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## Human Rights Council

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### **Joint written statement\* submitted by Action Canada for Population and Development, Madre, Inc., the Urban Justice Center, non-governmental organizations in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2011]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## Responding to the United Nations Human Rights Council: End violence against sex workers in the United States of America\*\*

In November 2010, the current human rights record of the United States was reviewed in Geneva by the United Nations Human Rights Council, submitting the human rights record of the U.S. to official scrutiny of the international community. Among many recommendations made by members of the U.N. to the U.S., member state Uruguay called on the Obama Administration to “Undertake awareness-raising campaigns for combating stereotypes and violence against gays, lesbians, bisexuals and transgender people<sup>1</sup>, and ensure access to public services paying attention to the special vulnerability of sexual workers to violence and human rights abuses.”

This action by the global community highlights human rights issues that have gone unnoticed for too long. Because of the stigma and criminalization associated with the profession, sex workers (and those profiled as such) are highly vulnerable to violence, discrimination and human rights abuses. They are also frequently impeded from accessing critical services such as healthcare, and the right to equal protection under the law. When murder, sexual assault, or physical and verbal assault is committed in these communities, they are often systematically ignored. Moreover, legal and law enforcement institutions are not only failing to address the high prevalence of this violence, but are, in some cases, perpetrating it.

- In a New York City-based study of policing around sex work, 27% of sex workers surveyed had experienced violence at the hands of law enforcement.<sup>2</sup> Another study

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\*\* Sexuality Information and Education Council of the U.S. (SIECUS), Women’s Network for Unity, Amnesty for Women, Women’s Organization Network for Human Rights Advocacy, Women’s Re-Entry Network, Women of Color United, American Jewish World Service, Religious Institute, Center for Anti-Violence Education, Americans for Informed Democracy, National Minority AIDS Council, Harm Reduction Coalition, American Medical Students Association, Association of Nurses in AIDS Care, AIDS Project Los Angeles, AIDS Action Baltimore, AIDS Foundation of Chicago, Housing Works, International Rectal Microbicide Advocates, U.S. Positive Women’s Network (PWN) a project of WORLD (Women Organized to Respond to Life-threatening Disease), HIVictorious, Inc., Nashville CARES, International Community of Women Living with HIV and AIDS Global (ICW Global), TAMPEP (European Network for HIV/STI Prevention & Health Promotion among Migrant Sex Workers), Nigerian Diversity Network, Action pour la lutte Contre L’ignorance du SIDA (Democratic Republic of Congo), Asocijacija za Borbu Protiv Side (Association against AIDS, JAZAS, Yugoslavia), Tais Plus (Kirgizstan), Scarlet Alliance (Australia), Sex Worker Forum (Botswana), x:talk (London), The International Committee for the Rights of Sex Workers in Europe, Best Practices Policy Project, Different Avenues, Sex Workers Outreach Project (SWOP National), Sex Workers Outreach Project (NYC Chapter, Sex Workers Action New York (SWOP-NYC/SWANK), ex Workers Outreach Project (Tucson), Desiree Alliance, St. James’ Infirmary, Bay Area Sex Worker Advocacy Network, Erotic Service Providers’ Legal, Education and Research Project, Helping Individual Prostitutes Survive (HIPS), Sexual Rights Initiative (a joint project of ACPD, CREA, Mulabi, the Federation for Women and Family Planning and others), NGOs without consultative status, also share the views expressed in this statement.

<sup>1</sup> Member state Uruguay used the term “transsexuals” to describe transgender people in the original recommendation language. We have modified the term in this letter for the purposes of being more aligned with U.S.-based language and ideologies.

<sup>2</sup> Urban Justice Center; Sex Workers Project (2003). “Revolving Door: An Analysis of Street-Based Prostitution in New York: Fact Sheet.”

(<http://www.sexworkersproject.org/downloads/RevolvingDoorFS.html>)

in Washington DC found that more than 50% of sex workers who went to the police for assistance were either ignored or further abused by officers.<sup>3</sup>

- Sex workers from LGBT communities –especially transgender people – and from poor and working class, urban, majority African-American and immigrant communities are particularly vulnerable to these human rights abuses.<sup>4</sup>
- The U.S. government’s “anti-prostitution pledge” regulations have cut funding to organizations serving sex workers, directly resulting in dramatic decreases in access to services.<sup>5</sup>

Our organizations call upon the U.S. government to accept U.N. recommendation #92.86 and take a stand against widespread institutional and cultural tolerance of violence towards sex workers. We also urge consideration of clear, specific, actionable policy options that can increase the safety of and diminish discrimination against sex workers including efforts to:

1. Investigate and prevent human rights abuses perpetrated by state agents, such as law enforcement officers.
2. Build capacity for states to address human rights violations through research and dialogue.
3. Modify or eliminate existing federal policies that prevent sex workers from accessing services, especially with regard to healthcare and HIV prevention and support.
4. Re-envision current anti-trafficking efforts to include the voices of the communities being affected.

The U.N.’s recommendations create an opportunity to form sustained collaborations between the Federal, State, and Local institutions and community organizations for the purpose of reducing human rights abuses of sex workers. We are optimistic that our nation’s current leadership will address this issue and protect basic human rights for all.

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<sup>3</sup> Alliance for a Safe & Diverse DC, *Move Along: Policing Sex Work in Washington, D.C.*, 13-14(2008).

<sup>4</sup> Cohan, D. et al. (2006). "Sex Worker Health: San Francisco Style." published online 19 Jul 2006; *Sex. Transm. Inf.* (<http://stjamesinfirmary.org/Uploads/Sex%20Work%20SF%20Style.pdf>)

<sup>5</sup> Sexual Health and Rights Program (SHARP), Open Society Institute. (June 2007). *Anti-Prostitution Pledge Materials*. Retrieved from *The Anti-Prostitution Pledge: First Amendment Challenges and Public Health Risks*: ([http://www.soros.org/initiatives/health/focus/sharp/articles\\_publications/publications/pledge\\_20070612](http://www.soros.org/initiatives/health/focus/sharp/articles_publications/publications/pledge_20070612))