

**SEX
WORKERS'
RIGHTS
ARE
HUMAN
RIGHTS!**



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This book is composed of presentations of the speakers who attended the Sex Work and Human Rights Symposium which was held on 5 - 6 March 2011 in Ankara.

The texts in the book can be circulated by giving the names of the speakers and the publication information.

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Prepared By: Kemal Ordek

Transcription: Aras GÜngör

Translation: Kemal Ördök

Design: Tennur Baş

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(0312) 394 55 90 - 91

info@ayrintibasimevi.com.tr

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Pembe Hayat LGBT Dayanışma Derneği

Adres: Ataç 1 Sokak 3/8 Yenışehir, Çankaya, ANKARA

Telefon: (0312) 433 85 17

Faks: (0312) 433 85 18

E-Mail: pembehayat@pembehayat.org

Web: <http://www.pembehayat.org>

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**PEMBE
HAYATI**

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“GENERAL MORALITY”, STIGMATISATION AND VIOLENCE

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Transgender Sex Work, Stigma, Death and Psychiatry

Dr. Sam Winter

This conference is about sex work and human rights. My own paper is about transpeople. I mean by this word, and for this conference paper, people who identify in a gender other than the one that matches their birth assigned sex. I will argue that for many transpeople sex work occupies a place on a journey from stigma to death, and that psychiatry plays an important role in this journey. I believe this argument applies both to transmen (birth-assigned females who identify as men) and transwomen (birth-assigned males who identify as women). In this paper I will refer mostly to transwomen: they have been the focus of most of my work as a psychologist in South and Southeast Asia. It is also possible that they are more heavily involved in sex work than transmen are. Regardless, I do not mean to ignore the difficulties facing transmen, including those involved in sex work.

Transpeople (including transgender sex workers) often live on the edge of society and learn to live with violence and death. Worldwide, a transperson is murdered every two days; many

of the victims are sex workers. Worldwide, HIV prevalence rates of transpeople reach over 50%; many of the victims are sex workers. My question is: 'does Western psychiatry play a role in all this?' I fear that the answer is yes.

Transpeople often enter sex work because they have no choice. They do it to put food on the table, to fund their gender transition, and (in Asia at least) to support family members. If governments (and society more generally) recognised transwomen as women and transmen as men (and extended rights to them in line with this status) then it is likely that they would all have more choice for employment. Those entering sex work could do so through choice, not necessity. For this reason (and others) there are increasing calls for governments should recognise transpeople in their affirmed gender status. Arguably, they should do so even where those transpeople have not accessed health care. They should certainly do so without requiring transpeople to undergo sterilisation surgery. Unfortunately, only ten Asian governments extend legal gender recognition to transpeople as evidenced by their right to marry. These are Japan, South Korea, China, Taiwan, Singapore, Indonesia, Iran, Kazakhstan, Kyrgyzstan and Turkey. All these governments limit recognition to those who have undergone sterilisation surgery. It appears that access to such surgery is limited to those who have undergone psychiatric evaluation and have been diagnosed as suffering a mental disorder: Gender Identity Disorder.

Like many others concerned about the pathologisation of transgender identities, I argue that it is a human rights issue. Pathologisation turns gender difference into mental disorder, something all the more intrusive because it is people's identities that are being pathologised, not simply their behaviours. It promotes the view that transpeople are deluded about who

they actually are. It undermines claims by transwomen to be women, and transmen to be men. It undermines their claims for recognition (social or legal) in their affirmed gender, and their attempts to lead life in that affirmed gender. It promotes the idea that they may be cured by psychotherapy. It undermines their attempts to get health care to facilitate their gender transition. It encourages the view that, in line with stereotypes about mentally disordered people generally, transpeople are liable to be irrational, unpredictable and unreliable workers, not fit to take on responsibility. In short, it promotes (or supports) trans-stigma and transprejudice.

Some recent research underlines the link between pathologisation and prejudice. Together with a team of other researchers, I looked at people's perceptions about transwomen. The research involved 841 university undergraduates drawn from institutions in seven countries: China, Philippines, Singapore, Malaysia, Thailand, United Kingdom and United States. Participants completed a 30 item questionnaire examining a wide range of attitudes and beliefs concerning transwomen. There was evidence of transprejudice everywhere. To take examples from the most transprejudiced and trans-friendly of the Asian countries (Malaysia and Philippines respectively), 63% of Malaysians and 53% of Filipinos rejected the idea that a transwoman should be able to marry a man, 33 per cent of Malaysians and 14% of Filipinos rejected the idea that they should be allowed to work with children.

Interestingly, the 30 items appeared to tap five underlying themes (or 'factors'). These were 'mental illness' (the belief that transwomen suffer from a mental disorder); 'denial-women' (the belief that transwomen are not women, should not be treated as such, and should not be allowed rights as women); 'social-rejection' (general rejection of any social contact with

transwomen); ‘peer-rejection’ (a more specific rejection of transwomen as peers); and ‘sexual-deviance’ (the belief that transwomen are sexually motivated and promiscuous). These five themes were closely connected. There was very clear evidence of a connection between (on one hand) ‘mental-illness’ and (on the other hand) ‘denial-women’, ‘social-rejection’, and ‘peer-rejection’. Put simply, unwillingness to have any contact with transwomen (across a wide range of social settings), as well as a belief that transwomen should not be allowed rights to be treated as women, were both linked to the idea that transwomen are mentally ill.

The links (between, on one hand, pathologisation of gender difference and, on the other hand, reluctance regarding social contact and gender rights) were evident in all seven countries studied. They were very evident even at the level of individual items. One such item was ‘transwomen are mentally ill’. In the United Kingdom, the most trans-friendly of all seven countries, a student agreeing with that item was nearly twice more likely to deny that ‘they are as much women as other women’ (100% of students, versus 56% among those who rejected the mental illness idea). In the United States, the most transprejudiced of all seven, a student agreeing with that item was nearly 3 times more likely to ‘reject them being teachers’ (82% of students, versus 30% among those who rejected the mental illness idea). In Singapore, scoring in the mid-range for transprejudice, a student agreeing with that item was nearly twice more likely to ‘reject them as classmates’ (93% of students, versus 55% among those who rejected the mental illness idea). In summary then, it really does seem that there is a link between the idea that transwomen are mentally ill, and the sorts of prejudiced attitudes that are likely to discourage contact with them, and promote rejection of their claims to be treated as women.

Does the belief about mental illness actually cause the prejudice? We can't be sure from this study. There are at least two possibilities. On one hand the belief may prompt the attitudes. A person, because he believes transwomen to be mentally ill, may be disinclined to have contact with them. 'After all', he may tell himself, 'they are mentally ill, and I do not relish the idea of social contact with anybody who is mentally sick'. Similarly, because he believes transwomen to be mentally ill, he may be disinclined to support the idea they should have women's rights. 'After all', he may tell himself, 'if they are mentally ill they must surely be mentally ill men'). On the other hand the belief about mental illness may simply reinforce the attitudes. The person in question, unwilling to have contact with transwomen, may rationalise his unwillingness by taking the view that they are mentally ill, or else by way of the idea that they are really men.

Whether the pathologisation of gender difference prompts prejudice or simply reinforces it, the results of this study carry important implications for mainstream Western psychiatry. At a time when the two major manuals involved in the diagnosis of transpeople (DSM and ICD) are being revised, the links between pathologisation and prejudice revealed in this study are particularly important. What transpeople need (from future editions of DSM and ICD) is a means by which access to transition health care can be provided for those transpeople who need it, but without prompting or reinforcing the stigma and prejudice that underlies so much discrimination in transpeople's lives worldwide.

There might be several possible ways forward. The least radical would be to keep a place for transpeople in the psychiatric manuals but to focus the diagnosis on distress; the distress some transpeople experience in regard to their anatomy and

which drives them to seek transition health care. We can imagine that the diagnosis might simply be called 'gender dysphoria' (a term already well-known to transpeople and those involved in their health care). Transpeople distressed about their anatomy and seeking help from a clinic would surely be more comfortable being diagnosed on the basis of their distress than on the basis of their gender identity.

A more radical way forward would be to take an entirely new perspective on the mismatch between body and identity felt by so many transpeople, designating the disorder as a physical disorder rather than a mental one (one of body rather than of identity). Many scientists and clinicians, as well as many in the transgender community itself, view this as the right way forward, avoiding the stigma attached to mental disorder while at the same time protecting access to gender health care. Moreover, this perspective makes particularly good sense in view of the increasing body of evidence that transgender people may be biologically hard-wired at birth to grow up as they do.

Perhaps the most radical way forward would be to shift our perspective on transpeople away from disorder towards difference; not viewing any of this as a disorder at all, but simply as a physical condition in which some people live. At first glance it is difficult to see how this perspective could protect transpeople's access to gender health care. In fact, there is at least one common human condition that, for many experiencing it, demands access to specialised health care. It is pregnancy.

All three possibilities presented above (gender dysphoria, physical disorder and physical condition) would represent an improvement from current diagnostic practice. All three would remove the stigma attached to the pathologisation of identities.

All three would make it more likely that, worldwide, societies would accept (and recognise legally) transwomen as women (and transmen as men). Subject to less stigma, recognised as members of their affirmed gender, all transpeople would be at less risk of prejudice and discrimination, and less risk of being marginalised. The effect would be that those transpeople who did not want to go into sex work would have more earning opportunities to turn to. Arguably, seen as women rather than men, transwomen would be at less risk of suffering the scarcely veiled homophobia that lies at the root of so much violence against them.

Transwomen and their allies worldwide are increasingly working together to force diagnostic reform. It is to be hoped that the Turkish transgender community will throw its weight into the struggle.

Attacking “Morality: Ülker Sokak Experience

Demet Demir

The things that I will tell you belong to the period which goes back to twenty years ago. The pioneering force of the LGBT movement in Turkey started with the efforts of the trans community. When I first went to Taksim area, I first saw trans people there. Even though I started to enjoy the situation, the 1980 military intervention was done. The life was destroyed with the intervention. In this period, many feminine gays and trans individuals worked as singer at bars. An important part of this community was doing sex work. Both in this period and before 1980s, the living areas of trans were limited; there were only two clubs and pubs. At the same time, Abanoz Street existed. Both trans women and female sex workers worked in this area. In this period, trans started to invade Harbiye area and the living areas started to expand for trans. In the end, for the first time, before Ülker Sokak, trans individuals started to establish their own ghettos in 1985. In this period, trans sex workers could find their clients in clubs and in the streets. Afterwards, they started to invite clients to their houses and the street in Cihangir became an open brothel.

Many clients started to go to this area, everyone was inviting their clients to the area. Of course, this dream also did not last long. In a few years, the police who was on the side of sex workers since they were bribed, started to support the local people when they reacted in a negative way. In 1989, a very crazy person heading the general directorate of security in the city appeared. A woman named Gülşen Bağlan, started to work with the police and made them to raid the houses of trans. The raids were intensive and violent by hundreds of policemen as if they were directed to terrorists. Ambulances, fire brigades were everywhere. The police had scorpion guns in this period, doors were broken by them and people were dragged to the police stations.

In those days, trans were not locked in police stations for only a day or a few hours. Firstly, we were used to be taken to the district station, then to the second branch Office and afterwards to the hospital for health controls. This used to take a week or ten days for you. In these places, very difficult days under very bad conditions were experienced. In this period, the man called Black Tiger was very religious and a psychopat person. When trans were brought to his police station, which usually happened after their sexual intercourse with the clients, Black Tiger forced them to pray in this situation. Many trans could not finish their epilation process and they used to have their hairs on their faces which made this man to make fun of them. Trans were subjected to psychological torture: “Are you women now? You are men, you are sinful!” We had a friend who came from the home city of the chief police officer, Malatya; and the officer made her clean all the toilets of the station for fifteen days. She was severely beaten and left hungry for days. The same situation happened with the previous chief officer.

Trans people were militant in those days; even though they were not organised. A police could not approach to a trans

person easily. We did not have protection tools with electricity or sprays with us. We did not have mobile phones. We used to carry out bottles of alcohol or screwdrivers. We had chains or nitric acid to protect ourselves. If police tried to attack us, we used to break the windows of police vans or police stations were destroyed. We could protect ourselves only in this way. The oppression from the police was so high which made us use these methods. The police used to arrest us arbitrarily while we were walking on the streets, torturing in the police stations.

The sex workers' ghetto which was formed in Cihangir belonged to trans; female sex workers were not in this area. Trans created their own sectors with their own working areas. As I stated, this dream of us did not last long. Matild Manukian, the boss of brothels, appeared from the bad incidents. When we appeared, the clients of her brothels decreased. In this period, so many clients were coming from different cities of Turkey just for trans. Think that we were not even had make-ups, people were putting pressure on us to have sex with us, the situation was like this. When the situation appeared to be like this with a decrease in the number of clients, Manukian gifted a latest model Mercedes for the chief officer of the district to oppress us. Cihangir trans were dispersed because of the high pressure from the police, afterwards.

During this period of dispersion, many sex workers became open to attacks, many started to work on highways. The number of deaths started to increase in the same period. In the era of Ülker Street or Cihangir, we did not witness deaths. When problems occurred, we could help each other. If someone attacked one of our friends in the same area, we used to go and attack this person to deter him. The conditions were more primitive in Cihangir, we could not organize ourselves that easily. However, we organized our first march in Cihangir,

after many of our sex worker friends were tortured in police stations. We decided to file complaints to the prosecutor's office and almost thirty five people marched. The police started to block the street, still they could not stop us and we filed our complaints at Sultanahmet Court. Afterwards, due to other factors, we could not follow the case and the court dismissed the case.

We became more politicized in Ülker Street, we gained experience. The experience of cihangir ghetto was the first experience of us. We did not know how to act and how to move forward. It was also difficult to keep every single person in Cihangir area within the same thoughts in terms of organising them. In Ülker Street, there were a few people in the very beginning. This number increased to hundreds within two years. In this period, everyone was working for themselves; namely whatever they earned was owned by the same person. In the later period, the exploitation system appeared; in other words, some sex workers started to pimp and gain Money over the workers. When the owners of the houses which were rented by the sex workers realized that sex workers started to gain more Money, they increased the rent costs. The cost of a standart flat was twnety Liras normally, but later on it became sixty liras.

After the increase in the number of sex workers in Ülker Street, police raids started to happen. There was a man from the police department who leaded these raids, his name was Cabbar Sakarya. Raids were carried out with the allegation that trans sex workers opened their flats for terrorists to protect them. This was not true, of course, but was just an excuse. Many people during these raids were rescued from windows, roofs and balconies. A few months later, a woman named Güngör appeared and pretended to approach to the sex workers in a

positive way in the first instance. She had an apartment and offered sex workers, “I will give this apartment to you, make it work like a brothel.” However the building had flats in both sides and sex workers only wanted to hire the front side, she resisted and put pressure over us to hire the back flats too. Since we rejected to do what she ordered, she started to provoke the local people and the ultra-nationalists against us.

Another very tragic figure appeared in the same period, named Hortum Süleyman. I spend some time in the prison at this time. Whenever he took the post in the police department, he sent a message to me stating, “I made you spend two months in prisons, I will make you spend six more months.” Whenever he came to the district, the “morality” was changed. Those who were very good friends with us, who sold drugs, who pimped their wives or daughters started to become “moral”. There was a man named Kadir who had sex with all of us in exchange of money and he brought clients to us. When Hortum Süleyman started to oppress us, Kadir was the first man who attacked us. He started to shout “ You faggots, you will be cleaned.” He was calling us “Ladies”, in the beginning. There was couple, who sold drugs to sex workers, after Hortum Süleyman, they started to tell us “ We have a family, children, you are immoral and you should go.” There was a woman who worked in one of the bars as a sex worker, she also told us “We lost our morality because of you.”

When the ultranationalist mafia started to get Money from sex workers, many of the sex workers started to leave the street. We insisted on them not to move from their district. The mayorship belonged to Refah Party, which was an ultrareligious one; they also started to use violence against us. We even could not buy anything from the markets. They made our coiffeurs close down. Many people left the district,

I resisted. For a year, I stayed in my flat without any lights, to prevent people to think that I leave in the flat. The police started to wait in the entrance of the street, the local people started to hang Turkish flags and sing nationalist songs in the street. We were only seven people out of seventy who left already. Those seven people started to leave in my flat; the attackers started to argue that we would also leave in the end. The local people and neighbors, ultranationalist mafia, the police were all supporting these attackers. They broke our windows down and started to threaten us, stating “You will leave this street till the end of the year”. I resisted again but they started to stone my flat. Everyone left and we could not establish a ghetto again.

Sex Work and Sexual Violence: An Experience

Eylül Çevgen

As a person who has been doing sex work in Eskişehir, I would like to mention about the difficulties of doing sex work through an experience of mine.

People do sex work in Eskişehir in two ways. The first option is by going out to the streets and the second is via the internet. I am transwoman working through the internet. There are several difficulties of working through the internet. Firstly, workers do not know their clients. They negotiate via phones; they do not know who they are; whether thieves or murderers. When the situation is like this, sex workers always feel worried while working.

There is a man, who has gained his money through sex worker trans or gay men in Eskişehir, for approximately eight years. I have heard of this man from my friends. A month ago, he called me from different phone numbers and I negotiated with him thinking that he was a client. He was speaking in a very polite way. I described the way for my apartment. He stated that he had only two hours and that he came from İstanbul.

When he arrived in my apartment, his face and every part of him was covered. He was wearing a hat and he was in a camouflage. He entered in and stated, "It is not that difficult form e to enter to any apartment I want." As far as I understood, his aim was that he would stay in my apartment whenever he wanted, stay in my home and would make me behave as if he was my "husband". In short, his aim was to survive over my money. Upon this, I wanted him to leave my house but he rejected. Unfortunately, there were my sister and two gay friends of mine in another room. Another difficulty of doing sex work is that you have to earn Money even though you have your friends or relatives in your house.

The man did not know that they were inside and I did not want them to see this man. Finding a way, I told my sister and friends to lock their door because of this unbalanced man inside. I had to deal with this man for two hours. I was telling him to leave my house, but he always rejected. In the end, I asked him about what he smoke or drank. "Everything," he responded. I understood that I could not cope with him anymore. I was confused of everything and did not know what to do. He was playing with my psychological situation. "he was saying, "Indeed, I will not do anything to you," but he was harrassing me continuously with his hands.

I tried to resist him for a while. I tried hard not to let him to enter in a sexual intercourse without condoms. If you are in such a situation, you feel helpless and understand that you can do nothing else. After he raped me, I took his clothes from the floor and threw them outside of my apartment. He also went out by panic. The scandal I experienced in the apartment is another thing. He waited naked in front of my door in the apartment for almost twenty minutes. We, transwomen, already cannot find houses for ourselves and noone wants us to live in an apartment.

I cannot meet transwomen in Eskişehir continuously. Our working conditions are different, I work in my apartment while they work in the streets. I cannot go for the streets because I am afraid of this. After the last experience of mine, I have not been working for almost a month. the threats of this man deters me from working. He said, “I will find you, I will send my friend first, I will make you open the door and will enter your house.” “I will kill you”, he added. I have to do sex work because I do not have any other opportunity. I need to earn money.

The same man stabbed another trans sex worker two days later and he is free now in Eskişehir. The police does not do anything. I think this situation helps the police. Normally, they do not want to deal with trans sex workers and since there is a man – actually there are many of them – who deals with us, the police does not do anything after any incident. We are under threat.

When I visited the prosecutor’s office, the reply of the police was very interesting. He asked, “Are you into sex work?” I answered, “Yes.” He asked afterwards, “Did you reject this person in this silent way?” It is interesting that everybody expects us to be beaten or severely injured to be seen as raped. There was a perception that I was not raped.

All of what I experienced continued liked this. Most of my trans sex worker friends face the same incidents and as long as this system continues as such, we will be facing them continuously.



SAFETY AT WORKPLACE

“Sex Work and Physical Safety Problems”

Buse Kılıçkaya, Pembe Hayat Association

“Psychological Safety of Sex Workers After Physical Attacks”

Özge Yenier Duman, Human Rights Foundation of Turkey

“Sex Work and HIV from the UNAIDS Perspective”

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Şevval Kılıç, Women’s Door

Sex Work and Physical Safety Problems

Buse Kılıçkaya

Pembe Hayat Association, has carried out studies on sex work since its establishment. Activists, in the very beginning of the organisation process of Pembe Hayat, which is indeed an LGBT rights organisation, realized that sex work is in the midst of trans individuals and therefore they should own this issue in depth.

Pembe Hayat Association believes that, arbitrary arrests, the illegal interpretation and implementation of the Law on Misdemeanors, the negative experiences of trans prisoners, the prejudice of the judicial authorities, the vulnerability of trans individuals in terms of sexually transmitted diseases and the overt violence against trans by gangs or clients are all political problems.

The experiences lived in Eryaman; in other words the systematic violence of the gangs strengthened the own organisation of Pembe Hayat. The majority of the members of Pembe Hayat are trans sex workers. This reality paved the way for activists in the organisation to discuss sex work in detail and to raise awareness

on the issue. In the very first phases of the organisation which was a highly difficult process, the activists of the organisation were worried about discussing sex work in the first stage while gays, lesbians, bisexuals and trans themselves faced so many problems just because of their identities.

The slogan “We want a world free of bosses and pimps!” was used by the sex workers rights activists from the very beginning in Turkey. This slogan is very important because the real world where there are bosses and pimps causes an increase in the oppression against sex workers. It is obvious how this situation reproduces itself over capitalism.

The problem of morality always puts barriers in front of sex workers and rights defenders. While judging the concept of general morality, the discussions were around “whose morality this morality is”. The experienced examples are interesting as regards to the perception of morality and how it has been interpreted and implemented by public agents. For example; we witnessed that a sex worker and a mother of a child was beaten by the police brutally. The attacking police was humiliating the woman saying, “What kind of a mother are you? You cannot be a mother, you are being fucked everywhere!”. In other words, the motherhood of this woman was questioned because of her sex worker status.

I think that there should be a detailed research done as regards to the concept of mothership. The term “prostitution” cannot be limited in any way. Many women are being forced to clean their houses or to look after their children, at the same time are beaten or endure these problems just to get money from their husbands. We have to think about whether our mothers have to have sex with those men with whom they are forcibly married or not; and we have to demonstrate this situation’s

link with sex work. Because of these dynamics, we find a discussion on “who is more ‘prostitute’ or not” as dangerous.

Sex work is an issue on which there have been many discussions; but with no progress. From the very beginning as Pembe Hayat, we try to strengthen the organisation process together with other organisations and to establish joint strategies. During these efforts we have faced a huge resistance. We have been asking to human rights defender in general and to women’s rights defender in particular; about why they did not reacted in a similar way against the perpetrators of the violence against a sex worker. Being a “prostitute” is something to gain less support; at the same time it is a reason for being beaten or subjected to violence. We are still in the process of telling them that sex workers are human beings too and we are highly aware of that we have to carry out this discussion together with the broad society.

I have to state that I am a trans rights defender; but I was not a visible sex workers rights defender. Since others could not find an activist to read the opening statement in the very beginning of the panel, I read the same statement with my visible identity. It is highly difficult for sex workers to visibilize themselves in a country where being LGBT means difficulty.

There are many human rights violations against sex workers and we can mention these violations as follows: Firstly, starting from a few years ago, sex workers are started to be fined arbitrarily based on the Law on Misdemeanors. After the establishment of Pembe Hayat, sex workers, who were raped, thrown to outside of the city naked or tortured by the police in police stations, started to file complaints against the perpetrators. Against the active participation of sex workers to the judicial processes, the police started to use another strategy; namely fines. It is not

illegal to do sex work according to the Turkish legislation; the crime is to intermediate for prostitution. However, sex workers have to go in the streets and do sex work to earn the money back which is taken from them by arbitrary fines. In this way, the state pushes sex workers in the streets and this can be perceived as intermediation by the state.

In the long years, brothels were closed down, those sex workers who used to work in brothels started to work on the streets. This condition paved the way for insecurity against sex workers. After any kind of harrassment, when sex workers bring the case into the courts, they are said “water jug is broken in the way towards water.” When a sex worker is raped or subjected to murders, the courts started to apply unjust provocations to decrease the sentences of the perpetrators. Only about myself, there are five different cases opened just because I am an LGBT and sex workers’ rights activist.

During the project implementation period in the past few years, I carried out reporting work in the field and I was arrested just because of this work of mine. Just because I am a human rights defender, just because I am in solidarity with my sex worker friends in the police stations, I experienced violence in a more severe sense. When I filed complaints against the perpetrators, I faced with the tactics which were applied to socialist students in the past; the perpetrators filed complaints just before me to deter me. Afterwards, the prosecutor’s offices ignored my complaints while they turned the complaints of the attacker police officers into cases. There are several cases like this opened against me.

The condoms that we distributed and which were obtained from the Ministry of Health based on our joint projects were used as excuses by the polices and our houses were raided

based on the allegation that we are “prostitutes”. The state, on the one hand encourages us to do projects on distributing condoms, but at the same time sends the police to our houses to raid us.

The experienced problems are hurting and serious in terms of rights violations. I would like to tell you a story of one of my friends with the intent of wrapping up my speech: “I did not do sex work for years and I have never wanted to do it. Once, I had to do, I needed to earn money and survive. I went in the street, even though I did not know how to speak to clients, I negotiated with one of them. I got on his car and they were two people. I was kidnapped to a forest, was raped several times, faced the death and did not know what to do. They left me alone and naked. I tried to recover myself and went on another street to find a car. I made a minibus stop, the driver stopped his car and made me feel that he was trying to help me. After a while, he forced me to have sex with him. I thought, if I rejected, I would be left alone in the forest, if I accepted, I would at least come to the city center. I accepted!”

This scenario has been experienced by many sex workers and I would like to reiterate against this reality: As sex workers in Turkey, we will stand together and will struggle against all of the words you say just to hurt us.

Psychological Safety of Sex Workers After Physical Violence

Özge Yenier Duman

We know that severe violence is used against sex workers by state or individuals like gangs or ordinary persons. The results of violence applied by the police, gang sor clients are not mainly physical signs. This violence mainly causes psychological pains.

Even though we are aware of the fact that violence is spreaded, that we are victims as sex workers, LGBTs, activists; we hope that we will continue our meetings as such in a calm way. We do not expect to witness arrests by the police or bombings while speaking here. Because, even though we may expect things in the real world that may make us uncomfortable, we want to trust to other people, ourselves and to the world by saying, “ It does not affect me.” If the opposite situation arose, we would be living in a continuous alarm and distrust. Even though a person may guess of such dangerous situations to happen, the occurance of violence creates a huge horror for the person. Violence produces results which affect the control mechanism of the body, life and existence of a person within

a society. As a result of this, an intensive fear, horror and desperation emerge.

In childhood, I mean early childhood period, if a child was not subjected to some intensive violence or traumas, if he/she was provided assistance for his/her physical or emotional needs, a structure which is named “basic trust feeling” emerges. Violence and the resulting traumatic processes negatively affect this basic trust feeling of every person and may create implications which severely destroys the ground we step on. Because, in such incidents, it is not possible to resist or to escape. Basic defense arguments do not help the person in this point.

We mention about a specific single incident when it is about a sudden and unexpected situation. But, while there may be people who can be subjected to a single incident, there are also individuals who experience regular traumas as we witness about activists in political struggle. Another example is about women who are subject to violence inside their houses and they experience long and continuous traumas.

In fact, we are all subjected to unending traumas due to the conditions in Turkey; but we should not undermine the severe violence experienced by many people while mentioning about the conditions in Turkey. As I stated, all of us experience many negative processes, but some of us experience things which may change the psychological structure of a person together with facing the horror.

In such situations, the testimony, viewpoint and response of the social structure surrounding the traumatized people are very important. An important portion of the victims cannot explain their experiences in a detailed and comfortable way.

They are faced by a rejection attitude when they tell about their experiences. They may be faced by accusations about that they exaggerate the heaviness of the incidents or that they never experienced them. Because of this reason, it is very difficult for the victim to voice the process they experienced. In other words, the society does not listen to what is said, does not want to see or listen to and blames the victim instead of the perpetrators.

Together with these realities, victims want to forget their experiences because of the negative psychological effects they impose. To remember is very uncomfortable for victims. To be subjected to a serious violence cannot be hidden or invisibilised for them; so it is not possible to forget them. The dichotomy many of the victims experience is that on the one hand they want to forget incidents or they are silenced by the society, on the other hand they want to voice their experiences. This contradiction produces some indicators. These indicators may create some incoherences which make the psychological situation, behaviors and reliability of the victims be questioned. Because, the victim who tries to forget may not remember some parts of the story and may tell these parts in different ways. This process emerges as a result of discontinuity. The psychological trauma as a result of violence, creates a rupture between the mind and the emotions of the person; and the person may not present any emotional reflections. The witnesses may argue that the person did not experience such an incident by thinking that the victim should have demonstrated attitudes in fear or desperation. Sometimes, the opposite situation may arise; in other words, without any remembrance of the incident, the emotional reaction may be remembered. This situation, may create emotional reflections which makes the life of the victim more difficult.

So, what kind of a psychotherapy or betterment method can be applied as regards to the negative effects of continuous traumas? Obviously, it is not possible for us to move forward by technical psychotherapy method; because the traumatic processes proceed over personal relationships. The fixation of traumas that emerge as a result of personal relationships can only be possible through personal contacts. Psychotherapy can be used as a part of this process; but the readiness of the society to positively respond the person is significant for the improvement of the victim's psychology.

One of the most important factors about the psychological trauma processes that are experienced by sex workers is the issue of safety. The physical security, sheltering conditions, working conditions, frequency of re-subjection to violence and the type of violence against sex workers may eliminate the positive effects of a rehabilitation work. After the 1999 earthquake, there were discussions on how psychologists/psychiatrists carried out their works when the very basic needs of the victims were not responded. These discussions were pointing the fact that while people could not have places to accommodate themselves and that they face destructions, the attempted rehabilitation works would be problematic. The same is relevant for sex workers; as without establishing the safety of sex workers, any kind of treatment would not serve for their betterment. We have experienced such cases in Human Rights Foundation of Turkey several times. We observe that the violence that causes traumas do not disappear for many of the victims. We carry out meetings with victims; but after a while, we witness that they do not come to the foundation since they are mainly threatened by the perpetrators not to attend the meetings. In fact, we also know that it may not still be possible to tell about the trauma and violence experiences even in safe places. Inner dynamics of individuals may prevent

the person not to tell about the personal experiences. The addition of external factors to this inner prevention may encourage the situation to be more complex.

We also have to think about the messages given by violence incidents. The messages mainly refer to the possibility of reiteration of the violence for some people because of their differences, as we focus on while mentioning about hate crimes. “Don’t live as such, change yourself, otherwise you will face the same threats, “ or “ Don’t be like him/her, otherwise you are going to be targeted, too” messages are usually given to the victims. Therefore, the psychological betterment of the victims, can only be realized through collective efforts together with personal processes. Otherwise, it is not possible to proceed.

I think that we should also mention about the problematic attitudes and behaviors that trans sex workers face in hospitals. Because of these attitudes and behaviors, trans sex workers cannot go to the hospitals. Because they feel a threat. Sometimes, you may not face physical attacks, but otherisation and humiliation puts you in traumatizing processes.

Following this example, we can say that the victim may start to have a serious anger towards the situation, to perpetrator and to the society which ignores everything. This anger is understandable and it is precious. It is also important to focus on the direction of this anger because sometimes anger may target the victim him/herself. Victims may enter into situations which directly harms her/himself by like not keeping him/herself away from some of the risks such as using drugs or attacking her/his body. Sometimes, because of the continuation and the repetition of the violence, the victim may find him/herself in the side of the perpetrator. In this

case, violence is reproduced by the victim him/herself without any attack by the perpetrators. The important thing is to make use of our justified anger by carrying out activities or attempting to be better by not choosing the same side with the attackers.

Sex Work and HIV from the UNAIDS Perspective

Ela Aktürkoğlu

I. UNAIDS Basic Principles for Sex Work and HIV

I invite every country to implement laws that prohibit discrimination against people living with HIV and vulnerable groups and to realize the promises they have given...

In countries where there are not laws protecting drug users and men having sex with men, only a small portion of the population has Access to prevention efforts. In contrary to this, in countries where these people's human rights are protected and ensured by laws, more people can make use of services. As a result, less infections are observed, demand for antiretroviral treatment [HIV treatment] is less and death numbers decrease. Not protecting these groups is not only anti-ethical but also is against rationality from the society health perspective. Because, the harm that will emerge will affect everyone of us."

Ban Ki-Moon, *UN Secretary General*

In a world, where most of HIV infections are transmitted via sexual relations, sex workers and their clients face a higher

HIV risk. The reason for this is that these people have more sex partners. The vulnerability situation against HIV infection as a result of sex work covers female, male and transgender individuals.

Even though the link between sex work and vulnerability against HIV has been known from the very beginning of the infection, researches demonstrate that sex workers do not have sufficient access to HIV prevention services. In addition, it is believed that sex workers' access to suitable treatment, care and support is limited.

Sex workers are “female, male or transgender adults or youngsters who frequently or sometimes obtain money or goods in exchange of sexual services.” In many countries, laws, politicians, discriminatory implementations and stigmatizing social attitudes push sex work underground. This situation harms the efforts to reach sex workers and their clients through HIV prevention, treatment, care and support programs. Sex workers do not have access to health services, male and female condoms, water-based lubricants, protection methods that are applied after unprotected sex or rape, administration of sexually transmitted diseases, treatment of drug addiction, protection from violence and exploitation and social and legal support. The harassment of the police is usually added to the limited access to services. Registered and unregistered migrant sex workers face heavy barriers because of language difficulties, exclusion from local existing services and minimum contact with support networks. In places where HIV information and services are accessible for sex workers, these services are not in line with human rights standards and they do not include clients, controllers and executives of the sex industry or do not pay attention to the local social and cultural context.

Similarly, in many countries, formal policies focus on punishing or decreasing the number of suppliers and ignores the demand for paid sex.

While focusing on HIV within the context of sex work, policies and programmes should not be just focusing on the needs of sex workers, but at the same time they should pay attention to factors that increase the demand for paid sex.

We approve the rights of sex workers to leave sex work and meaningful access to other employment options whenever they want. Governments, private sector, civil society, sex workers' organisations, donors and the United Nations should pay effort for sex workers to gain needed abilities, education and employment possibilities to make use of human rights in its full sense. Whatever the legal status of sex work is, an approach which relies on human rights should be applied.

Within the context of HIV, when the issue is about the status of women and children, sex workers, drug users and men having sex with men, international human rights norms and pragmatical public health goals may require states to take controversial measures. But, all states have the responsibility to determine how they should best protect public health and human rights responsibilities within their special political, cultural and religious context.

International Guiding Principles About HIV/AIDS and Human Rights 2006

Researches and pragmatical experiences demonstrated that it is possible to decrease HIV infections related to sex work. Still, the number of national policies and programmes that focus on the needs of sex workers and their clients; and their potential contribution to national HIV struggle is highly low.

States should be encouraged to develop programmes needed to decrease the HIV risk and disability of protection against HIV.

UNAIDS relies its efforts as regards to HIV and sex work on three principles:

1. Ensuring global reach to comprehensive HIV prevention, treatment, care and support services.
2. Building supportive environments, strengthening collaborations and increasing options.
3. Decreasing vulnerability and focusing on structural problems.

In parallel with HIV prevention, treatment, care and support services which are approved within HIV/AIDS Policy Document dated 2006, comprehensive programs that are fed by evidences for sex workers and their clients should be spread. Sex workers have shown their interests and abilities to take active part in these kinds of efforts. In places where social and health services are provided and sex workers take active part in efforts of ensuring global access to HIV prevention, treatment, care and support services, HIV incidence decreases. Migrant sex workers should also be able to make use of these services. There are some organisations that provide services for migrant sex workers. For example, TAMPEP [European Network for HIV/STI Prevention and Health Promotion Among Migrant Sex Workers] operates in 25 countries in Europe.

States should ensure the consultations with societies in every phases of designing, evaluating, implementing programs and the realization of activities of civil society organisations in ethical, legal and human rights fields through political and financial support.

International Guiding Principles About HIV/AIDS and Human Rights 2006

The UN system, recognizes and supports significant contributions of civil society organisations including the organisations of sex workers, for the development of progressive and effective HIV responses. UN High Commissioner for Human Rights emphasizes: “Development strategies should authorize citizens, especially the most marginal ones, in terms of voicing their expectations from the states and appointed officials.” Within the context of sex work, the authorization of societies and their inclusion, requires sex workers to take part in design, research, implementation, monitoring and evaluation processes of policies and programs that affect their lives and to accept that efforts of global access to HIV prevention, treatment, care and support services will not have optimum effect.

States should take measures to decrease stigmatization and discrimination surrounding HIV and to encourage supportive and positive environment by focusing on prejudices and inequalities within societies.

International Guiding Principles About HIV/AIDS and Human Rights 2006

HIV and sex work are complex issues and they should be understood as such. Service provision to sex workers and their clients generally face cultural, religious and social resistance and barriers that are complex and deeply rooted. To delay taking action against these factors will servet o continue harming the global response to HIV, even though it is not possible to eliminate these barriers in a day.a sustainable progress can be made through sincere dialogue and actions informed by evidences to have global access to HIV prevention, treatment, care and support.

2. HIV Prevention Principles for Sex Workers

In many parts of the world, sex workers have been one of the most affected and vulnerable groups as regards to HIV since the emergence of AIDS.

It is important to target sex work environments as regards to HIV prevention and care initiatives because sex work environments are places or social Networks where sexual services are provided in exchange of money or goods. In many places, sex work environments have become more visible through frequent change of sex partners, low level of condom usage, unprotected sex and high level of sexually transmitted diseases. Indeed, some of sex workers and clients have very risky behaviors such as drug usage.

Social and legal status of sex work may create situations when sex workers can have low level of control over their working conditions; and this creates barriers in front of them in making use of health and social help services. At the same time, stigmatisation and fear which are usually connected with HIV, contribute to a visible hesitation in terms of applying to services against HIV.

In places where HIV rates are low, there is an opportunity window to implement the prevention measures. It is highly important to carry out effective prevention methods besides treatment, care and support to prevent new infections, to struggle with stigmatisation and to increase the level of survival, in places where most of sex workers are infected.

Strategic Framework

The variety of sex work environments requires flexible and locally adopted responses. But, according to the experiences, efforts of HIV prevention in sex work environments should target:

- Increase in condom usage and safer sex,
- Increase of participation and control of sex workers in working and social conditions,
- Decrease of the burden of sexually transmitted diseases,
- In a more comprehensive way [besides HIV prevention], interventions should be built on opportunities which may better the general health and welfare of sex workers.

Aims	Urged results [For sex workers and clients]	Examples of service components [works for a more comprehensive service range as the programmes become maturer]
To decrease unprotected sex	To increase the usage of safe sex and condom usage	<ul style="list-style-type: none"> • peer education and condom promotion events • condom policies in sex workplaces • other strategies for a safer sex and to decrease disadvantages
More active sex workers	Increase of control and participation of sex workers over their working and social conditions	<ul style="list-style-type: none"> • peer network support • social mobilization • prevention of stigmatisation and discrimination • condom policies in sex work places • other structural interventions
To decrease HIV infection effectiveness [when condoms are not successful or are not used]	Decrease of the burden of sexually transmitted diseases Increase in health and welfare	<ul style="list-style-type: none"> • sexually transmitted diseases scan and treatment services for sex workers • reproductive health services [family planning inclusive] • HIV treatment and care services • Harm decrease and drug treatment • ARV treatment • Other health or social services

Main Principles

Despite the variety in sex work environments, when the current best implementations related to sex work are analyzed, it is evident that below main principles should be followed as they contribute to effectiveness and sustainability:

- To follow a non-judgmental attitude,
- To be sure that interventions do not bring harm,
- To ensure that everyone respects the private life, privacy and anonymous situation of sex workers,
- To respect sex workers' human rights and to ensure their honour,
- To respect the views, information and life experiences of sex workers,
- To include sex workers and other members of the society in all development and implementation phases,
- To accept that sex workers are highly motivated and that they are the parts of the solutions in terms of their health and social welfare,
- To increase the capacity and leadership abilities of sex workers to ensure effective participation and social ownership,
- To recognize the role of clients and third party individuals in HIV transfer; in other words, to target not only sex workers but also all members of the sex work environment,
- To recognize the variety of individuals within sex work environments and to adapt to this environment.

3. Legislation and Commercial Sex [Europe]

Legislations and policies which prevent sex workers to make use of health and social services and that limit the control

of sex workers over their own working conditions should be reviewed and eliminated.

Obviously, daily lives, working conditions, personal security, earned money and relationships with the police of sex workers are highly influenced by legislations about sex trade and their implementation types. In many European countries, prostitution is not criminalized; it is almost criminalized in a de facto way through limitations and bans on organising sex work, promotion or making use of the earnings of sex workers.

Phrases used in laws – it shows differences among European countries – and the limits of legality or illegality needs discussion. In addition, the implementation of laws Europe-wide, shows differences among countries. But in general, those who are responsible for prevention of HIV in sex trade, show that relevant legislations are barriers themselves in front of safe sex.

Compulsory Testing and Registration

Legislations which requires forced testing and registration, create barriers in front of sex workers as regards to their health and care.

Greece is the country which has the most rigid rules for registered sex workers, sex workers are subjected to forced health scanning twice a week. Consequently, most of the sex workers are not registered because whenever they register, they become open for prosecution. All health services and HIV prevention activities are only accessible for registered sex workers. This model is not an effective way for public health: There are approximately 400 registered sex workers in

Athens; on the other hand there are approximately 5000 sex workers who are not registered. Currently, due to the works of local coordinators of EUROPAP, by-laws are reviewed and are implemented in a more flexible way. Health services and prevention activities will include not registered sex workers too.

There are approximately 50.000 registered sex workers in Germany and these sex workers regularly make use of health controls in health institutions. These health controls are compulsory according to laws on Combatting venereal diseases. However, it is thought that 150.000 more people are included in the sex industry. Registered sex workers usually complain about the ignorant attitude and approaches of health professionals; this attitude and approach destroys the trust in health services and prevents the provision of better health services. Other experiences that are obtained by combatting sexually transmitted diseases demonstrate the limits of compulsory health controls.

Compulsory testing system for sexually transmitted diseases creates a two-strata system as registered and unregistered sex workers and the access of unregistered sex workers to health services is limited in this system.

HIV Positive Sex Workers

Legislations which bans HIV positive individuals in doing sex work negatively affect HIV prevention efforts. There are legal measures to prevent HIV positive individuals not to work in the sex industry. As experienced in compulsory testing, these measures may create problems for infected sex workers as they hide themselves more frequently.

This situation will for sure prevent the access to health services because HIV positive sex workers face legal punishments whenever they declare their work; instead, these individuals are pushed to underground works. In contrary to legal limitations, HIV prevention projects support an open and trust-based approach through which sex workers can discuss their problems freely.

Many sex workers who are HIV positive will have to work as sex workers. Prevention projects may help these sex workers to work in safe conditions and to accept safe sex implementations by providing them with the possibility of discussing the options sex workers have such as alternative jobs. But, in cases when HIV positive sex workers continue to do sex work, HIV infection risk for clients is really low. This situation shows how important it is to educate the clients to encourage them to own responsibilities to reduce the risk.

Looking for Clients; Promotion of Prostitution

Laws and by-laws that regulate looking for clients [promotion of prostitution] should not support insecure working conditions for sex workers.

In many European countries, there is no permission for overtly attracting the attention of clients, which is promotion for prostitution. The implementation of these laws differ from country to country and also within the countries. As in the case of Ireland, this situation may result in unsafe working conditions for sex workers.

In Ireland, promotion of prostitution is criminalized both for sex workers and their clients and since 1993, the police has the right to force individuals who are thought to be doing sex

work in the streets. This situation created a situation where the negotiation time with the client is decreased. As one woman said, “In the past, we were looking for clients, now we also have to look whether there is the police around or not.” If a woman is accused for doing sex work, she is subjected to high level of fines which results in more street sex work to be able to pay these fines. In these cases, intermediators provide protection and pay the fines.

The same examples are also valid for England and Wales; a legislation in these countries which bans waiting in the streets to find clients, decreased the time for sex workers to negotiate with the clients. Many women in Belgium work as waitresses in pubs formally not to violate the laws. In Germany and the Netherlands, it is permitted to seek clients in certain areas. While determining these places, due to the pressure coming from the local public and the politicians, places are determined by ignoring the demands of sex workers. In some countries, carrying condoms is perceived as an evidence for promotion of sex work. It is clear that these legislations create significant barriers in front of suitable conditions for safe sex work.

Surviving Through the Gains of Those Pushed Into Sex Work; Intermediaries.

Laws that criminalize making use of the gains of sex workers, may result in unsafe conditions for sex workers. According to the European Law, another common feature is intermediary status which is explained as “making use of the gains of those who are pushed into prostitution.” There are examples which shows that this kind of legislation prevents sex workers to work in safe conditions. In Paris, this legislation was used to close apartments and hotels down which were around a traditional sex trade area.

Sex workers were forced to move to outside districts of the city where they are excluded more and that their safety is less. These laws increase social isolation of sex workers, prevents these sex workers to live together with an adult who gain their survival from the gains of sex workers.

This law makes the relationship between a sex worker and an owner of a brothel a crime; in this case sex workers cannot make use of the rights of a worker and the employers have to reject the job relationship with a sex worker. For example, in Germany, some sex workers do not have the right of accessing social and medical services just because of this reason.

Illegal Sex Workers

All legislations that prevent the access to health services and prevention programs should be eliminated. All European countries have rigid migration policies against non-Europeans. But, many people enter these countries in illegal ways. Many of these illegal migrants who do not have work permissions and face deportation risks, survive as sex workers and they work in very bad conditions.

Projects for sex workers should be able to reach sex workers and they should enable these sex workers to access health services without facing any police interventions.

HIV Prevalence

Keeping the fact that HIV can spread through sexual ways in mind, it is thought that sex workers have a higher risk of HIV infection as they have more sex partners. In addition,

it is perceived that sex workers are tools for HIV infections among their clients and that they play an important role in spreading the virus among heterosexual population. In many of the European countries, this understanding survives. But, reasearches done in many countries show that HIV prevalence among sex worker women who use drugs is low and that condom usage rates are high. Another research, on the other hand, demonstrates that HIV prevalence among men and women who migrate from endemic regions is high.

In the sex industry, the ability of implementing safe sex rules is affected by several factors. For example, the demand of clients for unsafe sex, urgent money demand, alcohol addiction, housing problems, illiteracy, lack of resources, being young, can be counted among these factors. It is not possible to differentiate sex workers who are under low and high risk. Projects that encourage safe sex in the sex industry are very much important for sex workers and their clients; because of this reason, the barriers in front of sex workers' Access to health and social services should be minimized.

Special Health Services for Sex Workers

In none of the European countries, the existing health services cannot meet the needs of sex workers. Because of this reason, the issue of the development of specific services and their introduction should be discussed. Under the light of this discussion on the existing health services, it should be cared to provide health services for sex workers in order to optimize the ability to access services. This need is evident in many European countries.

Sex Work and General Strategies

Şevval Kılıç

Women's Door is an institution which provides assistance to sex workers. Even though the institution does not have a specific choice for assistance among sex workers, mainly we provide assistance for trans sex workers. Still, non-trans men and women sex workers also visit the institution for obtaining assistance.

Women's Door believes in that sex work is an occupation and sex workers will only be able to get equal social rights as other citizens in this way. The institution started its work by focusing on particularly on HIV/AIDS and on sexually transmitted diseases in general. In the first ten years of its work, the institution carried out works on self-care and protection within the scope of sexually transmitted diseases.

Since 2000s, after an increase in hate crimes against trans individuals and in heavy rights violations in terms of social exclusion, the institution started to focus on rights activism. While doing so, we produced brochures as for safety of sex

worker in the workplace with the assistance and advise of organisations outside of Turkey. For example, through these brochures, we encouraged sex workers for not to wear high heeled shoes, not to use hooked earrings or necklaces which are made of heavy metals, and to establish direct eye contact with clients.

Based on the latest researchs, we learned that is is important to focus on the pre and post intercourse periods of men. The situation is called “post-ejaculation syndrome”. We can interpret this syndrome as a situation when men want to distance themselves from their partners after ejaculation. This situation lasts for minutes for young men, for men who are in their 30s it lasts for hours and for people who are above 40s, it lasts for days or weeks.

Trans sex workers’ rights defender think that violence and murders against especially trans sex workers occur especially because of this syndrome. It is important that sex workers should be careful about people with whom they enter into an emotional relationship, apart from their clients.

It is not possible not to be demoralized by arguments of groups who identify themselves as “progressive” – such as of Marxists, socialist feminist or Marxist feminists – against sex workers. Indeed, while we mainly that that we cannot explain ourselves to those groups which are right-wing or religious, it is hurtful that we face these arguments from above mentioned groups. The struggle and the arguments of sex workers are all about the human rights struggle and it is important that every group or person who think themselves as “progressive” should take active part in this movement.

Especially for those discussions entered with socialist feminist groups, we have to state that we also demand a world free

of classes, but while demanding this world, we have to use our arguments. We accuse those people with socialist feminist hesitations, keeping the realities of today's system in mind, for being elitist and for pretending to be politically correct. Personally, I think that the main aim of patriarchy is to control every activity of vagina. Therefore, every activity of vagina which are not related to reproduction should be supported.



WHICH FEMINISM: “WHERE ARE SEX WORKERS IN THE FEMINIST MOVEMENT?”

“Sex Work and Feminist Movement”

Eylem Çağdaş, Women’s Door

“Sex Workers as Agent of Feminism”

Müge Yetener, Socialist Feminist Collective

Sex Work and Feminist Movement

Eylem Çağdaş

The discussion of sex work issue over women's movement and feminism and its continuation for years shows the difficulty of development. In the past few years, topic were opened in several platforms and the agents of different approaches to sex work used to discuss their relationship with sex workers. The reason for this can be that both sex workers and feminists have not found a common ground within their communities. The topic of sex work should have been a subtopic for the feminists years ago and a strong interaction should have been established between the women's movement and the sex workers movement.

However, there are examples which show that the gaps between the two movements can be filled in. For instance, three years ago when we firstly went out for the rights of sex workers, we were twenty five people. There were some individuals and organisations that supported our struggle and activists from Amargi and Socialist Feminist Collective were within the supporters.

Apart from this example, Amargi focused on sex work within her magazine and tried to bring some intellectual analysis. This situation was the indicator that feminists has been paying efforts on the issue. In addition, the candidacies of sex workers from Istanbul for the elections were supported by the feminists and this should be noted as a sincere effort.

Still, whenever we come together with the representatives of the feminist groups, we face the same question: “Is sex work a work?” These arguments are supported over the understanding that whenever we name “prostitution” as “sex work”, the commodification, slavery and rape against women will be legitimed. Even we just mention about the concept of sex work, we immediately experience a resistance. In fact, this approach of them is the one which legitimizes rapes against women; in other words, any view which questions sex work from a moral perspective legitimizes violence against women. The most friendly groups even reject the discourses of sex workers. Sex work field, which has already been left to injustices and chaos by the state, is also left alone by everyone.

I think that an example can explain this situation better. We, as Women’s Door and Istanbul LGBTTT, had a very good relationship with a political party that named itself as socialist feminist and we jointly organized several actions against trans murders and arbitrary fines. When we heard about that a part of Bentderesi Brothel in Ankara would be closed down, we wanted to organize an action to raise visibility on the case. During the preparation phase, on our placard, “Sex Workers Rights Are Human Rights, Brothels Cannot Be Closed Down” was written. The same political party that had supported us did not support us, stating that brothels should be closed down and that we should not legitimize sex work. Afterwards, some incidents happened. A sex worker in Cihangir district of

İstanbul was murdered. A week after, a murder was committed in Ankara, too.

I think that since we always discuss whether sex work is a work or not prevents us to discuss the problems of sex workers. To talk about this issue followign the moralistic values and to resist about this means to push sex workers into deaths. We want to legitimize sex work since it is legitimite as any other work. But, we do not idealize it. The very basic demand of us it that sex workers have the same rights with others and that justice is applied to sex workers too. The proper implementation of the existing laws even would improve the conditions of sex workers. We are not even in this phase unfortunately. Even though we are visible with our non-marginal demands like the rights of social security, health insurances and right to life, we are always ignored.

In fact, the connections of every social movements are poor with their base. We always see similar faces in every movement and this should have a meaning. Personally, as for any movement, I would like to see women apart from intellectual or university circles within the feminist movement. I would like to see that the feminist movement is a grassroot movement and currently there are efforts to ensure this.

I think that the sex work field is one of the spaces where the feminist movement can socialize itself. I do not have the intention of idealizing it; however I believe that every sex worker is a feminist militant and activist. Because the socialisation of sex workers is away from the structures of the system and is more suitable for a new life and for new social movements. Still, we observe that there are limitations for the feminist movement ot increase its supporters within sex workers. It is highly sad that the feminist movement which wants to eliminate murders

against all women cannot reach sex workers. In other words, even though I believe that the feminist movement is sincere in producing discourses as regards to interconnection between mind and society, their efforts are weak

Sex workers society itself is a very broad commune. Even though we cannot say that it is an action commune, it is possible to argue that it is a commune of people who know each other. Many of them live in the same flats together. For example, migrant sex workers have the culture of living together and of supporting each other, like the Philipino and African migrants. The feminist movement should produce discourses on the same grounds that have a connection with these groups and it should establish a structure that can coordinate different women groups. But, the feminist movement is highly away from this ability.

While mentioning about all of these, we should also focus on the lacking points on the side of sex workers too. For example, we witness that the number of sex workers are low in events we organise. They either do not have the information of the events or they are not interested in these events at all. In fact, ideological tensions which are efficient within the society are also evident among sex workers. While sex workers should have been in different positions following their life practices, they face difficulties in developing their subcultures.

All of these factors are about the structural poverty. These reasons, as I mentioned about before, are also about the limited effects of the feminist movement. The problems are experienced as a result of the fact that the culture of the society is exhausted and the opportunities to produce subcultures are eliminated. While discussing these problems, I need to reiterate my hope that we should stop discussion sex work but should focus on the problems of sex workers.

Sex Workers as Agents of Feminism

Müge Yetener

I would like to start by stating that it is not easy to talk about sex work and to draw lines with exact “rights”.

While on the one hand the difficulty arises from our judgements on sexuality and work in this field; on the other hand it is created by our moral taboos still another difficulty is about that this field is a huge sector including pornography and human trafficking. In other words, the problem is not about a person’s selling sex to get money, but some other’s exploitation in national or international arena to get profits over them.

Prostitution is defined as selling sexual services in exchange of money or goods/services. But, we know that there have been many marriages because of economic reasons or without voluntary partnerships and that violence, rape and incest is a part of marriages from the legal processes.

Patriarchy continues its power by controlling women’s body, labour and sexuality, while placing its sovereignty

over the fact that its practicalities are not transparent. The most important part of these non-transparent practices occur within households. Women use labour in households without recompensation and their labour is invisible. Women generally look after children, elderly people and adult men. Even though the labour they usually spend have a high level of price, these women do not have any social security or retirement rights. Men, on the other hand, earn free time, job promotions and carrier opportunities.

Patriarchy commodifies women's bodies as the symbols of men's honour and establishes these bodies as the fields for testing the manhood.

Feminist politics, indeed, shows that marriage, motherhood, sexuality – which have all been kept out of the politics by being argued as “private life” – are parts of social power relationships. It also refers to the fact that the relationship between “to oppress” and “to be oppressed” between men and women is reproduced via these power relationships in these fields.

Patriarchy, establishes its own ideology by building contrast womanhoods between women and by making this reality internalized. Lazy/harworking, housewife/working woman, housewife/daily servant, beautiful/ugly are the first examples that come into one's mind. For sure, it is possible to count more examples. In short, womanhood is not just an existence formed over “not being a man”; but also over other “womanhood”s.

The most visible antagonism between womanhood situations is the dichotomic antagonism between virtuous and impure women. In this way, women's labour, body and sexuality are all controlled. Thus, while “honour” is secured through marriages, women are persuaded - mainly by violence - to provide

voluntary labour for household works, to step back from the public sphere, to sell their labour in a cheaper way. Patriarchy controls women's labour, body and sexuality by using violence. While the dichotomy between virtuous and impure women pushes sex work outside of the public sphere by stigmatisation and making it invisible, at the same time it paves the way for threatening and controlling the women inside households. It is beneficial, therefore, to understand the relationship between low-cut dress and rape from this framework.

The main reasons for sex work are, the low level of employment among women [below 20%] and poverty, the belief in virginity, exclusion of raped women, honour murders, the lack of shelters for women, transphobic discrimination in employment. Because of this reason, I think it is more suitable to perceive the topic outside of the dichotomy between "free personal choice" and "victimized slaves".

To reduce the reasons of sex work to free personal choice will make basic factors that are counted above more invisible together with patriarchy. On the other hand, perceiving the issue from the perspective of victimized slaves will ignore the free will of women and will prevent them to be the agents of feminism and to demand their rights. This situation, also, will prevent us to see the linkages between different womanhoods and oppression types.

The aim of elimination of sex work, as perceived to be the result of patriarchal capitalist dynamics and every type of women-men hierarchy strengthened by poverty, makes us understand the need to unite the struggle.

I think that it is important to use the term "sex work" in order to remember that same dynamics lie under the facts

that women have to sell their labour, body and souls and are charged with violence and death.

To support the ideas of criminalisation of sex work before finding solutions to eliminate its reasons, to render women vulnerable to violence and without protection by making this sector and trafficking invisible, will mean to prevent women to access their rights of social and health security and protection. There should be opportunities for those who do not want to be included in sex work.

We have to acknowledge that criminalisation of sex work will result in more stigmatization, discrimination and lack of basic rights for sex workers. Criminalization will prevent sex workers to organize themselves. It is visible that men's demand includes more violence and is more dangerous and that women sex workers are open to violence without any kind of protection.

Even though we may define sex workers as victims of sexual violence or a group of people who lack their rights because of prejudices, this does not change anything as regards to our demands for their human rights. Still, this fact should not prevent our ideal for a world where nobody should sell her/his labour and body, things that belong to human beings are not for sale and classes and gender as a hierarchical structure are eliminated. This emancipation perspective, will ease the way for household women and sex workers unite their discourses.



LABOUR BASED MOVEMENT: “RED UMBRELLA & UNIONISATION”

“Why Do Sex Workers Strike?”

Elçin Kurbanođlu, Pembe Hayat Association

“Syndicalist Experiences of Sex Workers in the UK and France”

Thierry Schaffauser, International Union of Sex Workers

“Sex Workers Union Initiative in Turkey: Red Umbrella”

Sinem Kuzucan, Pembe Hayat Association

“Syndicalist Movement and Possibilities of Organization in Turkey”

Zübyde Kılıç, EĐİTİM-SEN President

Why Do Sex Workers Strike?

Elçin Kurbanoğlu

“As speech was forbidden and rendered impossible, action began.”

Rosa Luxemburg, 1906

The basic question asked for this study is about the reasons of sex workers' striking. In the process of detailing this academic study, two cexamples are chosen; France [1975] and the UK [1982]. An answer to the basic question of this study was looked at over the theoretical explanations and practical experiences under the lights of these examples. Still, the framework that I will present here, has a theoretical quality without touching upon the example cases.

My aim while starting this study was to create a richness on sex work issue in general and the striking practices of sex workers in particular. The main aim was to support the political and economic movement of sex workers in both İstanbul and Ankara. Indeed, apart from the examples of France and the UK, my researches showed that the labour-based movements

of sex workers have been active in countries like Hawaii [1942], Ecuador [1988], Bolivia [2007] and again the UK [2000].

Before mentioning about the details of this study, I need to focus on a limitation of my study. This study, since it was conducted within three months, was prepared without taking sexual orientation, gender identity, race, sex, ethnicity, age and similar differences into consideration. In my further studies, I want to pay effort to focus on these identity-based differences.

Since the topic of sex work is something which is related to a larger picture that includes many differences, it has a relationship with inequalities between countries and sexes within the capitalist world economy. For instance, some of women who come to the southern parts of Turkey from Western Europe for holidays hire men who work here as sex workers. This example, which needs an analysis outside of the mainstream feminist explanations, gains importance keeping its emphasis on the differences in countries' positions within the capitalist world economy.

To be able to answer my question, there is a need to analyse several theories. First of all, the existing qualitative and quantitative strike theories were analysed. An important part of these theories rely on the belief that all workers who go for strikes are members of trade unions and are organised; because of this reason they are not sufficient to answer our questions. Liberal, neoliberal and neoclassical ones within these theories [Ashenfelter & Johnson, 1969; Booth & Cressy, 1990; Ingram, Metcalf & Wadsworth, 1993; Mumford, 1993; Reder & Neumann, 1980] reduces the issue to the economic field by carrying out econometrical-mathematical analysis. This situation results in the ignorance of several factors that have effects on the issue.

Second theory that I focused on is the new social movements theory and it underlines the materialistic-economic interests and demands of the proletariat. The same theory, which may support this idea, argues that new social movements do not appear with materialistic-economic demands by being organised in identity-based structures [Buechler, 1995:442]; so, it is not enough to answer our question.

In addition to the first two theories, it will be beneficial to focus on collective action theories which occupied the agenda of the twentieth century. There are many different approaches within these theories. I will only focus on the four of them thinking that they might answer our question.

The first approach states that the problems experienced are so intensive that there are nothing that can be lost for people. Because of this reason, it argues that social groups go for strike [McCarthy & Zald, 1987:150] Second approach emphasizes individuals' or groups' framing or giving meaning to their identities. Following this, for example, it focuses on the emotions of individuals and tries to understand social movements [Tarrow, 1998: 15 - 18]. According to the third approach, the decision of going for strikes depends on rationality. According to this view, people go for strikes based on their level of rationality [Olson, 2002]. The fourth and the last approach focuses on the organisation ratios of people as regards to their choice for strikes. They emphasize that those people who are away from organisation practices are less likely to go for strikes [Franzosi, 1989: 354].

When we evaluate the above theories and different approaches within them, we witness that they are not able to answer the proposed question in its full sense. Therefore, in addition to these theories, we need to mention about Charles Tilly's

polity model which highly affected the political science and social movement literature. According to this model, any kind of social movement gets or loses power in connection with the regime it is in [Tilly, 1979].

We can focus on the particularities of France and the UK after summarizing the theoretical approaches. We can easily argue that the organisation of sex workers in both countries have particular conditions. It can be argued that there are some similarities between the two countries:

1. Both of the countries made legal regulations following the limiting or prohibiting legal models.
2. Both of the countries have bad conditions as regards to the police violence, ill-treatment and torture cases against sex workers.
3. Cases like client violence, harrasment, rape and murder cases are widespread in the societal level.
4. Within the sex industry, there has been a relations triangle between pimp/intermediary, police and politicians.
5. The social perception about sex workers are always negative like “fallen”, “woman earning money easily”, etc.
6. The largest contribution to the sex workers movement in both countries were provided by social groups who supported them. In other words, the existence of allies is an important plus for both countries’ movements.

Keeping the above realities in mind, we can explain the question within the theoretical framework partly. For example, as Della Porta states, this question can be explained through factors like the current problems that the agents of the movement experiences and the reluctance of state institutions to solve these problems [Della Porta, 2006: 13]. On the other hand,

fort he UK example, the high level of organisation of sex workers can be explained through the existence of experienced allies [Tarrow, 1998:76 - 80].

Still, the above reasons do not answer our question. With many agents, sex workers already had intensive problems before these dates, however they started to organise later. This shows that we need to focus on the issue with other approaches. Because of this reason, we need to evaluate the mid and long-term theories again and as our question back: Why do sex workers strike?

It is important to take a look at the middle term theories:

1. The participation of women to the labour power after the Second World War increased in the Western Europe; however the inequality of wages between men and women continued. In addition, discrimination and harrasment based on sex in the workplace continued. Keeping these conditions in mind, sex work appears to be one of the occupations in which men and women earn the same Money [Roberts, 1992: 282].
2. We can emphasize states' intensification of prohibitive, discriminatory or re-regulative legislation as regards to sex work starting from 1940s, as one of the main reasons of strikes in these two countries. States, as a legitimization for these legal regulations, referred to UN's Convention of 1949 [Corbin, 1990; Roberts, 1992; Stewart, 1995:155].
3. Both in the UK and France, as it is in Turkey, sex work is legal; but pimping is illegal. However, the implementation of the laws strengthens the victimization processes of sex workers. We know that, intermediaries share the profit with the police or other authorities by not destroying each other's interest; while sex workers are

fined, prisoned, subjected to violence and to other human rights violations. The mentioned theory argues that the relevant legal regulations establish these relations network and the emphasis of sex workers on “hypocrisy” proves this. Therefore, sex workers are organised against this injustice.

4. The third middle term theory argues that protective measures are taken against sex workers, as the dynamics like LGBT movement, second wave feminist movement which emerged as a result of the “sexual revolution” understanding, were understood as threats to the existing middle class “morality” perceptions [Roberts, 1992:283; Corbin, 1990:355]. Sex workers are within trade unionist organisation in both countries within the process should be thought within the dichotomy of thesis-antithesis.
5. According to Arrighi and Silver, a huge strike wave was witnessed in Europe in 60s and 70s [Arrighi & Silver, 1984: 21]. In the mentioned period, according to Shorter and Tilly, France was the second and the UK was the third among thirteen Western European countries [Shorter & Tilly, 1974: 333]. This approach states that this situation affected the organisation processes of sex workers in both countries.
6. Another theory argues that since other methods of action like distributing brochures, meetings with lawyers and media, advocacy works, attacks to the police lost their efficiency which resulted in another action: strike [Tilly, 1979].

It is beneficial to take a look at the long terms theories after having focused on the middle term theories. While searching for an answer to our question, we need to go back to the emergence of the idea of nation states and the criminalization

of sex work in the period of Renaissance and Enlightenment. Together with this, I think we can make use of the approaches of Foucault; yet we will not focus on his theories in this study.

Karl Polanyi states, “strike is the most destroying action type.” But, why do workers take this way? According to Polanyi, labour is not a commodity since it is fictional. However, when labour is thought to be a commodity, it should go for strike within the market mechanism. Within the demand-supply balance, as long as the earned wage is lower than the deserved wage - this is how the capitalist exploitation survives - is normal to see the proletariat to strike. In short, if labour is not perceived as a commodity, the reason for strikes disappears [Polanyi, 1957:230, 231].

The last point may be confusing. Does not sex work have interests which are not occupational or material? To find an answer to this question, we need to take a look at the new social movements theory.

Within this framework, the analysis of the social movements, for which Laclau and Mouffe say “new social movements”, gains importance. Bell, who carries out important studies about new social movements emphasizes that the approach of Laclau and Mouffe is important while analysing sex work [Bell, 1994: 104]. We see that the joint demands of sex workers are as follows: elimination of harrasment, rape, violence; decriminalization of sex work.

We can proceed faster if we take a look at the second demand in the first instance. Let's suppose two different conditions; in the first hand sex is illegal, for the second situation sex work is totally legal. In conditions where sex work is illegal, the costs of protection is high. If there are not any pimps who

protect sex workers or if there is no good collaboration with the police, there is a huge possibility of violence from gangster clients. Similarly, exploitation of pimps is high in this situation.

When sex work is totally legal, the costs of protection decreases; but the social perception and the attitudes of states should be transformed. Exploitation rate is high if sex workers are under state protection; because exploitation is carried out by the state. If a sex worker works for her/himself, the tax that s/he has to pay will be high since the state will demand it. When there is no state, this costs is zero.

The assumptions above show that demands towards the decriminalisation of sex work refers to material interests and new social movements theory is insufficient because of this reason.

An analysis with the basis of material interests show that there is a need for a Marxist approach in line with Marx-Engels. At the same time, concepts, which are referred to frequently as regards to sex work, like “motherhood”, “violence”, “harrasment” clearly show that there is a need for a feminist point of view. Indeed, the discourses used by sex workers in the last century is highly similar to the feminist discourses. For instance, researches show that the sex workers solidarity in the UK is shaped over the perception of “sisterhood” [Roberts, 1992:337].

I think that it is significant to give reference to socialist feminism while thinking about different feminisms that approach to sex work issue. Socialist feminism focuses on both material and other interests and rights. As for the differences among sex workers, post-structuralist and post-modern feminism can be made use of.

Following the analysis made above, while thinking about sex work and the trade unionist organisation of sex workers, we can make use of Marxism, socialist feminism, short term theories and new social movements approach. But, instead of making direct use of these approaches and theories, we need to make analysis establishing their relationship with the field. We can only realize this by focusing on the field, talking to sex workers and understanding their problems and demands.

As a consequence, while answering our question, we can answer as regards to why sex workers strike with the following factors:

1. The exhaustion of the existing actions strategies,
2. The fact that labour is not a commodity,
3. The fact that sex work is a work in the Marxist understanding,
4. The increase and spread in the strike waves in the mentioned period,
5. Combination of material and other interests.

While ending my study, I hope that we will be able to establish a struggle ground where the basic rights of sex workers, like right to life, health and social security rights, education and employment, are secured and that the experience of Red Umbrella is strengthened. I want to conclude my words, which actually was started by Rosa Luxembourg, with the call of Selay: Long Live the Freedom Movement of sex Workers!

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Syndicalist Movement in the UK and France

Thierry Schaffauser

My name is Thierry Schaffauser and I have been a sex worker for 8 years. I started working on the streets in Paris. Presently, I live and work in London as an escort and a porn actor. I am very grateful to have been invited to meet my comrades from Turkey and I am very proud to be able to speak to you. I was asked to talk about the experiences of trade unionism both in France and in the UK. This experience has been very different from one country to another.

In France, STRASS was founded in 2009 after all sex workers' organisations came together and decided to have a trade union representing us at a national level and that is led by sex workers themselves. This means that only sex workers and former sex workers are allowed to be active members who can join with a free contribution from zero to how much they want to give. Only sex workers and former sex workers have the right to vote and to be elected within our board. Our supporters have the right to join the union as supporters but can't vote or be elected and must provide a minimum financial participation of 5 Euros.

Given the membership is often free for sex workers; we managed to have very quickly many members. The current membership is between 300 and 400 persons. The recruitment of members was also supported by traditional community based health organisations that meet sex workers every night with their prevention outreach bus and could make the link with people in the whole country. However, if street sex workers are a majority in terms of membership, there are only few who are operating within the STRASS board.

Our main difficulty is that we communicate by emails on a mailing list and that many sex workers are either too precarious to own a computer by themselves or are too old to be interested in the new technologic tools. This lack of street sex workers' representation within the STRASS board has created some tension and because of some gossips a lack of trust sometimes from one sex worker to another.

Due to a lack of funding, the membership being free and having no financial support from anyone or very few people, we don't have the means to improve our internal communication and this doesn't help to inform our members appropriately with the work we do and to include them in the participation and the process of decision taking. Sometimes, it takes three months before a sex worker on the streets is informed by another sex worker or one of our partners through an outreach project who is able to access the STRASS mailing list, print the material and distribute it to sex workers.

Another tension has been raised due to our different identities. STRASS wants to make sure that all sex workers are included whatever our nationality, our gender identity, the way we work, etc. But the STRASS board is predominantly French and if female sex workers are the majority of the STRASS

board and STRASS members, there are very few who want to speak publicly in the media. Most women prefer to remain anonymous because they have children and they fear that they will lose the custody of their children or that they will be stigmatised in their school. A very common French insult among children is for example “fils de pute” which means “son of a whore”.

If we had three cis-women as spokespersons, our main spokesperson is currently a dominatrix transvestite sex worker. Transgender sex workers are also very visible during our demonstrations because they often wear sexy clothes, sometimes show their breast, while cis-women will be less flamboyant and some will even prefer to wear a mask. I am also identified as one of STRASS leaders and although I don't do much media work now that I live in the UK I still write articles time to time for the union. If I mention the issue of gender, it is because STRASS has been attacked by some feminist organisations for not being really representative on that basis. There has been sometimes some tension from older cis-women within the sex workers' movement but most of younger cis-women on the contrary say that they are very happy to include male and trans' sex workers and that we provide also an image of diversity for our community.

The great success of STRASS was our recognition by more mainstream media of our union as a representative group. Suddenly, the journalists called us to have our opinion while before only abolitionist groups were interviewed. The political class continue to ignore us since all French political parties are against sex work. However, during the last Parliamentary mission on prostitution, for the first time, STRASS was interviewed by some MPs to have our opinion, which represent a first political recognition; even if we know that

our voice will be ignored at the end of their report since they are preparing the penalisation of our clients.

If STRASS has been good at giving a voice for sex workers at a national level, it has not been able to provide an improvement for sex workers in their working conditions or to fight against violence. We managed to provide a visibility with public demonstrations and a good communication but if the public opinion is supportive the political class is still very hostile and we are not recognised by other mainstream trade unions or the rest of the social movement. The only organisations that support us are HIV organisations, some radical queer groups and a few anarchist and green activists.

By comparison, in the UK, the International Union of Sex worker was founded in 2000. Very quickly, in 2004, the IUSW got affiliated by a mainstream trade union which is the GMB. The GMB is a 600.000 members' trade union, which makes it the third largest trade union in the UK and is quite influential. This recognition opened us the doors of the Labour movement, which means that sex workers can attend public meetings within the national Trade Unions Congress (TUC) and they have no right to refuse us speaking or voting as delegates from the GMB sex workers branch. The fact that we attend all the meetings make other workers realise that we share often the same problems and more in common than in opposition. Last year we requested to march at the front of the Mayday demonstration and we were allowed to lead the march with our red umbrellas and banner. More and more trade unionists acknowledge our issues as being labour rights issues; recognise sex work as work and sex workers as part of the working class. The fact to be GMB members allows us to pass motions at the common Trade Unions Conferences with other trade unionists and we won recently a motion within

the LGBT TUC conference that supports sex workers right to unionise and call for the complete decriminalisation of the sex industry.

In the UK, mainstream politics are very dominated by the anti-trafficking discourse which is used against migrant sex workers to deport them, increase raids on brothels and as a way to rise more funding for anti-sex work organisations. We had recently an increase in criminalisation with a new law but the new government although very conservative on social issues and very tough economically seems much more open to the idea of decriminalisation. We don't have any guarantee that they will change the law but at least we know they won't add more criminalisation like the previous government wanted with a criminalisation of our clients and the ban of adverts in magazines and on the Internet. As president of the GMB sex workers branch, I was invited by the Home office minister to talk about sex work issues, which never happened before with the previous government. This is a real improvement because they now at least listen to us even if we have not achieved any concrete change yet.

Sex workers in the UK are more and more organised and I am confident that we will be stronger and stronger. The current union membership is quite low with only about 100 members and many of them are not necessarily sex workers themselves but I am sure we will increase our membership in the coming years and that we will have more impact on the UK politics not only for decriminalisation but also to organise sex workers to improve their working conditions.

In the UK, one of our best improvements is also the dialog which has been engaged with the police and more and more police officers support our call for decriminalisation

including the Association of Police Chief Officers which is the representative body of the police forces in the UK.

They say that they are more interested in working for our protection and this could represent a big change. The public opinion in the UK has been very touched by the wave of serial murders against street sex workers and the issue of safety is more and more on the public agenda. People start to see sex workers differently and accept that we don't deserve violence. The police themselves agree with that which is a very different approach from what they had 30 years ago when the sex workers' movement started in the UK.

Sex Workers Trade Union Initiative in Turkey: Red Umbrella

Sinem Kuzucan

It is highly important to focus on the increasing number of killings of women in Turkey while talking about the topic of sex work. Keeping the researches done by womens' organisations in mind, there is an increase of one thousand four hundred percent. This increase can easily be explained through the concepts of family, divorce, honour which all touch the issue of sex work. "Women's falling into bad ways" has taken a very significant place in minds of men especially after the divorce processes. Women only belong to their men and families and any other situation cannot be accepted by the patriarchal system. This situation results in the brutal murders of women.

Meetings have been carried out in the last four years under the name "Red Umbrella" especially focusing on the murders that target sex workers. The first steps of the Sex Work and Human Rights Symposium which was held in 5 - 6 March 2011, was taken with small scale meetings four years ago. Women's Door and LGBT organisations from İstanbul and

political parties and mainstream trade unions were all invited to the meetings. As a result of the first meetings, a consensus on the need for a sex workers trade union appeared.

Trade unions in Turkey generally have a very negative perception about sex work; in other words, they either do not accept that sex work is a work or they put a focus on “women’s victimization processes”. Following this reality, it is highly precious that Zübeyde Kılıç, the president of EĞİTİM-SEN attended the Sex Work and Human Rights Symposium as a speaker.

Two of the largest trade unions in Turkey, namely DİSK and KESK are foreign to the issue of sex work and they have not touched upon the issue with policies since their establishment. For example, whenever sex workers attend to meetings or actions where these two trade unions also attend, their members either reject to participate in these actions or use negative discourses about sex workers.

While there have been several discussions about the closure cases against LGBT organisations in Turkey, there is a deeper and a stronger need for a discussion on the right of sex workers to associate. For example, in the process of organising the Sex Work and Human Rights Symposium, one of the national newspapers Yeni Akit published its coverage as “They Bring the Diseases of the West to Turkey”, with bold spots and with the names of the participants. The event was overtly targeted when they stated that the event should be stopped. As you can see, there is not even the tolerance to let sex workers to organise events.

It is understandable to experience such developments when a huge majority in Turkey use the words “prostitute”, “slut” as

insults. The basic problem of sex workers is to experience the seizure of their right to life within this insulting world. For example, trans individuals face more murders when they do sex work under insecure environments.

While these problems continue, there is a big problem with the inability of female sex workers to organise. This groups face several problems while trying to organise themselves because of pimps or the inside conditions of brothels which create a pressure over them. In a country where the number of sex workers is thought to be at least one hundred thousand, the reality of trans organisation should be deeply discussed. Female sex workers experience difficulties in terms of organisation because of the hardships they face in bars, clubs, parks, streets, brothels and this reality weakens the sex workers movement which is mainly led by the trans themselves.

Sex workers face several problems as intensive discrimination, hate crimes and social exclusion, but at the same time they are subjected to the negative policies of the AKP Government. Keeping the last few years in mind, we witness that the number of sex workers decreased and that some of the brothels were closed down. We also observe that those brothels which were not closed down are pushed outside of cities. All of the applications which are made by sex workers to enter brothels are denied and these people have to work in streets, park or in other insecure areas. In addition to these problems, a huge majority of sex workers do not have social security rights.

The existence of discriminative legislation and the narrow interpretation of these laws by the police intensifies the violence against sex workers. It is highly possible that a sex workers experiences prejudices from the prosecutors or the judges in judicial processes. In general, there is a view towards

sex workers as follows: “You deserve this”, “You should not have worn low-necked clothes”, etc. This reality doubles the victimization intensity of sex workers.

Every part of the society, from law-makers who should eliminate the above problems to political party representatives, have a high level of phobia against sex workers. As Pembe Hayat, whenever we organise events on transphobia, political party representatives attend our event, however when the issue is on sex work, these people do not appear at all.

There is a long way to go especially on the labour-based organisation of sex workers in Turkey. As sex workers, we need to realize that we have to create a strong and a realistic strategy against the perception of morality, discriminatory laws, institutional violence, ignorance of law-makers and decision-makers which are all widespread in Turkey. Witin this context, it is obvious that the Red Umbrella Initiative is very much important.

Syndical Movement in Turkey and Possibilities of Organisation

Zübeyde Kılıç

It is highly important that a symposium with a topic of sex work and human rights is organized. This event, apart from providing a space for discussion about the problems of sex workers, proves to be significant in terms of contributing to creating a road map for the existing systematic problems.

The topic that I would like to focus on is the syndical movement and possibilities of organisation in Turkey. In its basic sense, it will be beneficial to focus on the issue by mentioning about some processes in the past that public workers experienced. The struggle experiences of public workers in Turkey is important and comprehensive. This experience is important in terms of proving the possibilities of a strong struggle against a process full of bans, serious systematic attacks and costs paid. It is possible to learn lessons from this process when discussing the details of the organisation process of sex workers.

This movement, which basically started to organise together with teachers, has a history of over a hundred years. This

century long history has been a process which included serious struggle experiences, important costs and gains. As it is known, the rights and freedoms struggle in Turkey has always been the target of the governments over the concepts like inequality, injustice, discrimination. In Turkey, which has turned to be a country of military interventions and dark processes, trade unions has also been targeted by governments.

One of the first organisations which was targeted by the March 12 military intervention, proved to be one of the darkest and bloody periods of Turkey, was Teachers Trade Union of Turkey [TÖS]. In this process when approximately 1,500 teachers were arrested per day, teachers who were organized within TÖS faced high oppressions, the administrators and members were arrested, tortured and finally TÖS was closed down.

The experiences are also the history of resistance. The closure of TÖS, the arrests of its members, tortures – apart from their negative results as regards to the organisation of the teachers movement – had also a positive effect in increasing the level of struggle in the end. After the closure of TÖS, TÖB-DER was founded. TÖB-DER which had a very significant role as regards to the organisation of teachers, immediately became the target of another military intervention process, September 12. None of these experiences had an effect resulting in the weakening of the resistance or decisive organisation of teachers in general.

Under the heaviness of the death soul of September 12 process, after the military intervention, public workers started to organise people during demonstrations and workplaces by standing up and resisting the coup d'état administration.

The post-1980 process became a process when important experiences were produced as regards to the organisation

struggle of public workers. This process which was tried to be prevented by exiles, arrests, violence, closure threats became futile as a result of the resisting struggle of the public workers.

The rights and freedoms struggle in Turkey has never been easy and has never been realized without serious difficulties.

I think that these discussions will be guiding within the discussions about the organisation of sex workers in Turkey. Sex work has always been a topic with lots of discussions. The discussions around this issue has continued in countries where the organisation level of people is higher, like in France. Indeed, sex workers may confront the feminists in terms of their own demands. The continuing discussions surrounding the issue, may have right or wrong sides, according to our personal thoughts or political positions. Life itself will be our guide in this topic.

Discussion will of course continue; however the level of the experienced problems by sex workers demonstrate that the length of these discussions will not have the luxury to be endless. The process in Turkey about sex workers is highly serious and we can easily state that the situation is systematically against sex workers. There is a “life bazaar”. I do not use this concept as referring to discussions on “body that is sold” or “service being sold”; but rather it is about the situation of humiliation, murders and violence against sex workers. Keeping this serious situation in mind, the discussions should not be extremely long and this should not be ending in a process where the decisiveness of sex workers decrease.

Some topic in life are being dismissed and will continue to be dismissed by themselves. It is obviously a need for sex workers to carry their organisation levels to trade unionism.

It is significant to focus on some of the possibilities that may be created by syndical organisation for the well-being of sex workers. Syndicalist organisation will put a barrier in front of humiliation, moralist approaches, grounds that legitimize violence and murders; and will encourage sex workers to struggle against the life experiences that they have been subjected to. In this line, there are many benefits to take stronger and more valid steps. I hope that the Sex Work and Human Rights Symposium ends with this motivation.



LEGISLATION: “LEGAL DISCRIMINATION?”

“Prostitution and Legal Regulations”

Dr. Muhtar okar, Human Resources Development Center

“Sex Workers’ Critique of Swedish Prostitution Policies”

Petra Ostergren, Researcher - Writer

**“Problems of Sex Workers in Access to Legal Protection:
Case Examples”**

Habibe Yılmaz Kayar, Lawyer

Prostitution and Different Legal Regulations

Dr. Muhtar Çokar

Introduction

It is possible to argue that all reform initiatives on prostitution field in the world emerge from two opposite philosophical views. The first of these views argues that prostitution is a type of violence against women and emphasizes that prostitution is a type of exploitation by its nature at the same time. According to the second view, prostitution is a service exchange and an occupation between consenting individuals. One of the reasons of polarization in the philosophical field is that the prostitution sector includes several various experiences and that the produced values by the parties observing these experiences show differences. Another reason for the polarization is that the phenomenon of prostitution is evaluated from different windows and that some of the elements which create the action are paid attention more intensively.

Prostitution and Values

Approval, violence and exploitation, among values which create philosophical polarization and that emerge from the

phenomenon of prostitution, can be perceived as values which has the most determining features. Below, it is shown how these three values can be produced as opposite and different from each other within the scope of prostitution.

Approval: Some of those who work within the scope of prostitution choose sex work as a result of their choices and as a profitable occupation. But there are individuals who work in this field whose approvals were not taken and who are made work at an early age. It can be argued that by implying that commercial sex is a type of slavery as a result of compulsion or is a type of work which does not comply with human honour, it can be emphasized that this approval does not have any moral excuse. On the other hand, some groups which evaluate the approval element in a different way, argue that the approval for sex work is not that different from other approvals given for other occupations, by emphasizing that women do not have many choices of works as a result of gender inequality and poverty.

Violence: It is argued that any work under the scope of prostitution includes violence in itself. Prostitution, which is perceived as a bad usage of sexuality which is a spiritual and bodily necessity, already includes violence in itself. Prostitution, even without any kind of physical force or trauma, is a kind of psychological violence. On the other hand, groups which understand violence from a different perspective, argue that women are already subjected to violence in the society or at their workplaces. Sex workers are not the only individuals in the society that are subjected to violence and laws that criminalize sex work end up with more violence by pushing sex workers to underground work.

Exploitation: In every condition where sex work is carried out, there are always intermediaries which seize or share gains

of sex workers. Survival for prostitutes who are excluded from the society is a more expensive thing. Especially in places where prostitution is carried out in an illegal way, official institutions also join to this exploitation. On the other hand, in every society where there are market conditions and market economy, there is economic exploitation. The economic exploitation of women increase and women do not have a say over their gains because of gender inequality.

One of two people who perceive an action within the scope of prostitution and have different values as a type of violence while the other may argue that the action is an ordinary occupation. Similarly, a person who does prostitution may be perceived as a victim and a worker by two different people with different values. If it is necessary to find a common point, sex workers can be rated and classified according to their exploitation, violence experiences and working conditions. When a scale is created to rate sex workers which are “sexual violence victim”s who face the hardest violence and exploitation on the one end; and a “sex worker” who has not faced any violence and earn her/his money in this sector by consent on the other end, we can argue that all sex workers can be rated among these both ends. In other words, it is not possible to reach an exact “victim” or “sex worker” in the prostitution sector. All sex workers are human beings who is close to being “sex worker” or “victim” linked to these three values and features under certain degrees.

Looking at Prostitution From Different Aspects

The second one of the reasons of polarization in the philosophical field is about looking at prostitution from different aspects of human behaviors. For the viewpoint

which argues that the most determining element for action is the perpetrator, the person who is in prostitution is the determining element of the phenomenon of prostitution. Traditionalist groups which focus on the prostitution field with this viewpoint, argue that prostitution does not comply with honour, decency and reject it. Similar viewpoint is valid also for opposite groups of the traditionalist ones.

The point of view which analyzes human behavior within the realization limits of actions and evaluates the goodness or badness of the action according to whether the action is carried out based on pre-determined rules, looks for global rules that can be applied to every action that are absolute for human behaviors. Prostitution, according to groups that have this traditionalist understanding, is a type of adultery. Adultery should be prevented in every condition and this is valid for prostitution too. On the other hand, non-traditionalist principalist approach, rejects prostitution by arguing that body cannot be sold in any circumstance and any type of violence is not permitted.

It is possible to evaluate the good or bad manner of human behavior according to the consequence of the action. An analysis in this paralel can be made through evaluating the effects that emerge in the end of actions without considering the targeted value of the action. Even though the most important values as regards to the behavior of sex worker or to the approval of prostitution can be seen as violence, exploitation and approval [autonomy in its large sense]; benefits, not being subject to harms, human dignity, equality and justice can come into the agenda as values that should be supported. If these values conflict because of prostitution, in other words if it is not possible to support all of them at the same time, generally a middle way is tried to be found.

In this case, some features of prostitution is perceived as bad and some others are good. For example, if we think that sex workers are exploited and are subjected to violence because of intermediaries, we can accept a type of prostitution in which actions of intermediaries are prohibited. Similarly, as independent from all values, a person who values the negative effects of criminalization of all actions related to prostitution, would expect the elimination of all sentences related to sex work. It is possible to perceive the last approach as an approach which focuses on the effects of the action.

Prostitution and Laws

Different points of view to sex work affected the legislations of countries and they started to shape their legislations within the scale of both ends. Since sex work is a dynamic process and shows structural and implementational changes in time, the demands for change in many countries show continuity and perception changes as regards to sex work in societies support this continuity. Implementation of laws and the types of implementation show changes in time and between places. In some countries while laws can be rigid while the implementation is tolerant. In some other countries, while the laws are not rigid the implementation is oppressive.

When the laws of countries as regards to commercial sex are analysed, it is possible to categorize the legislations into four groups.

- 1. Prohibitionist Legislation:** Prostitution is illegal in streets or closed places where the prohibitionist legislation is evident. The main aim of the legislation is to end prostitution. All parties related to sex work including

sex workers can be sentenced. In some countries, clients can also be sentenced. It is illegal to do sex work in Gulf countries and in the US. Sweden ratified a law in 1998 which enabled the authorities to sentence the clients too. In these countries, authorities approach to prostitution totally based to rules or it is rejected in the sense that it is against human dignity, morals and decency. In some countries, prohibitionist legislation is in power however it is not influential in terms of implementation.

2. **Abolitionist Legislation:** The elimination of sex work is the primary aim for the abolitionist legislation. However, the criminalisation of sex workers or the illegalization of prostitution in streets or closed places are not the primary aims. In general, sex work is tolerated in countries where this legislation is in power. In a way, the legislation does not aim to punish the realization of sex work; but the actions which are carried out beforehand. Thus, it is not aimed to punish the sex work of sex workers but the actions which negatively affect. Within the scope of this understanding, while providing places for prostitution, pimping, sharing the gains of sex workers are punished, at the same time, negotiating, promotion or advertising of sex work can be reasons for punishment. In its classical sense, abolitionist legislation is in power in Western Europe, India, South East Asia, Canada and Latin America. A new type of the abolitionist legislation is in use in Belgium, Denmark, Estonia, Finland, France and Italy and prostitution in closed places in this system is not permitted. It can be argued that the abolitionist legislation is focused on results. By banning some actions, the least dangerous values for sex workers and the society is supported.
3. **Regulatory Legislation:** It is the system where sex work is evaluated outside of the penal codes if sex workers work in

certain conditions. In general, the system where women sex workers are subjected to routine health controls and work in registered places. For example, sex work laws in Turkey and Greece are within this category. It can be argued that some features of this system is rule-originating and other features are in paralel with approaches focused on results.

4. **Decriminalization Legislation:** In the last few years, views that support the decriminalization of sex work and even the application of this implementation to intermediaries. This legislation which is implemented in New Zealand and New South Wales state of Australia, is shaped with a pragmatist approach and it aims the elimination of negative effects of criminalizing laws on prostitution. It is possible to name the approach of this view as focused on effects.

The view which supports the idea that sex work is a type of violence andthat it should be eliminated, is for the first two legislation type: the prohibitionist and abolitionist legislation. The view which supports the idea that sex work is an Exchange of service between consenting adults and that it is an occupation is for the latest two legislation types: regulatory legislation and decriminalizationist legislation. The prohibitionist and decriminalizationist legislations are like two radical representatives of opposing two philosophical views about sex work. Other two systems take place in the middle.

Even though it may be possible to categorize countries as regards to the common features of their legislations related to sex work, every system is shaped according to the conditions of the countries. In other words, it is possible to mention about legislation types where mixed systems are effective.

Turkey and the Need for Legal Reform

As in other countries, there are different views about prostitution and the demands of these groups as regards to changes in the prostitution legislation are evident. While traditionalist and some feminist groups demand the criminalization of sex work, groups which work for the support of the rights of sex workers demand the recognition of sex work as an occupation and the elimination of implementations that punish sex workers. On the other hand, the renewal of the old legislation is in the agenda and this latest demand also owned by official institutions.

The problems in the implementation of the prostitution legislation in Turkey, has a supportive feature for the change or renewal of the existing legislation. In Turkey, regulatory legislation is in power, but the implementation is realized according to the abolitionist prostitution legislation. In other words, the implementing bodies started and even realized a reform initiative without any legislation change in Turkey. Because of the lack in collecting data about prostitution, it is not possible to mention about the positive or negative effects of the latest development. Besides, the increase in commercial exploitation against children, the increasing influence of foreign sex workers in the national industry, trafficking, technological developments in the field, the increase in the murders of sex workers and the increase in HIV prevalence makes us think that there is a strong need for an analysis and a change in the legislation.

In Turkey, in the last few years, to prevent prostitution in the streets based on the penal and misdemeanors laws, the articles are implemented in a rigid and comprehensive way against sex workers. Legal measures that prevent the society from

the negative effects of sex work are made use of intensively, instead of providing protection or survival opportunities for sex workers. Sex workers are deterred and isolated by being fined. Many sex workers are punished because of promoting sex work, providing places for prostitution or making use of sex workers' gains. Even though these implementations are realized with the excuse of protecting the society in terms of moral values by pressuring sex work, it ends up with the spread of prostitution and more underground work. Because of this reason, it is not just to put pressure over sex workers without providing them with legal protection and support; and these kinds of implementations results in a more complex and violent environment and the society faces with more moral and health risks. In this process, which is carried out with the intention of protecting public health and morality but which ends in more risks as regards to public health and morality, there is no legal protection and no access to legal means. The petitions by sex workers are not considered, their complaints are not recognized and their occupation which is considered as illegal and immoral results in the lack of legal protection.

Implementations that aim to control hidden prostitution, cause more insecure and isolated conditions for sex workers and especially transgenders. These individuals who are kept away from social support networks are under the risk of violence, exploitation and forced work. Widespread transphobia support this process with its stigmatizing, exclusionist and discriminatory implementations.

On the other hand, it is very difficult to argue that the legislation which is for victims of violence and exploitation, trafficking and child prostitution is sufficient and it is not possible to mention about the proper operation of limited service and support mechanisms for sex workers. Despite its

limited character, the existing legislation includes regulations for those women who do not want to do sex work anymore, the body or the resources for this aim is not clear. Sex work is a social position which emerges in the agenda as a result of gender inequality and that may include violence, exploitation and force against choiceless women. Sex work can only be eliminated only through efforts that aim the abolition of gender inequality, not with security or police-protection measures.

Sex Workers' Critique of Swedish Prostitution Policy

Petra Ostergren

In this article I will not deal with the complex issue of whether prostitution is socially or otherwise desirable. Rather this article seeks to document some of the experiences and opinions of female sexworkers in Sweden. I have been concerned by the fact that the very women who are at the center of prostitution policy are so rarely heard and so often feel discriminated against. If equal rights for women is important, then the experience of sexworkers themselves must surely be central to our discussion, regardless of what position one takes on prostitution.

The law against procurement of sexual services (promotion or deriving profit from prostitution) and a recent law prohibiting the purchase of sexual services introduced in 1999 are the two main ways the Swedish state sees itself as “combating” prostitution. Swedish politicians and feminists are proud of the state’s prostitution policy. They insist that it has positive effects. Sexworkers are of a different view. Most of the female Swedish sexworkers I have interviewed voice a strong critique of their legal and social situation. They feel discriminated against, endangered by the very laws that seek to protect

them, and they feel under severe emotional stress as a result of the laws.

The material in this article stems from my interviews, informal talks and correspondence with approximately 20 sexworkers since 1996, as well as published and broadcasted interviews with sexworkers in Swedish media. It is also based on interviews with people working with women selling sex to support a drug habit (most whom also are homeless).

This article also contains a summary of reports conducted by Swedish authorities after the introduction of new legislation (the criminalization of clients).

Selling Sexual Services is not Work

Sexwork is officially not considered work in Sweden. Rather, prostitution is seen as a social ill and a form of men's violence against women. Women who sell sex are considered victims who need protection by the state. Male or transgendered sexworkers are rarely spoken of. In the task of creating a better and more equal society, the Swedish state has determined that prostitution has to be abolished. This is an opinion rarely called into question.

The Law Against Procurement

The law against procurement renders it illegal to work indoors, work with others, to profit from the sexual labour of others, and advertise. Some women interviewed express satisfaction with the effect this law has had on exploitative pimps, since there have been relatively few of them in Sweden the last two

decades. Other sexworkers find this law discriminatory. They believe that they, like any other worker or businessperson, should have the right to a reasonable work environment, work collectively, advertise or open a business etc.

Due to the law against procurement, sexworkers are forced to lie in order to rent premises, or alternatively they have to pay exorbitant rent. Either way, they constantly worry about being discovered. They also report often having to move (when discovered) and being treated badly by landlords and “rent pimps”. Some women prefer to make contact with their customers on the street. Other sexworkers find this too humiliating.

Most of the women I have spoken to wish to be able to work together with others. This is to ensure safety and to support each other. They find it unfair that they cannot do this and feel scared when they have to work alone.

This law also makes it difficult for sexworkers to cohabit with a partner since it is illegal to receive any of a sexworker’s income. It is hard for a sexworker to have a family at all since sexworkers are considered to be unfit parents and therefore can lose custody of their children if it emerges that they sell sex.

The law against purchasing sexual services

The new law which prohibits the act of buying sexual services is severely criticized by sexworkers. They find the law paradoxical, illogical and discriminatory. It further obstructs their work and exposes them to stress and danger.

The women I have spoken to say that the reasoning behind the law does not makes sense to them. How can the politicians

claim that only the clients are being punished and that they are being protected? The effect of the law is mostly negative for the sexworker. Some point out that even if a few men might get fined, the majority will continue buying sexual services as usual - and as usual it is women and sexworkers who will be the most adversely affected.

As a result of the new legislation, the sexworkers say it is now harder for them to assess the clients. The clients are more stressed and scared and negotiation outdoors must be done in a more rapid manner. The likelihood of ending up with a dangerous client is thereby greater.

Due to the law, sexworkers feel hunted by the police, social workers, media and sometimes even anti-prostitution activists on the streets. They find this unacceptable. One sexworker commented that no other vocational group would accept that the police “patrolled their workplace”.

Another consequence is that the sexworkers are now more apprehensive about seeking help from the police when they have had problems with an abusive customer. They do not want to be forced to report the client.

Since the number of sexworkers on the streets has decreased and they are more scared, previous informal networks amongst the sexworkers have weakened. The result is that they are no longer able to warn each other about dangerous clients or give each other the same support.

Women also report that another consequence of the law is lower prices on the streets since there are less customers and more competition. This means that women in more desperate need of money will engage in unsafe sex and sexual activity

they usually would not perform. This in turn leads to poorer self-esteem and exposure to infection. Other women who have turned to the Internet to advertise claim a positive effect insofar as they have been able to raise their prices. But note that this only benefits some sexworkers. The more vulnerable sexworkers seem to be the ones most negatively affected by the law.

Women working on the streets in some bigger cities claim that there is now a greater percentage of “perverted” customers and that the “nice and kind” customers have disappeared. A “perverted” customer is someone who demands more violent forms of sex, sex with faeces and urine and who is more prone to humiliate, degrade and violate the sexworker. He also more often refuses to use condoms. Since there are fewer customers on the streets many women who sell sex in order to finance a drug habit can no longer refuse these customers, as they were previously able to. These women say the “kind” customers have either turned to the Internet to find sexual services or have been arrested by the police. On the contrary, the “perverted” customers know what to do to not be arrested and fined - they just have to deny it since there is rarely hard evidence.

Societal treatment

Another often mentioned grievance is how sexworkers feel treated by the authorities and by society at large. All sexworkers I have spoken to mention the stigma attached to prostitution where the sexworker is seen as weak, dirty, mentally ill, addicted to drugs and alcohol and viewed as a victim. Along with the difficult legal situation, this makes the sexworkers afraid that it will be brought to public attention that they sell sex, so they do all they can to ensure their anonymity. This includes for some women lying to friends, family and neighbours.

The sexworkers say that they feel incapacitated by the state and not respected. They maintain that their rights as citizens are violated. Several of them state that they are an important part of society, that they contribute to it, but that they are actively excluded from it. They also think sexworkers are denied the benefits of the welfare state - something that is granted all other Swedish citizens.

Several sexworkers say that they feel used by politicians, feminists and the media. They think that sexworkers are only listened to and being paid attention to if they say the correct things, i.e. that they find prostitution appalling, that they are victims, that they have stopped selling sex and will never go back, and that they are grateful to the current prostitution policy and to the policy makers.

Sexworkers feel overlooked in decision-making processes regarding juridical changes etc., something they find undemocratic. They question whether any other social group would have been so consistently excluded from any relevant policy making process

The sexworkers report having had very little or no help from the social authorities and in any case, they would rather be left alone by them. Some believe women wishing to leave sexwork can in some instances get adequate help from the social authorities.

Most of the sexworkers I have interviewed reject the idea that there is something intrinsically wrong with their profession, or that they should be subjected to therapy or retrained in order to work as something else. They also consider this to be a treatment that would not be foisted upon other professional groups. Sexworkers say that contrary to the official belief, they

are not the victims of their customers, but victims of the state. This is not only because they are not listened to, or that the state puts them into dangerous situations and forces some of them to become affiliated with the criminal world, but also because the overall situation makes it impossible for them to be open about their work, speak out against injustice and to organize themselves.

Health issues

All the women I have spoken to report feelings of emotional stress due to the legal situation and how they are treated socially. They have to hide, lie and keep double identities. They fear harassment and ostracism for themselves, their children and their partners.

The emotional stress also stems from a vulnerable and unclear financial situation. Since most women do not pay taxes they are scared of what will happen to them once they retire. Their pensions will be low and barely adequate to live on. When they fall ill, they still have to work or rely on what savings they may have, instead of relying on a right to workers compensation. The legal situation regarding taxation is unclear and varies from city to city. Some tax authorities will leave sexworkers alone, others will seek them out and tax them according to an arbitrary estimate. This worries sexworkers. Some of them have been subjected to this procedure with disastrous financial consequences. Others have only heard about it and worry it will happen to them.

Sexworkers report an increase in their emotional stress subsequent to the introduction of the new law. The sexworkers say that they now feel more worried about being found out as

well as more worried about future income. Several report that they now have more anxiety, sleeping problems, concentration problems as well as problems related to eating disorders, alcohol and drugs.

The sexworkers I have interviewed report greater feelings of powerlessness and resignation than before the introduction of the new legislation. They feel as if there is “no point” in trying to change the system (or its direct effects on their lives) and that no one supports them or speaks for them.

What they want

Sexworkers express anger about Swedish politicians who, in their opinion, brag and tell lies about the effect of the new law vis-à-vis other countries. They wish that other countries might find out “the truth” about the effects of the law. They also strongly discourage other countries from adopting similar legislation.

Even if few of the sexworkers I have spoken to claim to know the details of the new legislation regarding prostitution in the Netherlands and Germany, they all speak positively of it. They wish that prostitution in Sweden would be legalized (or at least decriminalized), that there would be unions and organizations for sexworkers, that the stigma around them would be lifted and that they would be granted the same rights and obligations as other women and citizens.

Women selling sex to support a drug habit seem to be less likely to regard sexwork as a positive experience or as a work. But they are just as critical of the Swedish legislation and policy. They would like to have better access to a methadone

or subutex program, currently something only a fixed number of people have.

Official reports

Criticisms similar to those made by my respondents were voiced in the three official reports made since the law against purchasing of sexual services was introduced. One year after the law was passed, the National Council for Crime Prevention (Brottsförebyggande rådet), conducted a survey of the practice of the new law and what problems had been encountered. The National Board of Health and Welfare (Socialstyrelsen), also published a report one year after the law was introduced. Their task was to document existing knowledge of the spread of prostitution. The National Police Board (Rikspolisstyrelsen) published a report based on information from the first two years of practice of the new law. Their task was to evaluate the practice of the law and make suggestions about new methods in police work against prostitution.

All of these reports find that street prostitution dropped immediately after the introduction of the law. They also suggest that recruitment was lower, although the National Council for Crime Prevention means that the exact number of prostitutes in for example Stockholm was hard to estimate because street prostitution had moved to other streets and took place in a larger area than before. All of the authorities say that there is no evidence that prostitution was lower overall. Instead hidden prostitution had probably increased.

All of the reports address the problems emerging after the new law was introduced. The National Police Board writes that the sexworkers that are still in street prostitution have a

tough time. This, they explain, is because customers are fewer, prices are lower and competition harder for the women. This leads to the sex workers selling sex without protection of condoms for a higher rate, and it leads to them having to accept more customers than before (since the prices are lower). The respondents in the National Board of Health and Welfare's study (of which none are sexworkers themselves) believe female sexworkers now experience more difficulties and are more exposed than before. The buyers are "worse" and more dangerous, and the women who cannot stop or move their business are dependent on these more dangerous men, since they cannot afford to turn them down as before. Even the buyers that were interviewed believe that the law mostly affected the already socially marginalised women. According to the National Police Board, the healthcare system has worries about declining health among sex workers and spreading sexually transmitted disease.

The National Police Board has also found the law an obstacle to prosecuting profiteers who exploit the sexual labour of others. Earlier legal cases against such men could sometimes be supported by the testimonies of sex-buyers. But these men are no longer willing to assist, since they themselves are now guilty of committing a crime. The Police Board report also points out that sexworkers have fallen into a difficult, constructed, in-between position with regard to the new law. The female sex worker sells sex, but this is not a criminal act. However, because purchasing sexual services is now a crime, the sexworker can be made to appear as a witness in the trial process. She therefore has neither the rights of the accused or the victim. The Police Board report also discusses the fact that sexworkers are subject to an invasive searches and questioning, so that evidence against the clients might be obtained in flagranti.

Problems of Sex Workers in Access to Legal Protection: Case Examples

Av. Habibe Yılmaz Kayar

This paper is produced over the legal counselling and direct assistance which was provided to sex workers under the scope of “The Project on Support for the Human Rights of Sex Workers and Travestis and Transsexuals”, which was financed by the European Commission. The project, was implemented with the partnership of Human Resources Development Center and Women’s Door, in association with İstanbul LGBTTT Solidarity Association.

As it has been evident during the discussions on sex work till now, the issue of sex work should not be an area for discussions on morality. The carried out studies show that sex workers form one of the most affected groups under risk as regards to sexually transmitted diseases. Besides, this group is one of the most important resource groups in terms of related infections. When both risks are evaluated together, the sex work issue appears as a very important public health issue.

Besides the fact that the topic is an important public health one, we have to underline it as one of the important human

rights issue. The legislation created on the issue of sex work and their implementation determines sex workers' making use of their rights to access to healthy lives and justice.

The implementation of policies which demand the criminalization of sex work, negatively affects the living and working conditions of sex workers. Sex workers are forced to work in illegal and risky conditions and as a result of this they are exploited and re-subjected to violence more intensively. Due to the regulations and implementations, not like any other field, sex workers face discrimination and other human rights violations in different forms and fields; and they cannot make use of legal guarantees equally as others. When the issue is approached from this perspective, the topic should be defined as a very important human rights problem. Similarly, unless the issue is not defined as a public health and human rights problem, it is not possible to prevent the prevalence of sexually transmitted diseases such as HIV or AIDS.

Following the approach explained above, the project on protection of the rights of transvestites and transsexuals enabled us to have important observations about the significance of the human rights side of the issue. During the project period within 12 months, as a part of legal counselling, interviews were carried out with 21 sex workers. During the interviews, firstly they were provided legal counselling about the problem they experience and they were informed about basic human rights issues.

Based on the topic differences, 5 of the applicants were provided with legal counselling on violence of the police and arbitrary policies; 4 on social security rights; 4 on the lack of ability to justice mechanisms and the lack of effective application to internal laws; 3 on medical difficulties experienced in medical

institutions; 2 on disability in making use of custody rights; 2 on economic violence and 1 on in-family discrimination.

Police	5	%23.8
Social Insurance	4	%19.04
Justice	4	%19.04
Health System	3	%14.28
Judiciary	2	%9.52
Economic-Social	2	%9.52
Family Life	1	%4.76

Within the scope of the project, the following examples were observed:

1. A has paid her social security premiums for a long time and obtained the court decision for her sex reassignment surgery. The person, when she applied for the medical operation, she was told that her operations would not be covered by her social security insurance. The applicant informed the administration with a petition about her demand and she waits for the deadline to come for the response from the authority. In the case of a negative response or no response from the relevant authority, the applicant plans to apply for the administrative court.
2. B, applied to a private hospital for an operation about her chordae vocalis and she lost her voice to an important extent after the operation. The victim, when she sent a written petition for her dossier to be given to her, her application was not taken into consideration. The victim cannot pay the required money to be able to open a case against the relevant authority because of her financial problems.

3. C was judged with the accusation of providing a space for prostitution and she was sentenced to 8 months of prison and 80 Liras judicial fine. According to the 231st Article of the Turkish Penal Code, the declaration of the verdict was left for a future date. Since the victim did not object to the decision, the sentence became certain. She was not reminded that she had the right to make use of the assistance of a lawyer during the prosecution process and she was not able to use her defense right.
4. D is continuously subject to discrimination because of her sexual identity. Lastly, when her mother died, her brothers and sisters ended up arguing on the property their mothers left for them and they did not want to give a share to her because of her sexual identity.
5. E complains about that the police arbitrarily commits ill-treatment against her. Lastly, the police forces heavily attacked E's friends and the victims could not make use of their complaint and reporting rights.
6. F is a sex worker. When she was in a car with a client, a person with his car stopped by their car and demanded her to get on his car by stating that he was a policeman. The applicant experienced a huge risk as regards to her life and she could go away from the scene only after a lot of efforts.
7. G, stated that her name created problems as her appearance and the name does not match; and that she wanted to change her name. She was informed about the legal assistance system; however she did not apply to the bar association as she felt she might experience discrimination.
8. H was arbitrarily fined by the police officers and the fines were turned into prison sentence as she was not able to pay them due to economic reasons.
9. I was prevented by the police and the gendermarie within a touristical district and she faced oppression.

10. J, obtained green card because of her HIV positive status but the card was expired. Her request for the renewal was rejected even though the conditions were the same with the first request.
11. K was debted to a person who provides money to people with interest and she signed a contract. Even though she paid her debts monthly, she was subjected to an execution proceeding.
12. L was shot by a policeman outside of her house under light. The attacker stated that the victim was escaping and that she took something out of her bag and because of this reason he shot her by accident.
13. The eyewitnesses rejected the claims of the perpetrator. The victim was shot from her front and she still has a bullet in her body. A case was opened against the perpetrator in the Criminal Court of First Instance with the claim of injuring a person. The first hearing was held and the perpetrator was not in the hearing. Even though the injuring action created a life threat, the prosecutor and the court team did not see any need for the arrest of the perpetrator. The advocates of the victim demanded that the hearing should be closed to the public based on the argument that this is necessary for the privacy of the person. The judge stated that this decision can only be given when it is related to general morality and public order; and that there is no reference to privacy of a person in the Turkish Code.

The advocate stated that the right to private life is protected by the European Convention for Human Rights and according to the Article 90 of the Constitution the Convention is applicable to Turkey. In any conflict of internal and international legislations, the Article required the international legislations to be applied to a case. The judge demanded the Convention

to be submitted to the file as an evidence. The advocate stated that the Convention is not an evidence but a direct legal principle. The hearing was delayed to a further date.

The cases above and the developments following them make us to have the following observations:

1. The applicants do not have the required economic opportunities to have a lawyer. For a free lawyer from the bar association, they do not apply since they feel they may be discriminated.
2. The applicants who are the victims or the suspects of a crime, cannot get any legal assistance from a lawyer in police stations. But, according to the law, the bar associations should appoint a lawyer for the victim or the suspect and this right is also valid for the prosecution period.
3. None of the applicants could make use of the legal assistance of a lawyer in investigation or prosecution processes. The reasons are that the police does not remind the victims about their rights and that the victims do not apply for his assistance because of their hesitation to be discriminated.
4. The applicants have the orientation to get assistance from initiatives that provides legal counselling for them.
5. The applicants have the orientation towards lawyers who follow their cases and who are literate about their situations, instead of getting just brief information.

The following suggestions, keeping the above counted problem areas and the observations carried out over them in mind, can be useful for the victims in terms of access to justice and protection of their rights:

1. There is a need for the establishment of private and regular legal counselling centers for applicants. In the long-term, the judicial assistance branches of the bar associations and the Criminal Proceedings Law bureau should create specialized initiatives about the topic.
2. At police stations and the courts, the applicants should be reminded of their rights for free lawyers and the required mechanisms should be established for the implementation of this right.
3. Measures should be taken to decrease stigmatisation and discrimination because of the sex work status of individuals.
4. The laws should be created in a way that prevents discrimination because of sex work and that ensures the rights of sex workers.
5. General laws that are created against discrimination should be regulated for the protection of individuals and groups and the deterring reasons as regards to protection from rights violations and Access to justice mechanisms should be eliminated.
6. Due to the insufficiency of fast and effective legal ways in the process of rights violations, it should be possible for civil society organisations to open cases or intervene in cases where sex workers are victims
7. Anti-discrimination laws should be regulated in a way that sex workers' vulnerability as regards to HIV infection or the destroying effects of HIV/AIDS or violations against them are prevented.
8. In the process of legal prosecution, a mechanism should be created to prevent the reach to medical information in general and sex work status in particular by others.
9. Required mechanisms should be established for the hearings to be carried out in a closed manner so that sex work status of a person is not known.

10. Required mechanism should be established in terms of the prevention of outing the identity of a sex worker and the codification of her open identity.
11. Sex work related information of a person should be included within the issue of protected personal information.
12. Legal regulations should be done in terms of people's personal information related to sex work and its promotion or usage by others.
13. For the improvement of expertise as regards to sex work and related topics, relevant complaints branches and human rights commissions should be created.
14. Efforts should be paid for the access of sex workers to information and relevant tools for their protection from infections and HIV/AIDS.
15. Efforts should be paid for the access of sex workers who do not have social insurance to treatment opportunities.
16. Efforts should be paid for sex workers to access to sexual health and reproduction health services which have the capacity of prevention, counselling, testing, care and treatment service provision against sexually transmitted diseases.



INTERNATIONAL SEX WORKERS RIGHTS MOVEMENT

“Confessions of a Sex Workers’ Rights Activist”

Pye Jacobbson, Rose Alliance Sweden

**“Self Organisation of Sex Workers in the United Kingdom:
The Example of the London Sex Worker Open University”**

Luca Darkholme, London Sex Worker Open University

“Transgender Women Sex Workers Claiming Their Rights”

Khartini Slamah, Asia-Pacific Sex Workers Network

Confessions of an Activist

Pye Jacobbson

I started off as an activist for LGBT rights, and everything was about proving that we were just like everybody else. It actually confused me even then as no one wanted to accept me the way I was. As a bisexual woman I was seen as someone who really needed to make up my mind. I was also seen as a “tourist” in the land of homosexuality, someone who actually was only there to explore the sexual side rather than the emotional one. Things didn’t get better by me having long hair, high heels and long nails....this was the eighties you see, when all real lesbians either had cargo pants and short hair or lived in New York. 1988 I moved to Portugal and quickly got involved in the HIV-movement. Again it was a lot of talk about “not everybody dying is gay or a drug user”. It was so very important proving that straight “normal” people also died. The whole media campaign was so focused on being main stream so the people most at risk were nearly forgotten. After burying four friends my own group of friends gave up on “normality” and celebrated our friends lives by dancing, with pink feathered boas, in the hallway of the hospital, lip syncing to “I will survive”. In the mid-nineties I got involved in the sex worker movement. And again I was involved in the

goal of normality. “Nearly no one is working in the street, most people working in the sex industry aren’t drug users, we are really, really, really normal....just like you but without the white picket fence maybe”. We fought for normality so hard that we ended up excluding many people. And in the middle of pretending to be normal we forgot why we became activists in the first place.

When I was five I was in love with Curtis. I suspect Curtis was never in love with me as he was married to my parents friend Lena and was about thirty years older. Curtis was one of the leaders of the Black Panthers, an American activist group fighting against discrimination of black people, and a hero of his generation. To me Curtis was a beautiful black man who picked me up, spoke English with me, and treated me like an adult. I loved it. After that I was hooked. Any injustice I saw I wanted to change, every war was my war and all injustice was mine to challenge. But somehow I got lost on the way, forgetting that what was beautiful about Curtis was his pride of being black, not him trying to be white.

When we tried to start a sex work organization in Sweden the first time, around 2001, it was all about proving that we were just like everybody else. We failed. Instead we got into arguments about what sex work really meant, who was a sex worker and what we had in common that we could unite around. It ended in bizarre discussions about a reversed hierarchy with people yelling “You have no right to speak, you never fucked in the backseat of a car!”. Some years later I found myself on an international committee having nearly the same discussions.

A few years later a colleague of mine died. Gina died alone in apartment, she was found after four days and no one had

noticed that she was missing. What really killed her was undiagnosed AIDS leading to pneumonia, but in all honesty I think isolation and loneliness was the biggest reason to her death. How else can a 27 year old lie dead, alone, in an apartment for several days without anyone wondering where she was. But Gina wasn't "normal", she was unhappy, popping pills and behaving recklessly. She was too much, too loud and did too many things that you shouldn't do if you wanted to keep up a front as someone being just like everybody else. She had called me of couple of times, drunk, so I stopped answering. After a while she stopped calling. Then she never called again.

Three years ago we tried to start a sex work organization in Sweden for the second, or third, time. This time we decided to make room for everybody. All sexualities, all genders and all types of sex workers. Making sure to talk about street work, drug use, exploitation and unhappiness as well as labor rights and pride. We recognized that we all have different problems, but realized that even so we might be able to change things together. We started setting up networks with any organization that could possibly overlap with sex work: the drug user union, the LGBT organization, the organization for homeless people and the organization for former inmates. This time we would make it right, this time there would be a place for everybody. Within a few months we were amazed at how many sex workers wanted to join. When our first TS sex worker came to a meeting everybody was thrilled, when our first male sex worker showed up people were smiling and calling each other to talk about the great news. And when we started getting migrant sex workers we felt more than proud. Any marginalized group wanting to hang with us we embraced as a new ally rather than fearing the potential of an added stigma.

Gina and Curtis are forever my reminder of why I became an activist. It is about being proud, it is about showing solidarity and it is about being aware of injustices happening to your peers. But it has very little to do with being “normal”, whatever that is. I think back at the five year old me, in love with Curtis, and now I feel very proud. Everything I learned from him now makes sense. I get it, I actually, finally, get it. By creating a place where there is a space for everyone, we have a space where we can truly be free. Me and my friends have recognized that we have to embrace everything we are, in all its diversity, in order to be everything that we can be and to reach our full potential as individuals and as an organization. We might not be like everybody else, “normal”, but maybe that’s the beauty of it.

Self Organisation of Sex Workers in the United Kingdom: The Example of the London Sex Worker Open University (SWOU)

Luca Darkholme

My name is Luca Darkholme. I am a sex worker, who has worked in different areas of the sex industry, in different countries. I have worked as an escort or rent boy, professional dom (specialised in BDSM), erotic masseur, cam model, porn actor and in places such as France, UK, Italy, Switzerland, U.S, Canada and Israel. I have experienced how different attitudes towards sex work and various levels of criminalisation directly affect our working conditions, our stigmatisation and ultimately our lives as sex workers.

I am here to present you the work we have accomplished through the London Sex worker Open University. Firstly, I would like to present the situation in the UK, specifically London. Selling sex is not criminalised, but there are many laws that criminalise different aspects of the sex industry. Soliciting, brothel keeping, living from someone else's sex work is all illegal. Though many flats and small brothels are actually tolerated by the police, the lives of sex workers,

especially street workers, can be very precarious and at risk. In the last two years, five sex workers were killed in the UK, two of them were transgender.

Different sex workers organisation exist in London such as the English Collective of Prostitutes, the GMB Adult entertainment and IUSW branch, and X-talk. Those groups are very active in supporting sex workers with legal issues, lobbying the government, and offering English classes to migrant sex workers. X-talk recently produced a report in 2010, Human Rights, Sex Work and the Challenge of Trafficking that was a much needed assessment of the violation of sex worker's rights created by the rescue industry.

The idea for a London Sex worker Open University emerged when two friends, a former and a current sex worker, realised how little space and time existed for people working in the sex industry to come together, socialise and share their knowledge. Our idea was to create a series of events that would bring together sex workers, activists, academics, artists, social workers and the general public. Beyond the theoretical and practical content offered through those workshops, we wanted to create space and time for sex workers to socialise, discuss and get empowered. We started to contact our friends working in the industry, word circulated, and soon a number of people offered to organise workshops, send in videos, or make performances. After a year of planning and almost no funding other than personal contributions, the SWOU was organised around four themes:

- Activism
- Skill sharing
- Academia
- Art, creativity and celebration

We had decided that SWOU would happen during 5 days, in different places through the city.

The week started on a Tuesday with a protest in the street, co-ordinated by X-talk. Members of the English Collective of Prostitutes, and other sex workers stood up under the Eros statue of Picadilly Circus, the busiest crossroad of London and spoke out for sex worker's rights. We, then blocked the main street with a banner "Sex workers stop traffic", to highlight the hypocritical use of anti-trafficking discourses and measures to further criminalise sex workers. In the UK, groups such as Poppy project receive millions of pounds of funding to "provide accommodation and support to women who have been trafficked into prostitution and domestic servitude". Sadly, some of this money is used to push an ideological agenda wishing to abolish all sex work. They have funded reports on the sex industry, perpetuating myths through false statistics and unacceptable methodology. Those reports have allowed more police raids on flats and brothels and deteriorated further the relationship between the police and sex workers, specially migrants.

On Wednesday 1st of April, at Queen Mary University, we held an evening of speeches and videos from sex workers activists and academics who presented the situation in Germany, New Zealand, Denmark, Costa Rica. We listened to feminist activists from Feminist Fightback network and Mathilde Bouvard presented her photographic work "Prostitutes of Europe", portraits of men and women working in the industry.

From Friday 3rd to Sunday 5th, we gathered at the London Action Resource Centre in Whitechapel. The pictures taken by Mathilde Bouvard, black and white portraits of sex workers,

were decorating the walls on the community centre and was a good reminder that we were part of a greater community.

The week end was filled with many workshops, some theoretical, other practical, some organised by sex workers themselves, some by allies such as psychologists, self defence instructor or academics.

Workshops included Erotic dance; Emotional boundaries with clients, Working as a professional submissive, Tips for newcomers, Self defence, Taking the feminist abolitionist argument seriously, The porn industry and safer sex, sexual violence and healing, identity and anonymity.

The week ended with a party in the neighbourhood of East London at the RampART social centre with DJs and performances by sex workers.

The week was a powerful event for all organisers and attendees. Beyond the cultural, theoretical and practical aspects of the workshops and debates, the simple fact of being with other sex workers for a week, organising those events, discussing our lives and works was very empowering. Often we have to lie about our lives to our friends or families in the fear of being rejected. This need for secrecy reinforce our stigmatisation. Events such as the Sex Worker Open University help break that isolation and strengthen us, as individuals but also as a community and a movement.

We are now planning the second Sex Worker Open University that will happen between the 12th and 16th of October with workshops such as media training for sex workers activists, strategies against violence, professional make up, erotic massage, history of the sex worker movement, etc.

We are very excited to have international speakers confirmed for that week as well as many local sex workers activists, academics, social workers and allies.

We are also organising the Sex Worker Film Festival that we hope to present in a few cities around Europe with movies and videos from UK, France, U.S, Malaysia, Brazil, etc. reflecting the struggle of sex workers for the recognition of their human rights all over the world.

One critique that was made to our organisation by anti-prostitution feminists was that we were “glamorising” sex work. The simple fact of coming together and talking about our experiences, and not just in a victimising way, was enough for them to accuse us of “glamorising” sex work. As soon as a sex worker talks about her or his life and work in a way that don’t focus on shame, abuse, violence, addiction or a desperate will to exit the industry, her voice is dismissed as “glamorising” the industry. Members of the Sex worker Open University do not believe that violence and stigmatisation are inherently linked to sex work. We believe whorephobic mentalities and criminalisation are all instrumental in creating unsafe environment for sex workers. We also know that silencing us is a form of violence. We demand that our voice be listened. For many of us, sex work is a choice. We demand respect, labour rights and human rights.

Transgender Women Sex Workers Claiming Our Rights

Khartini Slamah

For many years UNAIDS had put Transgender Woman under the umbrella of MSM which create unhappiness among the Transgender Woman in Asia & Pacific and most of the Transgender woman says “we are not men, we are woman” and we should not be forced into MSM category.

And most of people think that Transgender Woman are beautiful, have long hair, big breast which every Transgender woman dream of but in reality this is not true. They are Transgender Woman who is not beautiful, do not have breast and do not have long hair, uneducated, poor, have to shave their beard cos if they work with government they are not allowed to have long hair or they had to hide their identity from their family and friends and worried of being discriminated by their family and society.

Stigma and discrimination has also lead to Transgender Woman involved in sex work. In Asia & Pacific, it is estimated about 60 – 70% of the Transgender Woman involve in sex

work. Transgender Woman find difficult to get other job because of their sexual identity, physical appearance and not all Transgender Woman had good education even if they have they still can't get a job, either they don't trust Transgender Woman and they think its bad for their company or business.

Transgender Woman face a huge level of stigma, whose specifics differ from country to country, stigmas attached to their transgender status, their sex work, drug use and their HIV+ status.

Transgender Woman sex workers are known in the public sphere for engaging in sex, as such transgender woman sex workers face the stigma of communities' unease with openness about sex generally. Transgender Woman sex workers find that sex is taboo – cultural and religious influences mean that sex is not talked about openly. Sex education often comes from outside the family. Sex education is not taught in schools.

For most Transgender Woman Sex Workers believe that sex work is work and Transgender Woman sex worker issues are different from female and male sex worker.

Transgender Woman sex worker face sustained and exacerbated risk of discrimination and abuse in many countries where there is inadequate legislative protection (or legislation inadequately enforced), and/or absence of recognition by the Government or State.

Since Transgender Woman is not recognised by the government they can't buy insurance, house, etc. Transgender Woman are discriminated by welfare and government agencies because of their sexual identity and documents are made very hard for transgender woman to get, which then prevents Transgender

Woman from accessing services, and some Transgender Woman do not have identification card.

Transgender Woman are subjected to sustained physical and psychological violence, perpetrated by individuals (including but not restricted to clients) as well as groups (including paramilitary and extremist groups), and organs of the State (such as police and military).

Transgender woman sex workers also experience abuse such as having their hair when caught during police raids. Condoms being used as evidence to charge Transgender Woman sex workers.

Case 1: In Fiji due to Military Law, the military have the power to detain. This includes verbal and physical assault. There is no constitution or human rights in Fiji. Transgender sex workers have been thrown into the sea by Military police and their belongings have been stolen.

Case 2: In PNG and many other countries in AP region transgender woman are sent to a male prison and rehabilitation centers.

In many Muslim countries in Asia & Pacific, Syariah law prevents Transgender woman from wearing women clothes i.e. in Malaysia a transgender woman can be charge under minor offence act.

When rape occurs against transgender woman sex workers, police does not classify it as rape because transgender woman are not a real woman.

Transgender woman sex workers face mandatory HIV testing

and when tested positive they are discriminated and do not have access to ARV treatment.

Most Transgender Woman sex workers are not comfortable in accessing STI clinics or medical services at government hospitals due to invasive questions about their lifestyle and because of the judgmental attitude of the hospital staff most Transgender Woman sex workers self prescribe and self treated themselves.

Case 1: In Cambodia Transgender Woman who is HIV+ are discriminated in Cambodia. They find difficulties to get access to ARV and they are doctors who discriminated them.

We also demand:

- To legally recognised Transgender Woman as a person and as citizen
- A need to a need recognise sex work as an occupation.
- A need to recognize the diversity of sex workers (male, female and Transgender Woman), their rights and needs, based on the dynamics of the HIV epidemic.
- A need to remove laws that directly or indirectly violate the human rights of Transgender Woman/Sex Workers.
- A need of massive scale-up of RIGHTS based interventions for Transgender Woman/Sex workers in order to promote affordable and comprehensive health services.
- More sustainable resources for Transgender Woman/Sex Worker's organizations to advocate Transgender Woman/Sex Worker's issues. (HIV/AIDS, RIGHTS)