



Working Group on Sex Work and Human Rights

Sex Work and Human Rights

In attempts to eradicate sex work, policymakers, law enforcement officials and others often overlook or even violate the basic human rights of sex workers.

- Sex workers are human beings like anyone else and are entitled to human rights under numerous internationally-agreed upon standards for treatment of all people, regardless of profession.
- It is ironic that sex workers' human rights are often jeopardized by the very policies intended to help them. However, policies based on the assumption that sex work is inherently dehumanizing can never recognize or improve the reality of sex workers' lives.
- The rights to life, safety, free speech, political action and access to information and to basic health and education services are as important to sex workers as to anyone else. No one should lose these human rights because of the work they do.
- Reducing stigma and discrimination against sex workers will make it easier for those who may wish to leave this work to do so. For example, many sex workers say that it is their criminal records that inhibit them from finding other work when they choose to do so.

Health is a Human Right

International agreements dating to the Universal Declaration of Human Rights hold that "the highest attainable physical and mental health standards" are a basic human right. It is important to note that sex workers need access to comprehensive health care, including reproductive care. This information kit addresses HIV/AIDS, as many harmful U.S. and international policies are focused on HIV/AIDS.

- Studies show that the most vulnerable sex workers are at high risk for suffering sexually transmitted infections, including HIV/AIDS.¹ Because they are often treated as social outcasts or criminals, sex workers can be difficult to reach with information and tools for protecting themselves and others.
- Creating opportunities for sex workers to take the lead in protecting themselves and others is a necessary and urgent need – not a side issue – if we are to have any hope of curbing the spread of HIV/AIDS. When sex workers have the power to negotiate, they help reduce the transmission of HIV/AIDS.
- Sex workers cannot be expected to seek or accept help from agencies required to condemn and reject them as a condition of funding.

Human Rights Laws Must Be Enforced

- Safe and appropriate law enforcement interventions are critically important.
 - Society must demand zero tolerance of abuse by authorities against sex workers' human rights and insist instead that authorities protect those rights.
 - Society must also insist that policies aimed at helping sex workers or trafficked persons do not have the opposite effect of harming them.
- Every person deserves the right to live a life free from violence.
- In many places, sex workers are routinely insulted, harassed and assaulted by police who know there is little or no chance anyone will condemn them for it.

- These assaults contribute to sex workers' physical vulnerability and poor health and cynicism toward legal authorities and social service providers.
- Sex workers are often targeted by criminals who prey on their reluctance to report attacks to the police out of fear of suffering further injury or insult.
- Whatever their legal status, sex workers deserve as much safety against physical and sexual assault as any other persons, but these rights are often ignored.
- Human trafficking – for forced domestic work, farm work, sex work or any other purpose – is an unacceptable human rights abuse. It can only be stopped by addressing the economic and other realities that encourage migration, and by halting the official corruption that allows traffickers to move their people across borders and sell their services without repercussions.

¹ UNAIDS, "Female Sex Worker HIV Prevention Projects: Lessons Learnt from Papua New Guinea, India, and Bangladesh," (Geneva: 2000), http://data.unaids.org/Publications/IRC-pub05/JC438-FemSexWork_en.pdf.