

# Look WHO's in the NEWS!

The European Conference on Sex Work, Human Rights, Labour and Migration and the sex workers' demonstration in Brussels made news around the world! Here's the list of reports:

- Live Report from Brussels, by Matthew Charles, *BBC News*, October 17, 2005 (Web: <http://news.bbc.co.uk>) (This video clip was also published online.)
- "European sex workers called for their profession to be recognised as work," *Reuters*, October 17, 2005 (Web: <http://today.reuters.com>)  
"You shouldn't hide yourselves, you shouldn't be ashamed," she said. "All societies should accept and give [the same] sort of statute to this profession as to any other."
- "La prostitution en question," *Le Soir, Bruxelles*, October 17, 2005 (Web: <http://www.lesoir.be>)  
"Elle exige également que les travailleurs du sexe obtiennent les mêmes droits que les autres travailleurs en ce qui concerne l'accès à la sécurité sociale, aux soins de santé et aux allocations sociales."
- "Sex workers demand labour rights," *Associated Press*, October 17, 2005 (Web: <http://www.ap.org>)  
"I believe this Declaration is important not only for sexual workers, but it also could become very important for the European civil society. If they're recognised as workers, they can pay taxes and have the same duties and same rights as everyone else," Agnoletto said."
- "Sex workers meet in Brussels to demand labour rights," *News From Russia*, October 18, 2005 (Web: <http://newsfromrussia.com>)  
"Meeting under the auspices of Italian deputy Vittorio Emanuele Agnoletto, some 120 sex workers from 23 countries held a conference to exchange personal experiences from the street and major issues concerning prostitution, including the public image of the profession and working conditions."



FOTO: AP

## Prostituees eisen in Brussel erkenning voor beroep

*Sp!ts* (Web: <http://spitsnet.nl>)  
dinsdag, 18 oktober 2005

Een Franse prostituee poseert tijdens een bezoek aan het Europarlement in Brussel met de Europese vlag. Zo'n 120 prostituees uit 23 lidstaten hebben gisteren in het Europarlement een einde geëist aan de beperkingen die sommige lidstaten opleggen aan hun beroepsgroep. De prostituees, die zichzelf 'sekswerkers nosmen', willen dezelfde rechten, bijvoorbeeld wat betreft sociale zekerheid, als 'gewone' werknemers binnen de EU.

Volgens organisator Ruth Morgan Thomas worden in Europa steeds meer wetten doorgevoerd die prostituees en de seksindustrie in het algemeen benadelen. De wetgeving ten aanzien van prostitutie varieert van lidstaat tot lidstaat.

- "Les filles de joie dans la rue," *La Dernière Heure*, October 18, 2005 (Web: <http://www.dhnet.be>)  
"Les slogans sont durs, les mots clairement pas mâchés. 'Ni coupables, fières d'être p... !' La petite centaine de prostituées venues des quatre coins d'Europe n'ont pas bloqué la circulation pendant des heures, leur message a néanmoins été très distinctement entendu."
- "Rights: Sex workers ask to be seen as workers," *Inter Press Service*, by Stefania Bianchi, October 18, 2005 (Web: <http://www.ipsterraviva.net>)  
"Camille Cabral, representing French sex workers, said it was time to end the stigma associated with the sex industry. 'You shouldn't hide yourselves, you shouldn't be ashamed,' she said. 'All societies should accept and give (the same) sort of statute to this profession as to any other.'"  
(For excerpt, see sidebar, p. 88.)

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## RIGHTS: Sex workers ask to be seen as workers

**BRUSSELS** – A group of sex workers from across the European Union is demanding the same social rights as other employees, and calling for an end to “repressive policies” against prostitution.

Some 120 male and female sex workers from 23 countries met at the European Parliament Monday (Oct. 17) to urge the European Union (EU) to end discrimination against the sex industry.

“What we do is work and we want it recognised as that,” Ruth Morgan Thomas, a Scottish sex worker and organiser of the conference told media representatives Monday (Oct. 17).

Under the auspices of the Italian Socialist Member of the European Parliament (MEP) Vittorio Emanuele Agnoletto, sex workers from the International Committee on the Rights of Sex Workers in Europe (ICRSE) discussed labour issues, migration and human rights. The committee is a Dutch-based lobby group of current and former prostitutes.

“We organised this conference in response to the increasingly repressive legislative policies and practices across Europe against sex workers and the sex industry,” said Morgan Thomas.

The sex workers say “repressive policies” on migration, public order and morality have led to the increasing vulnerability of sex workers. They insisted they were against all forms of human trafficking and exploitation.

“Anti-prostitution and anti-migration policies negatively affect the rights of sex workers, whereas increasing emphasis on citizen security, law and order and closing borders have impeded the growth of rights movements in general,” they said in their statement.

Camille Cabral, representing French sex workers, said it was time to end the stigma associated with the sex industry. “You shouldn’t hide yourselves, you shouldn’t be ashamed,” she said. “All societies should accept and give (the same) sort of statute to this profession as to any other.”

The ICRSE says regulating the sector would curb exploitation and boost prostitutes’ willingness to pay tax in return for rights and social protection.

“Many problems could be solved if sex workers were treated the same as any other labour issue,” Ana Lopes, a British-based sex worker originally from Portugal told media representatives.

The cause of the sex workers is being championed by Agnoletto, who endorsed the sex workers’ Declaration. He says he will initiate a debate on the issue in the European Parliament.

“I believe this Declaration is important not only for sexual workers, but it also could become very important for the European civil society,” he said. ...

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- “SexarbeiterInnen-Konferenz darf nicht ohne Echo verhallen: Menschenrechte müssen auf nationaler Ebene sichergestellt werden!”  
*Frauensolidarität*, October 25, 2005  
(Web: <http://www.frauensolidaritaet.org>)  
“„Die Stimmen von über 200 SexarbeiterInnen und ihren UnterstützerInnen dürfen nicht ungehört bleiben“, fordert Cristina Boidi, Koordinatorin des Vereins LEFÖ, nach der 3-tägigen Konferenz von Sexarbeiterinnen vergangene Woche in Brüssel.”
- “Sex workers ask EU to respect their ‘rights,’”  
*Cybercast News Service*, by Eva Cahen, October 28, 2005 (Web: <http://www.CNSNews.com>)  
“According to the group, sex workers are often excluded from the application of human right and labour laws in many countries, merely because government policies ‘aim to make sex work invisible.’ The group also complains that prostitution is not recognized as legal labour.”
- “Continental Drift: As the EU struggles to unite, prostitutes are forming unions and courting politicians. Is legalisation next?”  
*Nerve*, by Alastair McKay, January 3, 2006 (Web: <http://www.nerve.com>)  
“Pride apart, on that day in Brussels, the rights of sex workers — or more accurately, the absence of such rights — was given an unprecedented airing. The European press broadcast the concerns of male and female prostitutes across the continent...”
- “Sex Work: European Legal Frameworks,”  
*International Union Rights*, by Ashwini Sukthankar, Vol. 12, Issue 4 (pp. 8-9), 2005  
(Web: <http://labourstart.org/ictur/>)  
“The event brought together sex workers and allies from Europe and elsewhere — including trade unionists, anti-trafficking activists and human rights experts — for discussions of laws, policies and strategies...”  
(To read the article, see p. 89.)
- “Sex Workers Stand Up for Rights,” *The Erotic Review*, by Ruth Frost, Issue 71 (pp. 33-41), 2005  
“Escorts, geishas, courtesans, lap dancers, rentboys... The erotic consciousness of the open-minded public is full of curiosity and a lot of positive feeling towards those whose profession it is to bring erotic pleasure to others...”  
(To read the article, see p. 91.) □

# Sex Work: European Legal Frameworks

By Ashwini Sukthankar. Published in *International Union Rights, Volume 12, Issue 4, 2005, pp. 8-9*, by the *International Centre For Trade Union Rights, London, UK*. (Web: <http://labourstart.org/ictur/>)

The International Committee on the Rights of Sex Workers in Europe organised a conference on Sex Work, Human Rights, Labour and Migration in Brussels from October 15-17. The event brought together sex workers and allies from Europe and elsewhere—including trade unionists, anti-trafficking activists and human rights experts—for discussions of laws, policies and strategies, culminating in a day of meetings at the European Parliament, and finally a march through the city streets.

Much debate centered on comparisons between different legal frameworks in Europe. Stephanie Klee, a German sex worker, described the strengths and weaknesses of the law passed in that country in 2002. She noted that, on the one hand, it allocates rights and responsibilities around the sale of sexual services in several important ways.

For example, it creates obligations for sex workers to pay taxes and register themselves; with respect to clients, it clarifies that they may not deny payment of an agreed price to sex workers on the grounds that they were not satisfied; in terms of employers, it imposes a duty to pay health care and grant paid leave to sex workers they employ. Klee identified several problems also, including the fact that the law makes no provision for migrant sex work through the amendment of immigration regulations.

Furthermore, implementation of the law's provisions has been imperfect and inconsistent. The lack of outreach and training by the state has meant that sex workers' inexperience with the labour rights framework and distrust of state has inhibited their enjoyment of the protections that the law affords.



PHOTO: Quentin Deltour (Espace P)

**Volunteers hand out leaflets.**

Also, the law has been implemented in different ways in different regions of Germany: thus, while Berlin has interpreted it in ways that are largely favourable to sex workers, Cologne has used it to institute a severe “pleasure tax” that applies to the sex industry alone.

Jesper Bryngemark, an activist from Sweden, highlighted the provisions of the abolitionist law passed there in 1999, and its impact. The law states that, while the selling of sex is not illegal, buying sex is. The law has resulted in many sex workers leaving the streets and seeking other spaces for sex work, including advertising on the Internet. However, those who do not have other options besides street-based sex work have experienced great hardship.

For example, the increased police surveillance has meant that undocumented sex workers are at even greater risk of being apprehended and deported. Also, the heavy emphasis on enforcing the law and prosecuting clients has meant that sex workers have frequently found themselves becoming unwilling participants in investigations, sometimes even filmed and strip-searched by police hoping to secure evidence of a transaction of money for sex. And, since police have also been seizing condoms as evidence, there is a strong disincentive for sex workers and their clients to carry them, resulting in riskier sexual practices.

Many of the conference participants noted that other European countries, including Finland and the UK, are considering drafting similar legislation, and urged sex workers' groups and their allies to unite in opposition to such proposals.

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PHOTO: Quentin Deltour (*Espace P*)

**Past Gare de Nord, heading into the red light district.**

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Several sex workers from France commented on the impact of the 2003 *Law on Domestic Security* that was proposed and promoted by Nicolas Sarkozy, the Minister of the Interior. The law creates a misdemeanour of “passive solicitation,” allowing police to arrest and prosecute anyone who is offering to sell sexual services. The determination of whether or not she is, in fact, soliciting may be based on a reading of her dress and her attitude, which, many participants noted, was a violation of core liberties.

A plenary session on collaborations between sex workers and allies was an insight into both current and historic partnerships. Gail Pheterson, Associate Professor of Psychology at the University of Picardie, and Margo St. James, founder of the San Francisco-based sex-worker-rights group Call Off Your Old Tired Ethics (COYOTE) described a personal history of alliances between sex workers and supporters spanning several decades.

Pheterson described, for example, advocacy efforts in support of a sex workers’ group in The Netherlands, Red Thread, by an allies’ group calling itself Pink Thread. The Pink Thread argued that there could not be freedom for any woman until there was freedom for sex workers, and attempted to shape common ground with feminists, pointing out that society’s failure to recognise women’s unpaid domestic labour as work could be analogised to the lack of recognition for sex work.

The Pink Thread also pointed to the ways in which any woman who is sexually non-conforming can be labeled “whore,” whether or not she sells sex.

Martin Smith, head of organising at the British union GMB, and Ana Lopes, a member of one of GMB’s affiliates, the International Union of Sex Workers (IUSW), spoke of coming together on the

basis of the understanding that the right to be represented by a union is fundamental.

Smith did point out a number of the limitations in the relationship between a small, autonomous group of workers like the IUSW, with limited resources for organising, and a large, bureaucratic institution. He noted also the numerous barriers to organising, including concerns about confidentiality, immigration status, isolation, and competitiveness in some sectors.

He also pointed out the semi-legality of some sectors as a hurdle — for example, while several strip joints have signed recognition agreements with GMB, brothels, which are illegal in the UK, pose a problem. At the same time, he also pointed to the numerous benefits accompanying unionisation, such as the ways in which it forced a public acceptance of sex work as legitimate work, and shifted the debate from the realm of morality to a labour rights framework.

Finally, Patricia Kaatee from Amnesty International, Norway and Liv Jessen, head of the Pro Centre, a sex workers’ group in Oslo, described the impact of Amnesty having chosen a sex-worker-rights activist for its annual human rights award, in the context of the organisation’s Stop Violence Against Women campaign.

Liv Jessen, the recipient of the award, talked about the ways in which the award helped create a space to be able to challenge the idea that all prostitution is violence against women.

For labour movements, it is worth highlighting one of the opinions that was expressed repeatedly over the course of the conference. Many conference participants argued persuasively in favour of the recognition of sex work as both a job and a profession, in spite of the fears of the possible negative impact of regulation by the state.

One of the benefits that would accompany state recognition, many sex workers noted, was access to desperately-needed social protections, such as health-care and pension benefits.

The lingering question was, what kind of legal framework could be proposed that would extend these benefits simultaneously to migrant sex workers? □

♥ Ashwini Sukthankar is Director of the International Commission for Labour Rights, in London, UK.

# Sex Workers **Stand Up** for Rights!

By Ruth Frost. Originally published in *The Erotic Review*, Issue 71 ("Love For Sale"), 2005, pp. 33-41.

**E**scorts, geishas, courtesans, lap dancers, rentboys... The erotic consciousness of the open-minded public is full of curiosity and a lot of positive feeling towards those whose profession it is to bring erotic pleasure to others. Diaries of callgirls are currently riding high in the bestseller charts and *Memoirs of a Geisha* is set to be the hit film of this spring.

However, the views of the moral majority and the official line of government are not necessarily so positive. The negative moral judgements placed on those who work in sex cause damage even to the extent of their basic human rights being abused.

While culturally where culture is celebrated, legally there is a growing tide of repression. Often this is led by politicians, social workers, academics, abolitionists, those who have never actually worked in the sex industry, without sex workers themselves being given a voice.

Historic steps were recently taken to begin to correct this however. Some 200 sex workers from around Europe gathered in Brussels, Belgium, in October 2005 for the European Conference on Sex Work, Human Rights, Labour and Migration. At the conference they endorsed a declaration and a manifesto of sex workers' rights, which they then presented at the European Parliament and had signed by an MEP before taking to the streets in a vibrant demonstration.

The event was the culmination of over two years of work. Sex-work Initiative Group Netherlands (SIGN), a network of Dutch sex workers and sex-work activists, initiated the process in June 2003 by asking participation from across Europe in planning a conference. In January 2004 an international Organisation Committee was established, comprising 15 mostly current or former sex workers from across Europe.

This committee decided a declaration of rights would provide a framework for organising a conference and examining and challenging violations of sex workers' rights. A new legal body, the

International Committee on the Rights of Sex Workers in Europe (ICRSE) was formed to coordinate the conference and act as a base for future initiatives.

## The Manifesto and Declaration

ICRSE sent out consultation papers to sex-work groups all over Europe, then collated the responses to form a draft manifesto of sex workers' wishes. Meanwhile, it drew together all the rights that have been agreed to in international treaties and covenants and are being ignored or abused in the case of sex workers, to form a declaration.

*"This Declaration outlines the rights to which all persons in Europe—including sex workers—are entitled to under international law,"* the introduction to the Declaration states.

*"[It] is not a demand for special rights to be given to sex workers. Rather it is based on the principle that the act of selling sexual services does not constitute grounds for the denial of fundamental rights to which all human beings are entitled under international law."*

Abuses of sex workers' human rights are numerous and varied across Europe, irrespective of the legal status of sex work. (*See sidebar, "Human Rights Abuses," p. 93.*) Laws view those working in the industry at one moment as helpless victims with no choice in their fate, and at the next as an evil menace to society.

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**Marchers head toward the red light district.**

PHOTO: Quentin Deltour (Espace P)



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The Manifesto states,

*“The ‘identity’ and ‘social role’ imposed on us by society often defines us as intrinsically unworthy and a threat to moral, public and social order. Labelling us sinners, criminals, or victims creates a stigma that separates us from ‘good’ and ‘decent’ citizens—in fact, from the rest of society.”*

Although the legal position varied between countries, there was not a single country where there were not complaints about discrimination and violation of human rights.

The Manifesto is more of a wish-list document of needs and desires. *“We condemn the hypocrisy in our societies whereby our services are utilised while our profession or businesses are made illegal,”* it states.

As well as the human rights issue, at its heart is a wish for sex work to be seen as just that—work. *“Remunerated sex is an income-generating activity, and, as such, must be recognised as labour,”* the Manifesto states.

There are benefits to society from recognising and treating sex work as work, the Manifesto points out, including payment of taxes by sex workers.

Violence, migration and labour conditions are major themes:

*“Offering sexual services is not an invitation to any kind of violence... Sex work is by definition consensual sex. Non-consensual sex is not sex work; it is sexual violence or slavery.”*

***Umbrellas reflect in a window in the red light district.***

PHOTO: Quentin Deltour (Espace P)



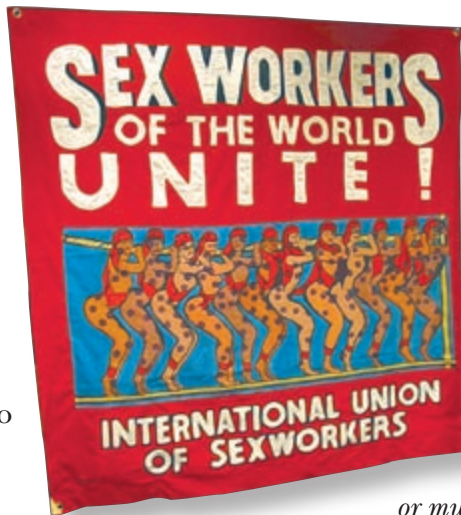
Customers are included:

*“Paying for sexual services is not an intrinsically violent or anti-social behaviour. Such stereotyping silences discussion about the reality of the sex industry... and obscures the violence perpetrated by abusers posing as clients. Moreover, it prevents us from addressing the behaviour of the small, but significant, number of clients who do cause problems.”*

A demand for the right of non-abusive clients to buy sexual services is included in the Manifesto.

The Manifesto does not deny that problems exist but says that time and resources spent currently on arresting and prosecuting workers and non-violent clients should be redirected to the actual problems.

*“We demand that criminal laws be enforced against those who perpetrate fraud, coercion, or abuse (including child sexual abuse), forced labour (including child labour), violence, rape, or murder upon sex workers in order to make sex work safe for all.”*



## The Conference

In Brussels, around 200 sex workers from 30 countries gathered for a weekend of hammering out the final wording of the Manifesto and Declaration, plus networking, workshops, sharing of experiences and celebration of their profession. From ages 20 to 70, males to females to transgender, street workers to strippers, the variety reflected the profession. It was a colossal undertaking, with translation into four languages.

The first day was strictly sex workers only. It included workshops on topics including balancing sex work and private life, and media awareness.

On the second day sex-work allies were included, to give both parties the opportunity to learn from each other. Workshops included “Working Conditions” and “Positive Experiences.”

Presentations were given by sex workers on issues such as migration, and included a case study of how the Swedish model violates rights. Allies such as Martin Smith of the UK union GMB, which has

recognised and welcomes sex workers, shared their experience of partnership.

The meetings to agree on the wordings of the Manifesto and Declaration were often passionate as issues close to people's hearts and experiences were discussed. Final agreements were reached and on the second night, celebrations took place in the shape of a dinner and party at a club in Brussels, which included performances and readings from attendees.

On the Monday, the group arrived at the European Parliament. Monica Frassoni — an Italian Greens/European Free Alliance member in the Parliament — welcomed us, and hosted our time in the Parliament. The Declaration was presented and then endorsed by Italian MEP, Vittorio Agnoletto. This historic event was presented in a press conference that afternoon, which led to much favourable coverage across Europe.

The sex workers then travelled to the stock exchange and held a street demonstration, marching from the exchange through the business and red light districts of the city, carrying red umbrellas as symbols of sex-work pride (a tradition started by the sex workers of Venice, Italy, in 2001). Cards were given out with the ICRSE e-mail address. In the red light district, girls in their windows cheered and waved.

Marchers chanted in numerous languages but the most common refrain was:

*"Vous couches avec nous, vous votez contra nous!"*  
(*"You sleep with us, you vote against us!"*)

Banners read, "*Sex Workers of the World Unite!*" And "*Sex Workers' Rights = Human Rights.*"

It was a fantastically celebratory way to end an historic weekend. The ICRSE intends for the documents to become a point of reference to aid sex workers in being knowledgeable about — and therefore able to fight for — their rights. Agnoletto will present the Declaration for debate and a draft resolution at the European Parliament.

Ultimately sex workers are not asking for special treatment, just to be granted the same human rights as all. □

♥ Ruth Frost is a striptease artist. She lives in London, UK.



## HUMAN RIGHTS ABUSES

The Declaration of the Rights of Sex Workers in Europe includes a section documenting abuses of sex workers' human rights. "Under international law it is a fundamental human right that 'all persons are equal before the law and are entitled without any discrimination to the equal protection of the law,'" the Declaration states. Below are some of the examples of human rights abuses.

**SPAIN** • Sex workers in brothels are required to undergo, and pay excessive fees for, sexual health checks by owners, the results of which are not kept confidential, thus violating their right to privacy and medical codes of practice.

**FINLAND** • Sex workers cannot work together for their own protection without facing prosecution for "pimping" each other, violating their right to peaceful assembly and association and favourable work conditions.

**GREECE** • Sex work is legal and sex workers are registered, but cannot marry. If they do, they lose their licence and can no longer work legally. Sex workers are therefore forced to choose between their right to marry and found a family, or the right to livelihood and practise a profession.

**AUSTRIA** • Sex workers are subjected to mandatory sexual health controls, but other sexually-active citizens are not, promoting the image of sex workers as "unclean" and violating the principle of non-discrimination.

**FRANCE** • A sex worker's child, upon reaching legal adulthood, may be prosecuted with "living off" the sex worker's earnings, violating the rights of sex workers to a private and family life and to be free from arbitrary interference with this right.

**ITALY** • With impunity police confiscate and dispose of sex workers' possessions. This violates sex workers' right to own property and the state's obligation to provide an effective remedy with respect to the right to own property and equal protection under the law.

**NETHERLANDS** • Sex work is accepted as legal work but migrant sex workers are the only category of migrant workers to be excluded from getting legal work permits, thus violating the right to non-discrimination.

**PORTUGAL** • Sex workers lose custody of their children through social services or family courts solely because of their occupation, and not based on any specific evidence of harm or incapacity to parent, violating their right to be free from arbitrary interference with family life.

**SLOVAKIA** • Health workers may with impunity refuse medical care to sex workers, violating their right to protection by the state of the highest attainable standard of physical and mental health.

**SWEDEN** • Politicians and policy-makers have threatened to withdraw from public debates if sex workers are also to participate and sex workers have been systematically excluded from public debate, violating their right to freedom of expression and opinion.

**UNITED KINGDOM** • Street-based sex workers are criminalised and Anti-Social Behaviour Orders are used to restrict freedom of movement. In some cities posters identifying sex workers have been printed and distributed in communities, violating the right to privacy and to participate in public life. □