



Phumzile Mlambo Ngucka
Executive Director, UN Women

July 5, 2016

Dear Phumzile Mlambo Ngucka:

It has come to our attention that UN Women is intending to make sex work a priority area, and is interested in consulting with stakeholders that work with sex workers towards this effort. While still in a preliminary stage, the Urban Justice Center's Sex Workers Project would like to contribute our expertise to this process.

For fifteen years, the Sex Workers Project at the Urban Justice Center has provided client-centered legal and social services to individuals who engage in sex work, regardless of whether they do so by choice, circumstance, or coercion. One of the first programs in the nation to assist survivors of human trafficking, the Sex Workers Project has pioneered an approach to service grounded in human rights, harm reduction and in the real life experiences of our clients. We offer legal representation to sex workers and victims of human trafficking on criminal, civil, and immigration matters. The Sex Workers Project also provides therapeutic counseling and case management to our clients. Our clients hail from all over the world, from Latin America, Asia, Africa, Europe and from the United States. We are recognized experts on the profound human rights abuses victims of trafficking and sex workers face, and perform research and documentation on these abuses, with a focus on New York City.

It is important to affirm, as many UN Agencies have in recent years, that sex workers deserve the same human rights as others, and as documented by the Global Commission on HIV and the Law, that criminalization of sex work is harmful, and that the conflation of consensual sex work and human trafficking causes inappropriate and damaging responses.

We have produced multiple reports about the lives of sex workers and trafficked persons in New York City. These include reports about people who sell sex on the street (*Revolving Door*, 2003, <http://sexworkersproject.org/publications/reports/revolving-door/>) and people who did sex work indoors (*Behind Closed Doors*, 2005, <http://sexworkersproject.org/publications/reports/behind-closed-doors/>) and the experiences of people arrested during anti-trafficking raids and experiences of services providers around the country (*The Use of Raids to Fight Human Trafficking*, 2009, <http://sexworkersproject.org/publications/reports/raids-and-trafficking/>) and a report specifically about people brought to the US from Mexico (*The Road North: The role of gender, poverty and violence in trafficking from Mexico to the US*, 2012

<http://sexworkersproject.org/publications/reports/the-road-north/>) undertaken at the request of Mexican NGOs. Additionally, our report *Public Health Crisis: The use of condoms as evidence of prostitution in New York City* (<http://sexworkersproject.org/publications/reports/public-health-crisis/>) demonstrates that criminalization encourages police to work counter to important public health initiatives to prevent HIV and sexually transmitted infections both of which present serious reproductive health problems.

Our research demonstrates that criminalization of sex work is a failed policy. Criminalization does not provide living wage alternatives to those who sell sex, but only adds harm to their lives: from the trauma of arrest and incarceration, to having a criminal record making it harder to get a job, to increased risk of trafficking and exploitation, to prevention of effective health outreach. Criminalization is also linked to violence, because perpetrators know they are likely to go unpunished when they target criminalized people.

However, criminalization of sex work is a very entrenched policy in the U.S. While there are signs of a changing perspective, there are policy goals we can reach for while we build towards a more thorough recognition of the rights of sex workers. We thought it would be useful to share the policy changes and goals we have as an organization fighting for the rights of sex workers and survivors of human trafficking in the U.S.

1. Repeal of laws that charge HIV positive sex workers with felony level crimes, charge sex workers with criminal records with felonies, or place HIV positive sex workers on sex offender registries;
2. Repeal of laws that criminalize minors for engaging in sex work;
3. Expansion of laws that vacate past convictions for survivors of trafficking;
4. Implementation of laws that vacate, expunge or seal past convictions of prostitution;
5. Change in law enforcement practices that use anti-trafficking funding streams to raid and arrest sex workers;
6. Passage of laws that exclude condoms from being confiscated from sex workers in the course of arrest;
7. Challenging the linkage of social services with criminalization in “prostitution diversion courts;”
8. Repeal of the mandate to “cooperate with law enforcement” in order to receive benefits and remedies as a victim of trafficking;
9. Repeal of funding restrictions on organizations that fight for decriminalization of sex work, domestically and abroad;
10. Fully funding harm reduction based shelter, social services, and healthcare for sex workers;
11. Deprioritizing the arrest of sex workers and their clients;
12. Repeal of laws that mandate the deportation of persons with prostitution convictions.

My colleagues are available to meet with you and to introduce you to other service

providers and organizations of sex workers in New York City. We look forward to engaging with you as UN Women develops its policy on sex work.

Yours truly,

A handwritten signature in black ink, appearing to read 'Crystal DeBoise', written in a cursive style.

Crystal DeBoise, LMSW
Managing Director
Sex Workers Project
Urban Justice Center
cdeboise@urbanjustice.org
(646) 602-5692

Cc:

Purna Sen
Lopa Banerjee
Jade Cochran
Kalliopi Mingerlrou
Vivek Rai