October 15 – 17 2005, Brussels Belgium, was the end result of more than two years of collaboration between the 15 sex workers and allies from several European countries who made up the organising committee. One of our main ambitions was to stage an event that would create enthusiasm for greater

collaboration and reaffirm the need for broad-based political activism promoting the rights of sex workers in Europe and internationally. Was this achieved? In a word, yes but it is the participant's commitment and energy that must be thanked for this.

Who were these fantastic people? It was always the intention that the majority of participants would be sex workers. 120 sex worker and 80 ally participants travelled from 30 different countries. People came on their own, or representing an organisation. There were female, male and transgender sex workers



Marching during the meeting. Courtesy of ICRSE.

who have worked or are working on the street, independently, in massage parlours or brothels, dancers and more. There were sex worker organisations, sex work projects, migrant organisations, people working in the, human rights, labour rights or anti-trafficking fields, representatives from labour unions that have recognised the labour rights of sex workers, grassroots activists, and many from other NGOs.

Celebration! Day One was a day for sex workers only and although there was tremendous background support from our allies on this day it was really an opportunity for sex workers to meet each other, to work together on the Sex Workers in Europe Manifesto and to network. Although the intention was to endorse the Manifesto that evening there was such a commitment to getting the text right that a group of people worked well into the evening and the document was endorsed unanimously the next day.

Connection! Day Two brought sex workers and allies together. This day focused on sharing knowledge with each other and linking the long history of political work around prostitution to the political work being done in the fields of human rights, labour and migrant rights. To remind us of this history Gail Pheterson and Margot St James made a presentation that had everyone in tears; powerful. Looking back to the first and second World Whore's Congresses in 1985 and 1986 Gail and Margot celebrated with us what must be seen as pivotal moments in sex worker movement politics.

The work that was done collectively on the Declaration on the Rights of Sex Workers in Europe expressed the sentiment of this day. Sex Workers do not see their lives in isolation from the rest of humanity and the world cannot, with any conscience, ignore or abuse their human rights. Allies played an extremely important role in helping to shape this document into a powerful lobby tool.

Challenge! On the final day of the conference we took ourselves en masse armed with our newly endorsed declaration and manifesto, and the conference recommendations, to the European Parliament. There we proudly occupied the meeting rooms arranged for us by Monica Frassoni, Italian MEP, Greens – European Free Alliance. Locating a politician who was willing to publicly support and sign a document created by sex workers was not easy so there was an excited buzz when the

Declaration was endorsed and signed by Vittorio Angoletto, Italian MEP, Confederal Group of the European United Left – Nordic Green Left.

This day was about challenging all European governments to accountability in their treatment of all people working in the sex industry. Our challenge did not stop there though. We held a press conference at the parliament and as a closing event we took to the streets of Brussels, making a very public and very colourful statement. At the demonstration everyone carried red umbrellas. The Red Umbrella, originally used by sex workers demonstrating in Venice, Italy, is a “symbol of beauty and resistance to humans’ and sky’s attacks, red”.

So what’s happening next? We always hoped that the conference would be a starting point for a stronger sex workers’ movement in Europe. During the conference we decided that a network, with both sex workers and allies, should be established to facilitate and strengthen future activism. A lot of amazing work is happening on a national level in the different European countries, but if we can share information faster and start working across national borders we will achieve even more.

If you are interested in learning more about the conference or would like to contact the International Committee on the Rights of Sex Workers in Europe (ICRSE) please visit our website at www.sexworkeurope.org

Sex Workers at the UN High Level Meeting on HIV/AIDS

Sex workers were very visible during the United Nations High Level Meeting on HIV/AIDS 31 May – 2 June 2006 in New York City. Local host Prostitutes of New York (PONY) co-sponsored an event with NSWP and the Sex Workers Project where sex worker activities in Brazil, Canada, India and Ivory Coast were highlighted. A moving film about the sex workers rights movement and Forum XXX last year in Montreal was shown.

Sex workers were part of government delegations from Argentina, Brazil, Fiji and Mexico. Noi Apisuk, founder of Empower, was part of the Thai government delegation.

Martine Ago, president of Bléti, an organization for HIV+ sex workers in Ivory Coast, opened the civil society session. Martine is the first open HIV+ sex worker to address the UN in a formal session. Martine declared that “Sex workers rights and reproductive and sexual rights are human rights. We are not the problem but part of the solution.” She introduced a film showing aspects of life with HIV, featuring APNSW All Stars from Thailand. A Thai transgender person in the film discussed discrimination and said, “People think sex workers are different but that really, we are just normal people like everyone else.” Elena Reynaga of AMMAR from Argentina asked “How can our gov-



Martine Ago of Ivory Coast and Anna Louise Crago from Canada, during the May 31 rally. Photo courtesy of Romeo Sanchez.

ernments protect us from HIV when they cannot protect us from murder?”

Other civil society speakers also included sex workers in their presentations inside the UN and outside during the rally. At the rally, speakers from organizations addressing housing and homelessness, harm reduction, and access to treatment talked about sex workers. Signs made by other groups said “BUSH: STOP CONDEMNING SEX WORKERS! END THE ILLEGAL PROSTITUTION OATH!” This is the first time that the concerns of sex workers were adopted by a wide array of society. During the rally, sex workers and supporters carried red umbrellas. Over a thousand people marched, ending at the US mission to the UN, where sex workers criticised US funding restrictions that have led to discrimination against sex workers in Asia and are linked to condom shortages in Africa.

Sex workers participated in the action on the last night of negotiations, in which people linked arms to demand a real declaration of commitment rather than “death by diplomacy.”

■ | COLOFON

Research for Sex Work is an annual publication designed for sex workers, health workers, researchers, NGO staff and others who professionally deal with sex work and development. It was founded by Vrije University Medical Centre in the Netherlands, and is now published by the Global Network of Sex Work Projects. This issue on sex work and money was produced with financial support from Hivos, the Netherlands. The views expressed in this journal do not necessarily reflect those of the publisher or the donors.

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Research for Sex Work acknowledges that depictions of sex workers, people living with HIV, gay, transgenders, lesbians and other stigmatised people are always sensitive. It requests all contributors to only send photos containing images of people who have consented to their photos being published. Photos depict a range of people including, but not limited to, sex workers. Readers should not draw any inference about the sexuality, HIV/health status or occupation of any person that appears in any photo in Research for Sex Work. Research for Sex Work has a policy of not publishing any pictures of children.

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