

# Sex Worker Rights Defenders At Risk

August 2021



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## 1.1 A Note for Ines

**I met Ines outside an Islamic school in a residential area of Yogyakarta, Indonesia. She sat with her legs curled under her listening to Shinta, the transgender woman who founded the school, recite from the Quran. I was there to interview Ines and other human rights defenders about their LGBTIQ+ activism. It was 2017, and we were in the middle of Indonesia's most violent crackdown on LGBTIQ+ people in decades.**



That week, police had arrested 58 people in a raid on a “gay sauna” in Jakarta. They faced ten years in prison. Extremist groups were raiding feminist organisations around the country and attacking activists. Torture and sexual abuse of transgender people by police was rampant in Aceh province. Public canings proscribed by law in the province had begun. Lesbian activists were receiving hundreds of online death threats. LGBTIQ+ rights defenders in every province we visited said they had never been more at risk.

When I asked Ines, a transgender woman, what she needed in order to stay safe as a human rights defender, she simply said “a home.” When I asked what her biggest challenge was, she said if she had one less sex work client per night, she would have more time to protect other women on the street. Ines explained that the time it takes to find clients, go to bookings, and avoid arrest did not leave enough hours in her night to properly coordinate protection for other sex workers.

I did not know Ines sold sex. I did not know to ask. Ines fled an abusive home as a teenager, shortly after revealing her trans identity to her family. Homeless and sleeping in a train station, she began selling sex to afford food. Inconsistent wages, stigma and limited formal education prevented her and most sex workers in the region from

finding safe housing.

The Islamic school we sat outside was ten minutes away from what Ines called “the main prostitution streets in Yogyakarta.” These are the best streets in town for making money and the most likely spot for arrests, physical attacks, and verbal abuse.

Sex work regulations in Yogyakarta are vague. “Flattery,” “seduction with words, gestures, signs” or other indications that one plans to “carry out indecent acts” are all criminal. The regulations say sex work will “reduce a person’s honour” and conflict with Indonesian values. Local workers say police enforce these regulations primarily by temporarily detaining and assaulting sex workers.

Workers who speak up for one another during these attacks are often targeted by name the following night. Being a community advocate makes sex work more dangerous.

Ines is one of those advocates. She develops security and protection strategies for other sex workers in Yogyakarta. For a decade, she split her nights between taking her own clients and managing a protection network of other sex workers in town. They track each others’ locations



to prevent disappearances and kidnapping, collectively “blacklist” abusive clients, and share new security strategies.

Ines’ group advocates for services that individual sex workers are denied. They successfully won the right to access housing, pooling their wages to circumvent Yogyakarta’s “stable salary” rental requirement. When one worker is sick, others work extra to feed her. Ines trained herself in the languages of health and human rights because hospitals routinely turn away sex workers. Many are denied emergency care after brutal assaults, and some clinics simply refuse to treat transgender women. Ines learned the phrases and concepts that gained sick sex workers access to hospitals. When her friends were harassed, beaten, or denied access to life-saving HIV treatment, they called Ines.

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“ We got good at collective advocacy. We realized the government was more likely to listen to a group with a name than an individual transgender woman. So we started with the hospitals, then applied the same strategy to fight for transgender women in government detention centres who had no access to health or legal services.

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Ines said the biggest threat to her activism was poverty. With a few more hours each night – two or three less clients, Ines estimated – she could properly track the other women, document violence and file police reports. But taking fewer clients is not something Ines could afford to do.

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“ On the street at night, I can’t focus on anything except making money, because I have to eat. If I had a bit more money, I’d still go to the street. This is where my community is. But if I didn’t have to focus completely on clients, on making enough money to eat tomorrow, I could devote more time and brain space to security and protection for the other women.

Ines was gendered male at birth. Since the day she ran away from home, 15 years before I met her, Ines dressed, applied makeup, and styled her hair “like a girl.” She told me she wore “gorgeous” dresses for both human rights meetings and to sell sex. But as she became better known across Yogyakarta for her advocacy, police began to pay more attention to her at night.

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“ I looked the same at daytime meetings as I did on the street. Police recognized me immediately among the other transgender women. They singled me out, abused me, took my photo, and followed me. I’m in more danger than the other sex workers because of my visible activism. And I’m in more danger than other activists [who are not sex workers] because when they go home at night, I go to the street.”

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Ines realized that if her physical appearance “as a human rights defender during the day” matched how she looked on the street at night, she was significantly “easier for police to catch.”

A few months before we met, she cut her hair and bought second-hand “ugly men’s clothes.” During the day she wore loose jeans and a short sleeve collared shirt typical of Indonesian men. At night she changed back into her dresses.

Her top security tactic as a human rights defender was to split her identity in half. Some community members appreciated Ines’ sacrifice, but other transgender women resented her new daytime male appearance. Some said she does not represent them anymore. Some said she was no longer the transgender leader they once rallied around; that she was “just a gay man now.”

“Some of them hate me for it. But I did this to survive. It’s a security measure.”

In the years after meeting Ines, I conducted more than 300 interviews with sex worker rights defenders around the world. In dozens of living rooms, brothels, street corners, train stations, mosques, beauty salons, abandoned Soviet warehouses, boats, beaches, and clinics, sex worker rights defenders echoed Ines’ experience of life at the dangerous intersection of these two radical

identities – sex worker and human rights defender.

In El Salvador, sex worker rights defenders’ own clients and managers begin physically attacking them after learning about their activism.

In Tanzania, police force the vast majority of detained sex workers to perform oral sex in exchange for release – but only visible community advocates are asked to perform sex to secure others’ release.

In Myanmar, police follow sex worker rights defenders to brothels to conduct “anti-prostitution” raids during a human rights training. Defenders are forced to make split second decisions about whether to deny their sex worker identity to avoid arrest – shattering trust with their community – or to proudly claim that they too are sex workers, go to jail with the others, and drastically limit their ability to advocate for the release of the group.

Like her colleagues around the world, the risks Ines faced on a daily and nightly basis stemmed directly from her visible human rights work. Sitting at the Islamic school, I asked Ines what the international community could do to help. She gave simple and actionable answers: physical space to organise, secure transportation for defenders, emergency cash for short-term relocations, and unequivocal recognition of their work as human rights defender activity.

In recognition, respect, resources and protection, Ines deserved much more than she received.

Ines died in March of 2019. She had been admitted to the hospital two days prior with HIV-related complications

including Tuberculosis. Ines’ closest friends did not know she was HIV positive. Shame, stigma, poverty, widespread discrimination against trans people and sex workers in health clinics, and a desire to keep protecting her community all kept Ines from seeking treatment.

Ines died of discrimination. She died of the money she did not have because of the clients she walked out on. She died of the emergency phone calls she answered instead of making money. She died of the rallies she led and the dresses she did not wear and the make-up she washed off and put back on twice as often as other sex workers. She died of homelessness and hunger and untreated, curable, preventable diseases.

She died at age 33 because even activists are not immune from the violence of shame weaponized against the intentionally poor and the strategically disenfranchised.

Ines died from the hundreds of intersecting forms of violence she spent a decade peacefully raging against.

Her friends held her funeral on the side of a mountain outside Yogyakarta. Four hundred trans, queer, and sex worker friends sat in folding chairs in the sun and told stories about her voice, her power, her hair, her whisper, and the way her face looked when she marched.

Her spirit survived what her body could not. This report is for her.

**Erin Kilbride**  
Research & Visibility Coordinator  
Front Line Defenders



## 1.2 Summary

### **Sex worker rights defenders are human rights defenders.**

Sex worker rights defenders (SWRDs) protect their communities’ rights to live free from violence and discrimination, to access healthcare, housing, justice, and employment, and to organise, assemble, and advocate for rights.

According to research conducted by Front Line Defenders in more than a dozen countries between 2017 and 2020, these human rights defenders (HRDs) are arrested, attacked, sexually assaulted, detained, delegitimised, and defamed for their peaceful, legitimate human rights work.

The human rights work of SWRDs looks very similar to the work of defenders protecting other rights, especially from marginalised, criminalised, or stigmatised groups. However, due to the lack of visibility, legitimacy, and respect afforded to the concept of sex workers as human rights holders, the work of SWRDs is, correspondingly, often not recognized as HRD work.

On fact-finding missions in Tanzania, Kyrgyzstan, Myanmar and El Salvador, Front Line Defenders spoke with more than 300 sex workers and sex worker rights defenders (SWRDs) about the risks, threats and protection needs faced by those who become visible advocates for human rights.<sup>1 2</sup> This report analyses cases and testimonies of HRDs who operate at the intersection of these two identities – sex worker and human rights defender – and finds that a large majority of violence perpetrated against these HRDs is demonstrably in retaliation for their human rights work.

The targeted persecution experienced by SWRDs includes arrest, sexual assault in detention, extreme financial burdens as a result of their activism, raids on their homes and offices, threats from managers and clients (their own and those of the sex workers they defend), physical attacks and police surveillance while conducting health outreach work resulting in a loss of community trust, threats to relocate the areas in which they personally sell sex from the areas in which they are known HRDs, public defamation campaigns, and discriminatory exclusion from policy making in areas in which they have clear, demonstrable and unmatched expertise.

Sex workers, like many marginalised and stigmatised groups, experience extremely high rates of human rights violations, including of their rights to health, to justice, to live free from violence and torture, to a fair trial, to housing. The report documents a range of strategies and programs SWRDs use to protect their communities, featuring cases, stories and testimonies which transcend narratives of a victimised, sexualised population employing ad hoc survival tactics, and explores a broader, more nuanced collection of strategic, creative, methodical and intersectional systems of protection designed and deployed by HRDs.<sup>3</sup> SWRDs’ human rights work includes emergency response following attacks and arrests, establishing safe community spaces, public health advocacy, gender rights trainings, police reform, protection planning, legal and health counselling, prison aid and promoting access to justice for survivors.



“Sex workers rights defenders are at risk because they are defending the basic human rights of communities that are amongst the most marginalised in every society. And that means they must be an integral part of our core business.”

**- Andrew Anderson, Front Line Defenders Executive Director**

SWRDs' work benefits those who identify as sex workers, and those who were coerced to sell sex or forced into the sex trade unwillingly. This work includes: negotiating access to brothels, conducting trainings on how to access justice mechanisms and report experiences of violence, identifying medical needs, harm reduction, and advocacy for freedom of movement and free choice of employment for those seeking to leave sex work.

Defenders report that being both an HRD and a sex worker mutually reinforces both the capacities and the risks of each identity. Their visibility as activists magnifies the risk of being arrested, detained, and abused using the laws and practices typically deployed against sex workers. The violations they experience are those typical to sex workers in their areas (such as sexual assault in detention in Tanzania, or police violence on the street in Myanmar), but the odds of experiencing these violations increase due to their visibility as defenders. Additionally, defenders report experiencing unique violations above and beyond what are typical for sex workers in their area, such as different forms of torture in prison, threats by name on the street, targeted abuse on social media, and demands for sex in exchange for an advocacy meeting with a police commissioner.

Defenders report a tension between the desire to be visible as activists to better serve their communities, and more conventional sex worker protection wisdom which places primacy on privacy and discretion. As a result, many

“ Sex workers in our town change their phone numbers almost every month to avoid detection by the police. But I can't change my phone number because I have to connect with the sex workers I help. They have my number and call it in emergencies. I'd never be able to do emergency response work if I changed mine. Also, I live with my family and rent a whole separate flat just so I have a place to meet sex workers who I help. Obviously if I did this at home, my family would figure out I'm a sex worker too. But even with this separate flat, I have to change it very frequently or the landlords will learn I am helping sex workers and call the police.

– Tint Tint Wai, WHRD, Health & Legal Counselor, AMA, Mandalay, Myanmar

defenders report that they are frequently forced to make security choices in which the two identities are at odds with one another. The security precautions they take as defenders are often the “exact opposite” of those typically employed by other sex workers in their communities.

“ It can be really risky to empower sex workers like this, to be honest. I don't dare to go outside alone anymore because I know the police don't like me. They could use an informer or physically assault me. This means I can't spend as much time on the street working, and I have to depend on less clients. Many girls have told me I have inspired them to be an activist but that their clients won't let them. I used to work privately as a sex worker, no one really knew that's how I made money, but now as an activist and health educator I have to be visible, I have to 'confess' that this is what I am, that I sell sex. Basically, because I'm an activist, I have to do the exact opposite of what most sex workers do to stay safe.

– SWRD, Yangon, Myanmar

Defenders also say that the intersection of these identities can also be a source of strength and capacity, not just increased risk. The unique skills, perspectives, and expertise held by sex workers are foundational to their effectiveness as advocates. From negotiating access to brothels (in order to provide medical care and gender justice trainings, for example) to running emergency hotlines and responding to night-time raids, the vast majority of their human rights work can more effectively or only be done by local sex workers. Likewise, the skills developed as activists have, in many instances, made defenders feel they can manage their safety better.

Globally, when SWRDs are harassed, threatened, arrested, attacked, sexually assaulted, and defamed, the fact that there is a high level of violence perpetrated against sex workers in almost all countries leads to the dismissal of evidence that these attacks are often perpetrated as a result of defenders' activism. SWRDs report being told by a range of actors, from local police to their own families, that the physical and sexual attacks they experience are “just because you're a sex worker.”<sup>4</sup> The denial of this



causal relationship between sex worker rights activism and targeted persecution delegitimises their status as activists and limits their access to protection mechanisms and services available to HRDs.

SWRDs face rampant violations of their rights to freedom of assembly and association. Coming together, even in private, is a radical, resistant, and dangerous act for defenders whose very identities are criminalised. Still, SWRDs insist on their communities' right to assemble. Many of the contexts in which they work are diametrically opposed to sex worker networking. State-sponsored efforts to prevent worker organizing are varied and vast: online censorship of SWRD accounts; laws that criminalise working together in the same apartment for safety; arrests

of defenders sitting together in coffee shops; violence against detainees that intentionally divides transgender and female sex workers.

Despite the persistent risk of violence and arrest, SWRDs succeed in creating physical spaces for their communities to come together – from living rooms to attics, from a salon in a village to a certain tree in a certain corner of a certain public park. These spaces defenders carve out are life-sustaining, and fundamental to solidarity, training, and collective well-being.

Defenders interviewed for this report explained that their activism revolves around one central point: Sex workers have a right to exist, to collaborate, to live, and to fight openly and collectively for these rights.



In Tanzania, an HRD was sexually assaulted by a client with whom he had worked for years without a violent incident. Police and hospital staff both commented that the attack was to be expected, given that the HRD was a sex worker. A detailed testimony of the attack given to Front Line Defenders, however, shows that throughout the sexual assault, the perpetrators repeatedly threatened the defender to stop hosting human rights trainings and doing public advocacy. The attack occurred only after the long-term client became aware of the HRD's activism. [See Section 3.4]



## 1.3 Why Sex Worker Rights, Why Front Line Defenders, Why This Report

Front Line Defenders strives to make and sustain meaningful contact with HRDs who are often excluded from international and national protection programs, such as those working in rural areas, on indigenous peoples' rights, those defending sexual and reproductive rights, or those working on LGBTIQ+ rights. This includes through field visits, specialised trainings, campaigns aimed at raising the profile of lesser-known defenders, and research projects to investigate and publicise the unique risks facing certain types of activists.

The 1998 UN Declaration on Human Rights Defenders “identifies human rights defenders as individuals or groups who act to promote, protect or strive for the protection and realization of human rights and fundamental freedoms through peaceful means.” Front Line Defenders was founded in Dublin in 2001 with the specific aim of protecting at-risk human rights defenders – people who work, non-violently, for any or all of the rights enshrined in the Universal Declaration of Human Rights. The human rights work of marginalised, stigmatised, and impoverished communities is often undervalued and delegitimised as valid human rights work. One type of protection work that Front Line Defenders engages in is working directly with human rights defenders from marginalized communities to document and visibilize their critical, powerful human right work, to directly combat false, defamatory narratives about them.<sup>5</sup>

In 2017, Front Line Defenders identified a gap in organisational knowledge, and in the human rights defender field more broadly, on how to best support and protect sex worker rights defenders, who operate at the intersection of multiple economically and politically marginalised identities.<sup>6</sup>

The organisation embarked on process of internal learning which included consultations with multiple SWRD networks to identify gaps in organisational knowledge vis-a-vis the human rights work, risks, and specific protection needs of SWRDs at risk. While this process

was originally conceptualised of as an internal learning endeavour related to the organisation’s campaigning, grant making, trainings, digital security support, and other protection programs for HRDs, sex worker rights defenders consulted during this period requested that FLD make the findings of these consultations public.

The vast majority felt that a report on the specific risks faced by leaders of their communities, produced by what they perceived as one of the leading HRD protection organisations, could significantly impact access to HRD services, protection, funding, trainings, and in general to support existing efforts to validate the human rights work of sex worker rights defenders as a legitimate strand of human rights work amongst broader human rights and HRD networks.

Defenders explained that while hundreds of studies detail attacks against sex workers in general, and several academic studies have explored various aspects of sex worker organizing, no publicly available documentation had examined, in an in-depth, intentional, and global manner the risks facing sex workers who dare to advocate for their communities.

Correspondingly, sex worker rights defenders driving these movements for rights are marginalised from mainstream human rights discussions and activities. They seldom feature in broader human rights conferences, campaigns, websites, donor priorities, trainings, and workshops, and are conspicuously absent from most HRD discussions, spaces, and gatherings. Sex worker rights defenders have very little access to networking opportunities within the human rights and HRD fields. In the same way that rural defenders working on land and environmental rights are often excluded from urban-based activism and advocacy activities (security trainings, meetings with officials, etc), so too are sex worker rights defenders often marginalised.





## 1.4 Visibility Goals

In El Salvador, Myanmar, Tanzania, Kyrgyzstan, and Tunisia, SWRDs shared many of the same advocacy and visibility goals related to their security and protection. They echoed the goals verbalised during original consultations in 2017, which formed the basis of the proposal for this report.

This report is formatted to best serve the visibility goals of the defenders who gave their time, risked their security, and organised their communities to meet with Front Line Defenders.

The unifying visibility and advocacy goals expressed by the more than 300 sex workers and SWRDs interviewed for this report include:

### **1. Visibilize and affirm the human rights work of sex worker rights defenders as human rights defender work.**

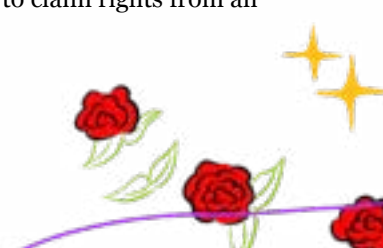
Human Right Work explores the powerful, life-saving human rights work of SWRDs, demonstrating the legitimacy of their status as HRDs.

Defenders in all countries visited are working on countering defamation, delegitimation, and creating new narratives which correctly frame their work as human rights defence. This includes campaigns targeting a variety of audiences and stakeholders, including state officials, donors, feminist groups, other HRD networks,

international NGOs, health care providers and fellow sex workers.

Affirming the human rights work of SWRDs as legitimate human rights work necessitates visibilizing that sex workers are entitled to the same basic human rights as everyone else. The human rights of those who self-identify as sex workers are often regarded as somehow less fixed, inalienable, or indivisible than any other area of human rights. SWRDs in all countries visited named this belief – that the rights they defend are negotiable or debatable – as the single biggest underlying threat to their security. This view is often espoused by police, security forces, government institutions, women’s rights organisations, international NGOs, other HRDs, and defenders’ own families.

For defenders, the implication of this notion is that the human rights work they do is not properly human rights work, because the populations they defend do not deserve rights based on the identities, bodies, and labour sectors in which they exist. In many instances, defenders have effectively been told they can claim rights for themselves and their communities insofar as they are willing to renounce the right to claim rights based on, and deriving directly from, a sex worker identity. In other words, that if they reject the identity sex worker, and the concept of sex worker rights, they will be allowed to claim rights from an alternate, victimised space.





This report therefore takes a theoretical framework which affirms the human rights of sex workers, and sex worker rights defenders as HRDs.

All SWRDs interviewed for this report identify as sex workers themselves, and claim rights not in spite of, but directly from this physical, political, and economic identity.

**2. Legitimise the risks that sex worker rights defenders face as a result of their activism, and dispel the violent, derogatory myth that all threats faced are “just because we’re sex workers.”**

Risks and Threats highlights the key threats, risks, and attacks reported by SWRDs across multiple regions. Researches documented detailed attacks which demonstrate that perpetrators targeted defenders specifically because of their work as HRDs.

Denying linkages between their activism and the attacks they endure precludes defenders from accessing a wide variety of mechanisms for redress, protection, training, advocacy, and recognition.

This report critically analyses the threats faced by SWRDs through a gendered political lens. It highlights the ways in which, by operating at the intersection of these two

identities, a large majority of violence perpetrated against SWRDs is demonstrably in retaliation for their activism.

**3. Visibilize the specific protection needs of sex worker rights defenders, or the unique implementation needs vis-a-vis existing protection schemes, mechanisms and opportunities**

Recommendations lists protection recommendations and calls for an end to violence against sex worker rights defenders based on an amalgamation of key threats discussed internationally.

**4. Secure access to, and build allies within, local and national level criminal justice institutions, namely local police precincts and district level judiciaries.**

SWRDs in all countries visited have successfully established connections with local and state level police to conduct human rights and sensitivity trainings. Defenders in all countries visited want to continue building on these connections. Defenders in several countries highlighted the need to make in-roads with national level justice departments to conduct similar trainings for judges on human rights, gender expression, sexuality, labour rights, and the rights of HRDs.





## 1.5 Letter from the Director

Since Front Line Defenders was founded in 2001 we have consciously sought to reach out to and support those human rights defenders who are most at risk. In all of our global work there are some human rights defenders who are more at risk because of the nature of their work, exposing corruption for example, but there are also many HRDs who are more at risk because of their identity or because of the identity of the community whose rights they are seeking to defend.

People will come to any discussion that includes the term sex work from different moral and ethical perspectives. It was a challenge for me and for some of my colleagues. However, I don't think anybody can deny that the communities that identify themselves to be sex workers are amongst the most marginalised in all parts of the world. When members of these communities advocate for access to health care or against police violence they are clearly engaged in human rights work. And these individuals, networks and organisations are amongst those human rights defenders most at risk globally.

There are many people who believe that the term "sex work" denies the human rights violations perpetrated by criminals involved in trafficking and the coerced exploitation of vulnerable people. Front Line Defenders is strongly opposed to trafficking and coercion. However, we also recognise that "sex worker" is not just terminology for moral or legal debate. It is an identity that has been adopted by communities who are amongst the most defamed and stigmatised. Our approach, in all our work, is to respect the language and identities used by the human rights defenders we seek to support. This type of solidarity is particularly important for defenders who are frequently spoken about in terms that further their stigmatisation and the denial of their rights.

This report began as a process of learning and review to see how we could be more effective in providing support to human rights defenders working in extremely difficult contexts. The first major lesson was that we already knew more sex worker rights defenders than we thought we did. We've now met with organisations and defenders who had been in our network for years, but previously only identified themselves to us as women's rights defenders, or land rights defenders, or LGBTIQ+ defenders. The discrimination faced by sex workers is so pervasive, they assumed they needed to hide certain parts of their

identities from us in order to be considered legitimate HRDs.

As FLD staff, we are constantly discussing strategies for surmounting barriers to getting resources to marginalised HRDs – we are known for funding and responding in fast, creative ways. In the case of defenders in this report, one of the biggest barriers to accessing HRD protection support turned out to be the discrimination and delegitimisation of their communities.

Five years ago, staff going on mission were not expected to seek out and engage with SWRDs. This was not a category in our minds, even as we aimed to support more marginalised groups of defenders. Now, it is standard to hear Protection Coordinators and other staff report back about meetings they held with sex worker rights defenders to discuss threats to their security, in the same sentence as they discuss meeting with a wide variety of other defenders. Support for SWRDs at risk has now been integrated across all our programmes including digital protection, urgent appeals and advocacy, protection grants, rest and respite, our annual Award and the Dublin Platform. Our active engagement with SWRDs has also been a learning experience that has strengthened our capacity to support others.

In one of our internal meetings wrestling with the complexities of all this, I told our staff that while I worry about the health and safety of coal miners, I absolutely defend the rights of miners to organise and advocate for their rights. It is of course not a perfect analogy, but it touches on the core of why we are developing our work with and support for sex workers rights defenders. They are at risk because they are defending the basic human rights of communities that are amongst the most marginalised in every society. And that means they must be an integral part of our core work.

*Andrew Anderson*

**Andrew Anderson**  
Executive Director



## 1.6 Key Findings & Recommendations

SWRDs are targeted for their powerful human rights work. Threats and attacks against SWRDs include: arrest, sexual assault in detention, threats from managers and clients, extreme financial burden of their activism, raids on their homes and offices, physical attacks and police surveillance while conducting health outreach work, threats to relocate from the area they sell sex after becoming known HRDs, public defamation campaigns, and discriminatory exclusion from policy making in areas in which they have clear, demonstrable and unmatched expertise.

Sex worker rights defenders face a high risk of arrest under laws used to target other types of HRDs and under laws used to target sex workers. Police use anti-prostitution charges, as well as other charges traditionally used against sex workers (such as trumped up theft, drug, or indecency charges), to punish SWRDs for their activism.<sup>7</sup>

Police in Tanzania coerce HRDs into having sex with officers to secure the release of other detained sex workers, whom they had come to help. While the vast majority of sex workers in Tanzania are asked for sex in exchange for their own release, only visible community advocates (HRDs) appear to be coerced into providing sex to secure the release of others.

Of the 82 sex workers Front Line Defenders interviewed in Tanzania, all but two had been sexually assaulted by police. All SWRDs who had been arrested for their human rights work in Tanzania were sexually assaulted in detention. Several defenders were assaulted by other detainees after police told them to punish the HRDs for their activism.

Police subject SWRDs to degrading and inhumane treatment, including being made to act like animals, crawl through sewage, or have sex with officers in public. Defenders who refuse are beaten and tortured. One WHRD was shocked with electric currents after she refused to perform sex acts during a one-week detention related to her human rights work.

**RECOMMENDATION:** Resources, opportunities, and protection mechanisms for human rights defenders must be made available and accessible to SWRDs, including specific inclusive language and efforts to conduct outreach to SWRDs.

**RECOMMENDATION:** Implement an immediate moratorium on arrests and judicial harassment of sex worker rights defenders conducting emergency response, health outreach, gender justice trainings, and other peaceful human rights work.

**RECOMMENDATION:** Publicly commit to strict enforcement of a prohibition of police demands for sexual acts from human rights defenders, and facilitate trainings for police led by SWRDs.

**RECOMMENDATION:** Publicly commit to strict enforcement of the prohibition of torture and sexual violence perpetrated against detainees, threats of which are used to coerce SWRDs to provide sexual acts in exchange for the release of peers.

**RECOMMENDATION:** In consultation with SWRDs, states should establish a specialized independent complaints and investigation mechanism with authority and capacity to investigate torture and inhumane treatment of SWRDs, and guarantee complainants' identities are kept confidential to prevent reprisals against defenders.



Several HRDs reported that as their activism became better known, clients they had worked with for years without incident became more violent and began threatening them to stop their activism. In Tanzania, one client explicitly referenced the HRD's public advocacy, workshops and other human rights activities while sexually assaulting him.

**RECOMMENDATION:** Ensure SWRDs who have been attacked by clients in retaliation for their activism have non-discriminatory access to HRD protection mechanisms, emergency grants, and access to justice support.

SWRDs are forced to change the geographic areas where they sell sex because of their visible activism. In Myanmar, police told SWRDs to sell sex in a different town, saying they had become "too well known" as a result of their activism and would "definitely be arrested." This results in time away from their families and communities, increased travel costs, and is a severe emotional burden.

**RECOMMENDATION:** Protection for defenders in their home city is critical, as is sensitizing local police departments to the legitimate work of defenders, to reduce threats of arrest.

Anti-prostitution laws and the conflation of sex work and trafficking put SWRDs at risk and inhibit their human rights work. Anti-sex work laws prompt managers of karaokes, bars, and massage parlours to deny that sex work happens in their establishment. HRDs are also denied access because managers fear that "human rights" workers are only concerned with helping women exit sex work, (when in fact SWRDs work on gender, labour, and health rights). When brothel managers, especially those connected to organised criminal networks, think SWRDs will encourage workers to "escape," defenders become targets for attack.

**RECOMMENDATION:** SWRDs, including non-capital based defenders, must be invited and supported to attend policy meetings related to both sex work laws and anti-trafficking efforts, in recognition of their expertise protecting marginalised communities and negotiating access to managed areas of the sex trade.

SWRDs face a higher risk of the same types of violence that other sex workers in their communities routinely face, such as sexual assault in detention in Tanzania, police violence on the street in Myanmar, or police raids in Kyrgyzstan. SWRDs spend additional time in dangerous locations, where attacks and raids are likely to occur, helping their community.

**RECOMMENDATION:** Ensure that funding for local human rights organisations includes budget lines for HRD security, and explicitly ask local organisations what their risks and protection needs are to make clear that HRD security is a priority.

The likelihood of attacks often correspond to how much a SWRD fits the stereotype of "what a sex worker looks like" in their particular region.

**RECOMMENDATION:** More protection resources are needed for particularly marginalised SWRDs such as transgender, homeless, Black, ethnic minorities, undocumented, and migrant sex workers, who are stereotyped and assumed to be selling sex even while conducting human rights work.





SWRDs have been physically attacked by members of the public for their human rights work. Incidents included “angry mobs” surrounding their homes and accusing them of promoting homosexuality and prostitution, being followed and pushed off their motorbikes by men in cars who had followed them while responding to a medical emergency, and attacks in cafes while holding human rights trainings.

Many SWRDs have to cross between territories controlled by rival groups, including police, armed criminal networks, militaries, gangs, and ethnic armed groups. In El Salvador, they risk attacked and murder by gangs for undermining one group’s sovereignty in a particular area.

Defenders in Tanzania and Kyrgyzstan have had their homes and offices raided by both state and non-state actors as a result of their human rights work. The most common perpetrators reported were local police, nationalist “neo-Nazi” organisations, neighbors and husbands of women who HRDs are assisting either via domestic violence shelters or with legal support. Due to budgetary constraints, defenders in Myanmar report that their offices in three cities are located in “very unsafe” areas of town with high rates of crime and violence.

**RECOMMENDATION:** Funding for secure meeting space for SWRDs and their organisations’ is urgently needed. Where security permits, donors can offer physical spaces for SWRD meetings, community building, wellness, and trainings.

**RECOMMENDATION:** Health funders especially need to engage HRDs in the design and implementation of programming they will carry out, including security elements such as transportation, visibility, uniforms, and travel routes, with an understanding that health programming is often carried out by local HRDs negotiating multiple at-risk identities, and their donor funded work may put them at risk in other spheres.

**RECOMMENDATION:** Funding for local human rights organisations should include budget lines for HRD security. Funders should explicitly ask SWRD organisations what their risks and protection needs are, to make clear that HRD security is a priority.



# 1.7 Methodology & Limitations

## Methodology

The report was researched and written by Erin Kilbride, Research and Visibility Coordinator at Front Line Defenders. It was reviewed internally by: Adam Shapiro, Head of Communications and Visibility; Meerim Ilyas, Deputy Head of Protection and Gender Lead; Daughtie Ogutu, Visibility Project Coordinator, Africa; Andrew Anderson, Executive Director; and Olive Moore, Deputy Director, amongst others.

Front Line Defenders spoke with more than 300 sex worker rights defenders and sex worker community members during the three-year production of this report. Defenders from more than 20 countries provided expertise, testimonies, analysis and patient guidance. Fourteen SWRDs from 9 different countries generously provided Peer Reviews of the full report; their expert feedback is reflected in the final version. (See Chapter 1.8)

The primary data for the report was gathered on four fact-finding missions to Tanzania, Myanmar, Kyrgyzstan and El Salvador, designed and conducted jointly by Front Line Defenders and local SWRDs. Additional shorter consultations with SWRDs were held in Tunisia, the United States, the United Kingdom, Ireland, Thailand, Malawi, the Dominican Republic and Indonesia. Remote consultations were held with defenders in Mexico, Argentina, Malawi, Zimbabwe, Eswatini, Ecuador, and Peru.

Selection of the four primary research countries followed nine months of consultations with international, regional, national, and local sex worker-led networks, as well as organisations and donors with experience supporting these defenders. As the mission of Front Line Defenders is to support and protect HRDs at risk, Front Line Defenders selected countries with active SWRD networks. Researchers followed the guidance of regional sex worker-led networks to determine which countries would be likely to provide emblematic cases of HRD persecution and reach defenders without existing access to protection resources.

The research aims at producing new knowledge about the persecution of HRDs, not abuses against sex workers in general; however, SWRDs consulted preferred that Front Line Defenders not conduct the research countries typically chosen for sex work research. Selection criteria included:

- at least 3 formal or informal sex worker rights groups willing to meet with researchers;
- SWRDs who want to increase their visibility, protection, advocacy and campaigns capacities;
- at least one known legal case related to sex work (arrests, charges, court case, strategic litigation by advocates, etc.) in the past 5 years, to assess current state position on sex work.

In Tanzania, Kyrgyzstan, Myanmar and El Salvador, FLD researchers visited a minimum of four cities per country. On each trip, between 25 and 35 SWRDs were interviewed, as well as an additional 20-40 sex worker community members. Front Line Defenders interviewed sex workers who do not identify as activists, community leaders, outreach workers, peer educators or advocates in order to differentiate risks that are unique or, or experienced differently by, HRDs.

The SWRDs who jointly organised the Front Line Defenders research missions also led the selection of communities with whom researchers would meet. Researchers aimed to meet defenders with a range of gender identities and sex work locations, such as bars, street based, managed indoor and managed outdoor.

In-depth interviews were selected as the method of data collection in order to explore the lived experiences of SWRDs. Front Line Defenders covered travel costs for all participants interviewed in person, and internet costs for defenders interviewed remotely.

Defenders and fellow sex workers from their communities were interviewed using semi-structured format which enabled them to discuss a wide range of topics according to their priorities and comfort level. Defenders chose whether they wished to be interviewed individually or as a group. Some defenders identified their experiences more as a collective than an individuals, and wished to share their stories in groups; others preferred privacy and were interviewed individually. Mothers and caregivers who wished to hold their children during interviews did so. All SWRDs were given information in their own language about the purpose of the research, how their identity would be protected, and varying levels of anonymity they could choose (for example, first name only, pseudonym,



film recording, audio recording, or written notes only).

All participants were informed of their right to skip questions, withdraw their consent at any time, take breaks from the interview, redirect the researchers to more relevant or appropriate topics, and have recording devices removed from the room at any time. Researchers stopped using handheld audio recorders after a group of sex workers on the first research mission in Tanzania said the devices looked similar to the tasers which police often use to assault them during arrests.

The data analysed includes these interviews with SWRDs and their communities, field observations, and literature reviews.

## Limitations

No report conveying the stories and experiences of people working in such radically diverse spaces can claim to be representative. Instead, the cases and testimonies in the report were chosen because they are emblematic of the most common violations reported to Front Line Defenders by SWRDs during this research. The countries were chosen in part because regional networks of SWRDs identified struggles there as being similar to or emblematic of struggles across that region.

The nature of Front Line Defenders HRD-led approach to research means that the identities of the sex worker communities in this report largely “correspond” to the gender, class, and racial identities of the most active sex worker rights organisations in each of the countries visited. In Tanzania, Myanmar, Kyrgyzstan, and El Salvador, all participants identify as cisgender women, gay men, or trans women, the majority of whom have citizenship in the country where they sell sex and experience some form of housing insecurity.

This report does not do justice to the extreme violence facing SWRDs around the world who are further marginalised along alternate race, gender, class and ethnic lines, in addition to the risks they face as sex workers and HRDs. Researchers made strong efforts to meet with HRDs from a range of gender identities, sexualities, and ethnic backgrounds, but acknowledge that a range of experiences including those of undocumented, migrant, refugee, gender-nonconforming, trans men, and disability justice advocates have not been adequately visibilized in this research.

Front Line Defenders sincerely hopes that this report is a step towards, not the end of, better documentation and



response to threats facing these particularly marginalised defenders. More work is critically necessary to visibilize and respond to the risks facing undocumented and migrant SWRDs, which include the potentially lethal threat of deportation.

In Myanmar, Tanzania, El Salvador, and Kyrgyzstan, race is conceptualised of in ways that eschew Western ideas about whiteness and Blackness. In acknowledgement of the extreme rates of violence faced by Black transgender women in the United States and elsewhere, Front Line Defenders hired SWRDs from BIPOC- and trans-led organisations to provide expert feedback. Commentary from some of these SWRDs appears in companion materials to the report, such as social media graphics and OpEds. Their commentary is published in conversation with the testimonies of SWRDs from Myanmar, Tanzania, Kyrgyzstan, and El Salvador. Tensions and differences in conceptualizations of race are preserved, visibilized, and discussed in the text and accompanying materials, rather than flattened.

For more on the risks facing migrant rights defenders, including undocumented trans and queer communities, see **Front Line Defenders 2019 report Defenders Beyond Borders: Migrant Rights Defenders Under Attack in Central America, Mexico & the United States.**<sup>8</sup>





## 1.8 Acknowledgements

Front Line Defenders expresses its sincere gratitude to the hundreds of sex worker rights defenders who generously gave of their time and emotional labour to the production of this report. Defenders from more than 20 countries provided expertise, testimonies, analysis and patient guidance at all stages of research and internal learning.

Defenders took social, personal, familial, financial, professional, and emotional risks to welcome researchers into their homes, community spaces, NGOs, clinics and brothels. They increased their risk of police surveillance, harassment, arrest and abuse in prison for reporting exactly these violations to Front Line Defenders. HRDs whose families do not know of their sex work risked being outed; sex workers whose clients do not know of their activism risked losing income. HRDs risked community trust by inviting non-sex worker researchers to interview populations more commonly spoken about than listened to. HRDs risked being made more visible and therefore more at risk from criminal networks. All risked

re-traumatization during the retelling of violence against their communities.

The HRDs who served as translators and fixers on research missions now hold the immense weight of hundreds of first-hand stories of victimisation, resilience and resistance that make up this report. This is a burden that Front Line Defenders continues to work with them to alleviate through financial and socio-emotional support, but it is a burden that will always be born – first, foremost, and primarily – by local human rights defenders.

Front Line Defenders researchers are especially grateful to the compassionate expertise and personal risks taken by the translators who coordinated and co-led the investigative research trips. This work would not have been possible without Yazzy Omary Musenguzi (Tanzania), Aizat Shakieva (Kyrgyzstan), Virginia Lemus (El Salvador), and an activist in Myanmar whose name has been withheld for security.

### **The following sex worker rights organisations provided research mission support, testimonies, expert guidance, and/or peer reviews:**

- Global Network of Sex Work Projects (NSWP)
- Red Umbrella Fund, Netherlands
- EMPOWER, Thailand
- Tanzania Community Empowerment Foundation (TACEF), Tanzania
- Eagle Wings Youth Initiative, Tanzania
- Bridge Initiative Organisation (BIO), Tanzania
- Tanzania Service Foundation (TASEFO), Tanzania
- Waremba Forum, Tanzania
- YOSOA, Tanzania
- Tais Plus, Kyrgyzstan
- Shah-Aiym, Kyrgyzstan
- Podruga Charitable Foundation, Kyrgyzstan
- Asia Pacific Network of Sex Workers (APNSW), Thailand
- Aye Myanmar Association (AMA), Myanmar
- Asociación de Mujeres Trabajadoras Sexuales LiquidAmbar, El Salvador
- Orquídeas del Mar, El Salvador
- Estrellas del Golfo, El Salvador
- Colectiva Venus, El Salvador
- Colectiva Flor de Piedra, El Salvador
- Plataforma de Personas que Ejercen Trabajo Sexual, (PLAPERTS), Peru
- Asociación de Mujeres Meretrices de Argentina (AMMAR), Argentina
- Sex Work Alliance Ireland (SWAI), Ireland
- Sex Workers Outreach Project (SWOP) USA, United States
- SWOP Sacramento, United States
- Gays and Lesbians Living in a Transgender Society (GLITS), United States
- HIPS, United States
- International Committee on the Rights of Sex Workers in Europe (ICRSE), Belgium

*Several other SWRD organisations and individuals requested that their names be withheld for security. Front Line Defenders is grateful for their brave work designing and contributing to their documentation.*

*Cocoa Costales, SWOP-USA Board of Directors, coordinated peer reviews with sex worker rights defenders in the US.*

**Throughout the planning, research, and drafting phases, meetings with allies, organisations, and donors with strong histories of supporting and funding SWRDs were critical to shaping both the research methodologies and ongoing framing of the report’s findings. Front Line Defenders is grateful for the guidance provided by:**

- Sex Work Donor Collaborative (SWDC)
- Sex Worker Giving Circle at Third Wave Fund
- American Jewish World Service (AJWS)
- Foundation for a Just Society (FJS)
- Open Society Foundation (OSF)
- NEO Philanthropy
- AIDS Fonds
- Fondo Semillas
- UHAI East Africa Sex Health and Rights Initiative
- Red Umbrella Fund

Feminist partners from the Women Human Rights Defenders International Coalition were critical to shaping both the research methodologies and framing of findings.



## 1.9 Protection & Safeguarding

The human rights work of SWRDs benefits those who identify as sex workers and those forced or coerced to sell sex unwillingly. The work of SWRDs helps victims and survivors of trafficking, and is recognized by anti-trafficking experts as critical, life-saving work. This work includes: conducting trainings on how to access justice mechanisms and report experiences of violence, identifying medical needs, harm reduction, building connections and trust, and advocacy for freedom of movement and free choice of employment for those seeking to leave sex work.

Trafficking in persons, as defined in Article 3(a) of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational organised Crime, is a crime under international law.<sup>9 10</sup>

Many adults are trafficked, forced or coerced into commercial sex and many children are victims of commercial sexual exploitation. Such crimes, and their devastating consequences on the lives of victims, persist due to a range of factors including poverty, corruption, criminal networks, stigma, and inequality based on gender, race, class, sect or caste.

Front Line Defenders fundamentally opposes all forms of trafficking in persons, coerced labour and slavery, including the abuse of children, and seeks to support where requested HRDs who face risks as they work to bring those responsible to justice.

Trafficking violates a wide range of human rights, including Articles 4, 5, 13, 23, 24, and 25 of the Universal Declaration of Human Rights, which affirm all people's rights to freedom from slavery and inhumane treatment, freedom of movement, free choice of employment, reasonable working hours, equal pay, and an adequate standard of living.<sup>11</sup>

Trafficking is a grave violation of human rights, and HRDs working in this space are critical to protecting those affected.

All defenders and community members interviewed for the production of this report were consenting adults over the age of 18, who specified which labels and identity markers they wished to use to represent their personal and professional lives.

CEDAW highlights the unique vulnerability to trafficking and sexual exploitation of: "those who experience social, political and economic exclusion in the form of being impoverished, uneducated or under-educated, unregistered or undocumented, unemployed or underemployed, carrying the burden of household and childcare responsibilities, restricted in their access to State benefits, protection and services, having experienced intimate partner and domestic violence, abuse and neglect in their family environment. Violations need to be addressed as part of a gender-transformative approach ... by promoting civil, political, economic, social and cultural rights in line with Sustainable Development Goals 1, 3, 4, 5, 8, 10, 11, 13 and 16."<sup>12</sup>





## 1.10 COVID-19

Sex worker rights defenders and their communities were among those most impacted by the COVID-19 pandemic. The virus itself and state responses to the pandemic affected queer and sex worker communities in ways that exacerbate existing systems of classed, gendered, sexualised and racial injustice. As the need to respond to emergencies rose, HRDs from these groups faced increasing risks of arrest, physical attack, and psychological trauma.

Launch plans for this report, originally scheduled for 2020, were delayed out of respect for the capacity of SWRD partners.<sup>13</sup>

However, during the crisis, Front Line Defenders produced a new crisis response report documenting the impact of the pandemic on LGBTIQ+ and SWRDs.<sup>14</sup>

Between April and August 2020, Front Line Defenders gathered testimonies from than 50 at-risk HRDs protecting LGBTIQ+ communities and sex workers in 13 countries. Defenders around the world reported an increase in physical attacks, sexual assault, arrests, raids on their homes, and harassment by security forces during COVID-19.



**Speaking at the launch of the COVID-19 report, Andrew Anderson, Executive Director of Front Line Defenders said:**

“Sex worker rights defenders continued their critical, life-saving work during the COVID-19 pandemic in the face of immense threats to their physical and psychological health. In addition to human rights advocacy and emergency response work, they are filling humanitarian gaps left by corrupt governments and discriminatory responses to the pandemic. Now more than ever, it is important to affirm our calls to end attacks on marginalised defenders doing life-saving work on the ground.”

In Tanzania, the investigation found a spate of attacks on activists’ homes after it became known locally that they were housing LGBTIQ+ people or sex workers at risk of homelessness, hunger and police violence on the streets. Also documented in the report are mass arrests at the offices of LGBTI rights organisations; closure of HRD-run medical clinics; sexual harassment and detention of transgender HRDs at security check points; homophobic and transphobic defamation portraying HRDs as spreaders of COVID-19; and severe psychological trauma over their inability to fully respond to the many dire needs of their communities.

Given the specificity of the December 2020 report, this report does not include cases or analysis from defenders during the pandemic.

For COVID-19 specific threats and protection needs of SWRDs, please see the report, **LGBTIQ+ and Sex Worker Rights Defenders At Risk During COVID-19**. Available at: <https://www.frontlinedefenders.org/en/statement-report/lgbtiq-and-sex-worker-rights-defenders-risk-during-covid-19><sup>15</sup>



## 2.0 The Human Rights Work of Sex Worker Rights Defenders

Sex worker rights defenders protect their communities' rights to live free from violence and discrimination; to access healthcare, housing, justice, and employment; and to gather, organise, assemble, and advocate for change.

This chapter identifies types of human rights work done by SWRDs in the four countries in which Front Line Defenders conducted research missions. This list is not exhaustive. It is not intended to reduce the expansive work of diverse movements for sex worker rights – both local and global – into the categories and case studies presented below. Rather, in line with the stated goals of the SWRDs interviewed for this report, this chapter will:

- contextualise the subsequent “Risks and Threats: Risks and Threats”;
- present the work of SWRDs inside frames, concepts, categories, and language typical of international human rights norms and standards, so as to further conceptualise of and Legitimise their activities as HRD work;
- feature cases, stories and testimonies from SWRDs which go beyond the sensationalised narrative of a victimised, sexualised population employing ad hoc survival tactics;
- explore a broader, more nuanced collection of strategic, creative, methodical and intersectional

systems of protection designed and deployed by SWRDs.

A clear understanding of the human rights activities of SWRDs provides the basis for analysing and visibilizing the unique risks and threats they face (Risks and Threats) as a result of these activities. This then serves as the basis for protection programming and recommendations (Anti-Trafficking & HRD Security).

Much of the human rights work of SWRDs looks very similar to the work of defenders protecting the rights of other communities, especially from marginalised, criminalised, or stigmatised groups. However, due to the lack of visibility, legitimacy, and respect afforded to the human rights of sex workers, the work of SWRDs is, correspondingly, often not recognized as HRD work.

This chapter presents examples of SWRDs' work alongside stated principles from various international human rights treaties, declarations, and conventions. The explicit reference to these documents is **not intended to reify structural and linguistic hierarchies** which privilege an academic discussion of human rights. Their mention is in response to a clear ask from SWRDs interviewed for this report to: clearly name their work as human rights work and to conceptualise their activities inside the same frameworks used to discuss and support the work of other human rights defenders.





These include the Universal Declaration of Human Rights (UDHR); UN treaties such as the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (CESCR), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); and labour rights standards such as those from the ILO Declaration on Fundamental Principles and Rights at Work and the Ten Principles of the United Nations Global Compact.



“Everyone has the right, individually and in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance.”<sup>16 17</sup>

**Article 7, Declaration on Human Rights Defenders**

Mapping the human rights work of SWRDs is critical to understanding them as at-risk HRDs. In Myanmar, SWRDs conduct labour rights activism by advocating for workers’ sick leave in karaoke bars. In El Salvador, SWRDs provide access to justice training for brothel workers. Some brothel managers are opposed to this human rights work, and SWRDs have been assaulted by criminal networks with ties to management. This could look like a “standard” attack on a sex worker, rather than an attack on an HRD, if their human rights work is not understood.

Similarly, SWRDs in many countries help detained sex workers access lawyers. Defenders go to police stations following mass arrests of sex workers from the street. They make themselves known to police and are subsequently targeted while selling sex on the street themselves.

Understanding SWRDs’ visibility as activists is critical to understanding that when they are targeted on the street it is a threat against HRDs. Without understanding their activism, SWRDs who are arrested by police while selling sex are assumed to have been arrested simply for violating an anti-sex work law. In fact, these arrests are often in retaliation for their human rights work.







## 2.1 Emergency Response



Freedom from torture, and from cruel, inhuman or degrading treatment **(Article 5, UDHR)**

Equal protection under the law; freedom of discrimination **(Article 7, UDHR)**

Sex worker rights defenders respond to emergency calls from sex workers who have been detained or physically attacked. This section addresses:

- how sex workers contact SWRDs in emergencies, 2.1(a);
- how SWRDs conduct emergency response work to aid sex workers who have been arrested, detained, denied due process rights, and/or assaulted by police and other state officials while in custody, 2.1(b);
- how SWRDs conduct emergency response work to assist sex workers who have been physically or sexually assaulted by the public, family members, clients, police, or other security force outside of a police station, 2.1(c);
- how SWRDs conduct emergency response following instances of mass violence or public humiliation by the military, 2.1(d).



## 2.1(a) Responding to Emergency Calls

SWRDs receive emergency calls on their personal phones and to HRD-run hotlines.

Aye Myanmar Association (AMA)<sup>18</sup> runs a hotline for sex workers who have been arrested, attacked or need emergency medical support in Yangon and Bago. In Myanmar, police often physically, sexually, and verbally assault detained sex workers before, during, and after arrest. Abuse tactics include blindfolding, covering their heads with a bag or fabric, tying their hands with ropes, tasing them and administering electric shocks. On several emergency calls received by SWRDs, police had abducted a sex worker from the street, brought her to a remote location, sexually assaulted her, left her, and sent colleagues to arrest her.

In Tanzania, most emergency calls are made to HRDs' personal numbers, but at least one organisation in Mwanza hands out an emergency hotline number when they distribute sexual health materials. Defenders report that the bulk of emergency calls they receive are related to police violence. Sexual assault is near universal for sex workers who are stopped by police on the street, detained, or held in a police vehicle in Tanzania. Of 82 sex workers interviewed by Front Line Defenders in Tanzania, all but two had been sexually assaulted by police. The majority were severely beaten, and several were subjected to

degrading and inhumane treatment including being forced to swim in sewage and imitate animals. Defenders report that raids and nightly “sweeps” on the street have drastically increased since 2017, as local authorities respond to high-level government incitement against sex workers and LGBTIQ+ people.<sup>19</sup> This means that police are more likely to physically attack and detain sex workers, as opposed to attacking them on the street and then letting them go. Defenders, in turn, are increasingly likely to receive calls on their mobile phones and hotlines numbers from a police station (from sex workers who are now injured and detained) rather than from sex workers who were attacked on the street but remain free.

In addition to the above abuses, SWRDs in Kyrgyzstan also receive emergency calls from sex workers during employment raids and forced medical testing by police.<sup>20</sup> Sex workers often have defenders' personal numbers memorized in case of such emergencies. Sex worker rights organisations Tais Plus<sup>21</sup> and Shah-Aiym<sup>22</sup> train their Outreach Workers on emergency response protocols, including risk assessments for deciding between an emergency night-time response or delaying action until the morning.





## Responding to Arrests in Yangon

AMA works in four regions: Yangon, Mandalay, Bago and Myit Kyina. Defenders respond to the following types of arrests:



### Street

Many arrests occur on the street. These typically involved either plainclothes police officers posing as customers, or uniformed officers conducting 'sweeps' of cities at night and arresting large groups of sex workers over the course of a few hours.



### Informers

Across Myanmar, police use "informers" to arrest sex workers. This typically involves bribing or coercing a man from the community to pose as a customer, take a sex worker to a hotel or other location, report the location to the police, have sex with the sex worker and refuse to pay. Police then enter the room and the man becomes a witness for the prosecution. SWRDs report that men become "informers" in a variety of ways. Some affiliated with criminal groups seek out "informer" tasks as a way of building relationships with local police, others are asked to pose as clients by police who were denied sex "free of charge" and are seeking retaliation on specific sex workers. The system is so widely known that many men now use it as a way to have sex with a sex worker, then call the police instead of paying.



### Brothels & massage parlours

Fewer arrests happen in brothels and massage parlours because owners cover the weekly or monthly bribes to police that would be demanded of individual sex workers who work on the street. (In exchange, sex workers reportedly earn approximately one-tenth of what they would working independently and pay an average of 90 percent of their earnings to managers.)



## 2.1(b) At Police Stations

In all countries in which Front Line Defenders conducted research, SWRDs do advocacy or emergency response at police stations.

Detained sex workers in Myanmar often have to wait several days before being permitted a phone call to family or friends. This is particularly dangerous and potentially lethal for transgender sex workers held in cells which do not correspond to their gender identity. Police threaten to lengthen detention periods and prison sentences if detainees call lawyers for help. To prevent retaliation against detainees who call for support, HRDs from AMA conduct routine checks of police stations. Additionally, concerned family members of sex workers call the AMA hotline to report missing persons, which means detainees themselves do not have to call. AMA has worked in the community long enough to establish this relationship of trust not only with sex workers, but with their families as well.

“We find out about arrests in several ways. Sometimes sex workers who witness another being attacked or arrested call the helpline. Or, when family and friends learn of an arrest, they call us. Or, if it is a police station we have regular access to because we’ve built a relationship with the precinct, we do regular checks and routinely find sex workers who have been arrested and held without charge, phone calls, or food. Of the 45 stations in Yangon, we’ve negotiated regular access to 14 of them. “We go to the station and assess several basic intake-type questions before taking the case. First, we have to establish if the detainee is in fact a sex worker, or being falsely accused of this. We work to find out if they have family connections, and if they’d like them informed. Very often having a family member come to the station is the fastest way to secure a release. Sometimes when we can’t get in, we pretend to be family. We also have to find out very quickly if the sex worker is on antiretroviral drugs or not, to figure out if we’ll need to advocate the access to medicine behind bars.”

**- Kye, SWRD and Finance Officer,  
AMA Myanmar**

HRDs in several cities in Myanmar have also built a rapport with many police officers who now allow them to conduct these routine checks. Similarly, in Kyrgyzstan, Outreach Workers from Tais Plus wear organisational badges when they go to police stations following emergency calls. They often have to negotiate access to the station, and many say their affiliation with Tais Plus helps. Once inside, Outreach Workers document each detainee’s case, assess immediate medical needs, and contact allied lawyers.

In Tanzania, SWRDs in Dar Es Salaam, Mwanza, Arusha, and Zanzibar all respond to emergency calls from sex workers in police stations to advocate for release, provision of medical care, and adequate conditions in detention.

### Article 9, International Covenant on Civil and Political Rights

- Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.
- Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.
- Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.





## 2.1(b) At Police Stations cont.

SWRDs and sex worker communities in several towns in Tanzania told Front Line Defenders that they have observed several patterns of sexual abuse in detention. As a result, defenders stressed the need to act quickly, often abandoning their own clients (and source of income) to go to the station and secure others' release as soon as possible. SWRDs know that sexual assault is highly likely within the first hour of being brought to a police station. They know it is likely to occur at least once each day that a sex worker is detained. They know that for female sex workers in particular, sexual assault by police officers often occurs at timed intervals. At one police station in Arusha, female sex workers were sexually assaulted daily at approximately 3 pm. For HRDs responding to emergency calls related to arrests and detentions, this creates an environment of extreme stress, psychological pressure, and urgency vis-a-vis "knowing exactly what will happen if we don't respond in time."

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“Police raid brothels and hotels and if the workers don't have money they get arrested and go to court. Most of the calls we get come from inside detention. One girl will call us on behalf of up to 25 workers. When police conduct raids they just arrest whoever they can catch, even people who weren't working at the time. And even if they were working, sex work is legal here!”

- Esvetta, FSW, WHRD, Outreach Worker & Community Mobilizer, Tais Plus, Bishkek, Kyrgyzstan

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## 2.1(c) Physical Attack

SWRDs also receive and respond to calls from sex workers who have been physically attacked. Most need transportation home or to a hospital. Indigenous SWRDs and other SWRDs in rural areas also provide sex workers with transportation home from safe, non-violent client bookings to prevent abuse by police or members of the public while walking home.

This type of emergency response work often means that defenders have to leave their own client bookings, jeopardize their income, and take their own bikes or motorbikes to the location of an attack. SWRDs

in Tanzania have been attacked while responding to emergency calls like this at night. Defenders report that because they appear to be out selling sex even though they are responding to an emergency, they are targeted by police or harassed or assaulted in public. (Section 3.6(b))

In Myanmar, when SWRDs arrive at the scene of a physical or sexual assault by police, those same officers will often follow the HRD and the victim to the hospital and continue to harass them.

“Last month a customer took a transgender sex worker to a 17-foot high bridge and threw her off it. There is a police night camp at the bridge. They just watched, and left her under the bridge. Another transgender sex worker saw her under there, and saw the police doing nothing, and called me. I came to the bridge on my motorbike. The police know me well; they shouted my name and told me to leave the area. I ignored them, got down under the bridge and carried her to my bike. I took her to the hospital on my bike. Then the police came to the hospital and started taking graphic photos of the

victim, of her face and cuts and private parts, while she wasn't awake enough. The doctors didn't stop them. I told them to stop taking photos and to just open a case. They told me I could come to the station and open one if I want to. I know her, so I could act as a go-between and make sure it is documented correctly. So we're doing that now. But really, the police would have left her for dead under the bridge. Even then, in the hospital hooked up to a machine, they kept saying she was dead.”

- Kyaw, Transgender SWRD, Bago, Myanmar

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## 2.1(d) Public Humiliation

SWRDs in San Salvador conduct emergency response missions following group violence and public humiliation by security forces. WHRDs from Asociación de Mujeres Trabajadoras Sexuales LiquidAmbar, a sex worker rights organisation in El Salvador, receive emergency calls from sex workers during joint raids conducted by the Salvadoran Army and local police. Security forces break into sex work establishments, force all clients to leave, and illegally demand that workers show soldiers their HIV test results. Soldiers then force workers out into the street, often at gunpoint and without clothing. In public, they separate workers into two lines according to alleged HIV status: the “dirty” line and the “clean” line.

WHRDs report that sex workers who refuse to show test results have been framed for possession of drugs, detained, and forced to have sex with soldiers and officers in exchange for their freedom.

SWRDs go to the scenes of raids after receiving emergency calls from workers, and have also successfully built relationships with some Army commanders. They use these relationships to advocate for an end to forcing people to show medical test results (which is illegal in El Salvador), and also to end the degrading practice of forcing workers into “dirty” lines in public. Defenders say that when security forces humiliate sex workers in public, it harms their reputation among clients and drastically reduces their ability to financially support their families.





## 2.2 Legal Counselling

In Myanmar, most sex workers and SWRDs interviewed by Front Line Defenders had spent one to three years in prison on prostitution charges; some had served multiple three-year sentences (the maximum allowed by the penal code). Legal support for arrested sex workers is especially critical in countries like Myanmar, where defenders say the most arrests result in prison time. In other countries (including those featured in this report) sex workers are often detained, sexually assaulted, and released without trial or sentencing.

As a result, SWRDs in Myanmar have trained as paralegals with a Yangon-based law clinic to provide pro bono support to arrested sex workers, and to bring cases to court following police or client violence.

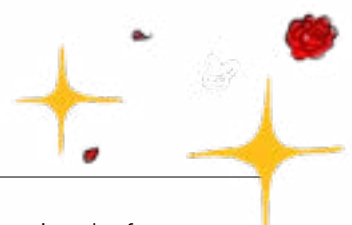
SWRDs in Myanmar, Kyrgyzstan, Tanzania and El Salvador also assist sex workers to file police reports about violence from other officers and clients, but say sex workers' fears about interacting with the police often prevent them from seeking justice.

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“We respond to emergency calls about all kinds of attacks, and we often know exactly who perpetrated it and have all the required evidence. But when we ask if [the victims] want to open a case at the police, the girls almost always say no because they don't want to talk to or see the police. The police will know they are sex workers and arrest them in the future.”

- SWRD, Pyay, Myanmar

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“Normally there is a hearing before going to jail, but sex workers are not empowered to claim their rights, police pressure them and they confess immediately and are sent to jail. Now our paralegals are watching for these cases, and by responding quickly they can intervene at one of these earlier stages. We're also working to prevent this in advance. At every discussion, meeting in the street, health session in a parlour ... every single time we see them, we talk to them about claiming their rights when they interact with police.”

- Kyaw, Transgender SWRD, Bago, Myanmar

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## 2.3 Prison Aid

In Myanmar, families of detainees use monthly prison visits to bring food and sanitary supplies to detained relatives, to fill the gaps in prison nutrition and health care. SWRDs conduct “family visits” for sex workers whose families cannot afford time off work or to purchase supplies, or who have disowned their sex worker relatives.

“The food in prison is very bad, and does not have enough nutrients in it. Police allow one 15 minute visit per month. We supply menstruation supplies, dry cakes, instant noodles and toothpaste. Normally families meet once a month to bring these things, but sex workers families are very poor and can’t buy these, or can’t afford to take time off from work to visit. Some other families reject sex workers and don’t support them. One jailed sex worker asked me to tell her mom to visit her to give nutritional support but she ignored her. So I come every month.”  
**- Mimi, SWRD and Paralegal, Bago, Myanmar**





## 2.4 Health Education & Medical Interventions in Sex Worker ‘Hotspots’



“the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.”<sup>23</sup> **(Article 12, CESCR)**

“the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care”<sup>24</sup> **(Article 25, UDHR)**

SWRDs are often the only local or international actors providing health education and safety materials to their communities or bringing medical professionals to the wide variety of locations in which sex is sold. As the only ones willing and able to access many of these locations, they ensure health care for sex workers who would otherwise endure untreated injuries and life-threatening illnesses as a result of health policies and programs which exclude, marginalise, and stigmatise them.

Health education is not always conceived of as activism or human rights advocacy, let alone activism which might put a defender at risk. SWRDs interviewed for this report, however, have been arrested and attacked for activities such as handing out pamphlets on gynaecological health. In these contexts, helping marginalised groups access health care becomes dangerous activism.

HRDs from AMA frame their health outreach, distribution, and trainings as human rights defence because they fill gaps left by public health programs.

“The government is providing health services for transgender people and sex workers, but there are huge gaps between the service providers and the population. The reason we engage in health work, and not just human rights advocacy and training, is to fill these gaps.”

**- Aye Aye, SWRD and Director, AMA Myanmar**

Defenders visit sex work “hotspots”, conduct routine medical assessments, and bring allied medical professionals into these spaces. This work necessitates long term, consistent engagement with sex workers to earn their trust; SWRDs spend years cultivating these caring relationships. In dozens of interviews across Myanmar and Tanzania, SWRDs detailed cases of sex workers with a wide variety of work-related injuries, infections, and diseases for which they were able to secure a medical intervention without the workers losing their jobs. These included gynecological care, infections, open wounds, bruises, C-section wound complications, respiratory issues, and a range of other short and long-term medical issues.

“In Mandalay, I found a girl with six condoms decaying inside of her when I went to do health outreach training with a nurse.”

**- Aye Aye, SWRD and Director, AMA Myanmar**





“One time we went to do outreach at brothel in the red light area in Yangon. One of the prettier girls was getting so many customers that her uterus had become hard. She shouldn't have been taking more customers but the manager forced her to. One customer was going very hard and she pushed him away because of the pain. He then refused to pay, so the manager beat her with a tennis racket. She needed to go to a hospital but the manager hadn't let her out. I had brought a nurse with me that day, and tried many times to get the manager to let the nurse see her. Eventually he did, because we had spent months building a relationship with this manager and he knew us as the health outreach people. He allowed the nurse to quickly examine her with a flashlight and to give her the prescription she needed. I slipped her my phone number so we could conduct follow-up care via telephone; she has recovered now and we are regularly in touch.”

**- Thanbar, SWRD, Yangon, Myanmar**

“I was doing health education at a brothel we know well when the owner of the brothel next door, one I didn't even know existed, came to me and told me about a girl with genital warts. The owner said another health org refused her care because she was in a brothel, so the warts had gotten very bad. Me and my nurse went to see her. It had affected her brain and she couldn't care for herself. I went back to her every single day, consulted with a doctor at the hospital, and brought her to the hospital. Now, the manager trusts us and all the sex workers in that brothel have regular health services from AMA Bago.”

**- Mimi, SWRD and Paralegal, AMA Myanmar**



“Many brothel owners don’t allow me in, especially if I want to do a training on human rights and sexual violence. Our trainings empower sex workers to defend themselves, and obviously owners don’t want this. They say things like ‘there is no sexual violence here because this is only a massage parlour.’ Until I distribute condoms and lube, then they happily accept.”

– **Tint Tint Wai, SWRD, Mandalay, Myanmar**

## 2.5 Negotiating Access

SWRDs have extensive experience negotiating access to controlled spaces of sex work, which are managed or surveilled by both state and non-state actors. There are many risks related to entering and speaking with workers inside. SWRDs deploy a variety of strategies to earn the trust of managers and negotiate access to these spaces, in order to provide trainings, consultations, and services on gender rights, anti-violence, access to justice, labour organizing, health care, safe sex, worker security, and other human rights topics.

Like many other human rights defenders, such as those working on prisoners’ rights, police brutality or women’s rights, SWRDs have to negotiate with perpetrators of human rights abuses in order to help people access to their rights.

In some contexts, trainings which explicitly focus on human rights (such as how to report a violent assault or recuperate unpaid wages) can only be conducted under the guise of health education, or after a reputation has been built under the banner of health outreach.

Local SWRDs are often best placed to conduct human rights trainings and advocacy – compared with national and international organisations working on health, anti-trafficking, migrant rights, and labour rights –

because they have spent years establishing the trust of managers and workers through their long-term health outreach work.



“I spent three full years convincing one parlour to let me in. The owner didn’t think STI education was important.”

– **Moo Ay, SWRD and HIV/STI Counsellor, Myanmar**

“Managers prohibit us from entering controlled spaces because they themselves don’t have health knowledge – they literally don’t understand why this is important – and because they want strict control over sex workers so they don’t move to a new house. This is why how we present ourselves is so critical, and we have to be very careful. Access is everything.”

– **Aye Aye, SWRD and Director, AMA Myanmar**



## Colectiva Venus

Colectiva Venus is a network of SWRDs and community members working in two regions of El Salvador: Aguilares, San Salvador department, and Chalchuapa, Santa Ana department. Both are far from major cities and severely lack basic health and legal resources for sex workers. Colectiva Venus provides trainings and workshops for sex workers both in support groups and at their places of employment. Trainings include sexual health, human rights, access to justice, navigating the judicial system, and violence prevention. SWRDs teach themselves the material needed for these courses by studying the law together when they have money to rent a private meeting space. They then conduct these trainings both inside and outside of sex work establishments. To gain access to the establishments in Aguilares and Chalchuapa, many of which are controlled by managers connected to organised criminal groups,

the defenders have spent years building the trust of managers. They utilize a range of creative approaches to mitigate barriers to entry, such as using health language, humanitarian-looking badges, “flowery icons and feminine colors on our uniforms” aimed at presenting themselves as depoliticised volunteers focused on women’s health, rather than as the highly educated legal advocates they have trained themselves to be. Colectiva Venus has more than 30 members throughout the two regions, and a network of peer leaders who coordinate attendance rosters for human rights workshops in the sex worker community, maintain communication with members, and develop security protocols for outreach work at sex work establishments in Aguilares.





SWRDs in several countries report that one key barrier to entering sex worker establishments stems directly from the criminalisation of sex work. If prostitution, brothel keeping, or other activities connected to sex work are criminalised, the managers of karaokes, bars, hotels, and massage parlours will vehemently deny that sex work happens in their establishment. HRDs say that, in their assessment, sometimes these denials are based in genuine fear that NGOs are working with the police to shut down brothels. Other times, these denials are an excuse to prevent SWRDs from coming inside to give human rights trainings to workers.<sup>25</sup>

While some women’s rights and anti-trafficking organisations believe that decriminalisation undermines efforts against trafficking, many SWRDs say that the criminalisation of sex work inhibits defenders from accessing managed spaces, where workers face some of the most egregious violations of their rights.

Another key barrier preventing SWRDs from doing human rights work in controlled establishments is the widely held belief that sex worker rights organisations are primarily concerned with helping women leave the sex industry. Defenders in Myanmar explain that mainstream anti-trafficking organisations have large profiles and a lot of resources, which they use to publicly conflate rights

discourse with abolitionism. This hinders the ability of local HRDs to access some of the most violent, abusive spaces where workers desperately need health care, labour advocacy support and access to justice trainings. Managers of those spaces firmly believe that “human rights” necessarily means abolitionism, and this prevents HRDs from doing any other form of human rights work in that space.

In El Salvador, SWRDs are often asked to pay bribes to meet with workers in some brothels, because managers assume they will permanently lose any employee who attends a human rights training. Defenders report that it is not only the managers, but also the workers who have internalized the rhetoric that equates rights with leaving their jobs. As such, workers often refuse to meet with HRDs on this basis, assuming that a “human rights” training will shame them, or that HRDs will insist they quit their jobs.

Defenders report that this perception also becomes a risk factor for them when brothel managers, especially those connected to organised criminal networks, believe defenders are only encouraging workers to leave permanently, rather than helping them access rights while employed. (See Section 3.5)



“ We do health education for female sex workers and trans sex workers on condoms, safe sex, how to deal with customers... We use male and female condoms and model organs, practice how to open, put on, and take off. Getting them to the office is really hard so we have to go to them. In the daytime, this is at their homes, but of course we have issues with parents and families. At night, they're spread across the street, karaoke bars, massages, and brothels. In Mandalay we have 5 to 6 brothels only for trans people, so we can meet them there and it's easy to do health work because the owner is also trans and understands the issues and asks us directly for supplies for herself. For the female sex workers, some managers have a good relationship with us and some don't trust that I won't force the girls to leave. I have to promise so, so, so many times that I won't tell the girls to leave. **If the language around 'rights' only talks about stopping sex work or saving girls, that's all managers – and girls – will think HRDs work for. It will really hurt our ability to do health, gender justice, and human rights work.**”

– Htet, SWRD, Paralegal and Health Peer Educator, Mandalay, Myanmar

“ Most massage parlours and brothels don't allow us in to provide legal services and health education from the start because they think we're there to make the girls run away. They demand bribes. If I can't afford those, I have to give them the condoms which are meant for the girls. I want to learn more advocacy skills to get in the door without a bribe.”

– Ma Ei, SWRD, Mandalay, Myanmar



## 2.6 Labour Rights Advocacy

The labour rights activism of SWRDs is expansive, varied, and life-saving. SWRDs in Myanmar, Tanzania, El Salvador and Kyrgyzstan have successfully achieved, among other labour victories:

- better and more consistent access to health care, including longer time off from work to go to the doctor;
- negotiating access to controlled or closed establishments for medical professionals;
- recuperating unpaid wages for sex workers;
- relocating to a new brothel, parlour, or restaurant with better working conditions, including for those who are threatened or coerced into remaining in their current establishment;
- taking leave and traveling home to visit their families;
- retaining their identity documents and not forfeiting them indefinitely to managers;
- demanding a work environment free from client violence;
- accessing reporting mechanisms in the event of an attack.

Sex workers interviewed by Front Line Defenders say they prefer to report labour rights violations to SWRDs from their own communities because it reduces the risk of retaliation at work. Some managers punish workers who contact labour advocates; if the HRDs themselves are sex workers, calls can be disguised as calls to friends. Additionally, workers prefer to report labour rights violations to SWRDs who are known to have sold sex, to

avoid the risk that they will be shamed when asking for help.

SWRDs in several countries utilize the trust and connections they built doing health outreach work in order to conduct labour rights advocacy for sex workers facing physical, sexual, or financial coercion at work. This includes instances when managers are either unresponsive to reports of client violence, or when managers actively facilitate exchanges between sex workers and clients who are known to be violent.

SWRDs also work to support, nurture and build capacities with existing informal networks of labour activism inside brothels and other establishments. These include more experienced sex workers who help new workers travel to hospitals and negotiate more time off, and small groups of sex workers sharing collective bargaining tactics.

“Some of the labour work we do is helping networks that already exist inside the brothels, like when newer sex workers get advice on dealing with management from older workers, and also older workers take younger ones to the hospital. We can help this by advocating that they have more time to do so, and sometimes helping with transportation.”

– Phyu Phyu, SWRD, AMA Mandalay



“the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment” <sup>26</sup> (Article 23, UDHR)

“Imagine if anytime you had a complaint about your boss, or a customer was disrespectful to you, or you wanted a reasonable pay raise, the only response of anyone you asked for help was to not only quit your job, but to leave the entire field you work in. We simply deserve the opportunity to advocate for better working conditions.”

– SWRD, San Salvador, El Salvador





## 2.6(a) Sex Workers and Labour Rights

The ILO Declaration on Fundamental Principles and Rights at Work names these as “freedom of association and the effective recognition of the right to collective bargaining, the elimination of forced or compulsory labour, the abolition of child labour and the elimination of discrimination in respect of employment and occupation.” Adopted in 1998, the Declaration commits UN member states to respect these rights whether or not they have ratified the various conventions from which the standards are drawn.

SWRDs are defending labour rights in each of these four categories. In all countries in which Front Line Defenders conducted research, SWRDs said recognition of sex work as work was one of, if not the, most critical step to advancing these rights.

Sex workers, like many workers, often want to reform their current work environment or advocate for better working conditions. They do not necessarily want to quit their job or leave their field of work entirely. As the Canadian sex worker rights organisation, Stella, asserts:

“While sex workers can consent to work, we can still experience unsafe labour situations. So, we may consent to working in sex work, but not consent to the working conditions, which we try to improve with a focus on evidence based human rights advocacy. The issue of consent for people who work in sex work is around agreements for services and conditions of work.”<sup>27</sup>

Many SWRDs interviewed by Front Line Defenders repeatedly referenced the dangers and difficulties of labour organizing in an environment of criminalisation. Several explained that while the specific reforms they were seeking (such as increased pay, leave time, or a cleaner work environment) were not necessarily dependent on decriminalizing sex work, the process of actually organizing, gathering testimonies, community outreach, and publicly advocating for that change put HRDs at risk of arrest under anti-prostitution laws.<sup>28</sup>





## Testimony: Sulma Alvarado, SWRD, El Salvador

Sulma is a SWRD and Head Coordinator of Colectiva Flor de Piedra (FDP) a re-organised collective of the oldest known sex worker rights movement in El Salvador, Association Flor de Piedra. She is 52 years old, has been in the sex trade for 38 years, and has identified as a sex worker for 20 years.

Sulma represents FDP in the feminist network IM-Defensoras. She disseminates information about regional feminist campaigns, marches, trainings and workshops to a network of sex workers across San Salvador. She helps sex workers who do not have consistent phone credit access local and regional activist networks, and mentors younger WHRDs in self-care and wellbeing.

Sulma has been attacked, threatened, harassed, and robbed while doing human rights work. She was physically assaulted at an International Women's Day March in 2016, and again while doing outreach work in San Salvador.

*"I became aware of what sex work was when I was 30, but had been a victim of the sex trade since I was 13. I always thought it was the only way [to sell sex,] to have someone else in charge. When I found Flor de Piedra, I learned what*

*sex work was, that it was a job I could chose or reject. Ever since then, I've been fighting for the rights of those of us who choose it. Not because I think it is the perfect profession, but because it is a profession.*

*I took several workshops and trainings. There was a lot of learning and unlearning. I came to the realization that what I sell is pleasure. Pleasure is a commodity. I am not selling my body, because I get to keep my body. I am selling pleasure. And that is what I'm putting a price on. The man I sell pleasure to does not own my body.*

*Sex workers, like any workers, deserve health care, unions, wages, access to justice, police protection if we are attacked, and to be taken seriously when we demonstrate in the street for labour rights.*

*If a union leader from a sweatshop goes to the streets to demands her rights, no one says, 'Well, you shouldn't have chosen to work in a garment factory if you didn't want to be attacked.' No one says she doesn't have the agency or choice to decide to work to feed her children and demand labour rights while doing it. This is a unique struggle for sex worker rights defenders."*







## 2.6(b) Freedom to Choose Work

Sex workers have the right to choose and change their employer and place of work, to resign from their jobs, and to seek employment elsewhere. SWRDs who focus on brothel-based work report that very often, neither workers nor managers understand workers' rights related to freedom of choice in employment and freedom of movement. Defenders with AMA Myanmar, for example, educate both parties on this category of labour rights, and do targeted advocacy with managers who coerce or threaten workers not to quit.

Phyu Phyu is a WHRD, FSW, and paralegal working with AMA Mandalay. Her work focuses on health and labour rights education for sex workers in the Mandalay region, in particular the right to migrate and to change brothels, the right to do so without threats or coercion from a current manager, the right not to forfeit ID cards or other identity documents to managers, and to not have payment withheld as punishment.

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“My supervisor and I work a lot on talking to managers to let girls migrate to new work locations or to take extended breaks to travel home and see their families. The problem is often the girls don't know they have a right to this, and neither do the managers. When we have these discussions with managers, our reputation as AMA staff make the managers more likely to let the girls go, because they know us from all the other work we do.”

– Phyu Phyu, FSW, paralegal, AMA Mandalay

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Everyone has the right to work, to free choice of employment, to just and favourable conditions of work (**Article 23, UDHR**)



## 2.6(c) Access to health care for workers

Sex workers have the right to access health care. Many encounter discrimination at hospitals and clinics, but their right to health is also violated even before seeking care, when their rights to freedom of movement and a safe work environment are denied.

SWRDs in several countries conduct advocacy with managers to negotiate more leave time for doctor visits, as well as permission to bring nurses, gynecologists and other medics to establishments to treat workers on site. In many brothels in Myanmar and El Salvador, sex workers are permitted little or no sick leave, and rarely granted permission to visit the doctor. Some report being followed and threatened after seeking medical care.

SWRDs report that while the denial of doctor visits appears, on the surface, simply to maximize profits by keeping workers on site and taking clients for as many hours per day as possible, their outreach to managers has revealed a different motive. SWRDs have found that the restrictions on access to medical care are due to managers' fear that medical providers will shame or coerce sex workers into leaving their jobs permanently.

Through ongoing, multi-year dialogues with managers, medical providers, and sex workers in Myanmar, HRDs with AMA Myanmar have significantly increased access to medical care for workers. These victories include more time off (to seek medical care off-site) and increased access for medical professionals to controlled spaces of sex work to visit sex workers who fear violence and

discrimination at hospitals.

Their advocacy wins were predicated upon educating managers and workers about the distinction between abolitionism and workers' rights, and an insistence that worker's rights necessitate access to health care. HRDs host community dialogues about freedom of movement, freedom to choose one's employment, access to health care, and freedom from discrimination while seeking that health care.

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“We've organised several meetings for brothel heads in the region to discuss the girls' rights to health care and legal services. We asked the missionaries to donate the meeting space. First we build the trust by visiting the heads a few times a week and slowly introducing our work. Then we issue a formal invitation on card paper. On the first day police were also there to discuss legal issues, but on the second day we held a managers-only space so they could openly discuss our work.”

**– Hkawng Myoa & Tain Sau, SWRDs and AMA Paralegals, Myit Kyina**

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“When we do health outreach, we see a lot of STIs, genital warts, vaginal itch and irregular periods. Some owners of the houses I go to allow girls to go to the hospital, but don’t allow enough time. They only give them from 8 am to 11 am for medical visits, and have to pay a fine if they come back late. Some don’t allow them out at all, they just buy pills and distribute to the girls themselves. I have done a lot of advocacy with brothel owners to get the girls out for care.”

– Phyu Phyu, SWRD and Paralegal, AMA Mandalay

“Most KTVs say from 8 am to 11 am you can go freely to get health care, then you have to come back. There is a hostel in the compound where we live, and if we’re even 30 minutes late back to the hostel we have to pay a 30,000 Kyat fine. We get two days leave per month, the KTV is open 24 hours a day, and the hours we work depend on the customers. Usually from 11 am to 6 pm we can rest. From 6 pm to 1 am we are putting makeup on and waiting in the lobby. Then 1 am to 8 am we work. For one hour, the lady fee is 2000 Kyat. This is ours completely, but it could be two weeks til we are paid – they withhold it so we don’t leave.”

– Khin Ma Ma, SWRD and Paralegal, AMA Mandalay

“One girl was at AIDS-stage HIV and very weak, and the owner didn’t want her to work for him anymore. At the same time, she should have gotten health care a lot sooner. As a worker, she has a right to access health care related to her job, and not to lose her job as a result of an illness. Like this, there is also a brothel that demands regular HIV testing, which is fine, but then they fire girls who are positive. We have to do a lot of work with owners on both rights to health and non-discrimination.”

– Phyu Phyu, FSW, paralegal, AMA Mandalay



The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, [including]

(b) The improvement of all aspects of environmental and industrial hygiene;

(c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;

(d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

**(Article 23, CESCR) <sup>29</sup>**

## 2.6(d) Adequate Pay and Favourable Working Conditions

Sex workers can collectively advocate for better pay if they know that workers in other locations are making more money. SWRDs document pay scales in different establishments and regions, and serve as liaisons between workers who cannot physically meet one another. This gives sex workers insight into what they could feasibly be charging for their services, and allows them to connect with workers in other locations despite not being able to travel there personally.

SWRDs also help workers recuperate unpaid wages without being forced to quit their jobs. In Myanmar, defenders facilitate meetings between national anti-trafficking organisations, establishment managers, and sex workers to encourage a broader view of what anti-trafficking work can entail. “Trafficking,” as explained by sex workers who have experienced it, often means coerced relocation and temporarily unpaid labour.

Some sex workers who willingly begin work at one establishment are transferred to another against their will, or may agree to go under false promises of better pay.

If they want to recuperate unpaid wages at the second establishment and/or return to their former place of employment, but do not want to leave sex work entirely, they are left with few options. Calling an anti-trafficking hotline could result in a raid on their establishment, the arrest of their colleagues, prison time, violence from managers, losing their children, deportation if they are undocumented, loss of wages, and an inability to find work in the future.

Cases like these are common in Myanmar and SWRDs play a critical role. They help sex workers advocate and negotiate process with the establishments, without shaming or coercing them into leaving their field of work entirely. They bring in anti-trafficking organisations strategically, to advocate for fair pay without belittling the workers or threatening the establishments. SWRDs are well-placed to conduct this advocacy because they have established trust with many establishment managers and workers via their long-term health outreach.



The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

- (a) Remuneration which provides all workers, as a minimum, with:
  - (i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;
  - (ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;
- (b) Safe and healthy working conditions;
- (c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;
- (d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays

**[Article 7, CESCR]** <sup>30</sup>







## 2.6(e) Security Coordination

In Myanmar and El Salvador, different state authorities place contradictory boundaries on where sex workers can safely work. Security forces threaten workers to relocate to different streets, blocks, and hotels, which often further conflict with where local gangs and criminal groups “allow” sex workers to be.

SWRDs in Myanmar and El Salvador say an important part of their work is negotiating clear territorial boundaries within which street-based sex workers can work.

In Myit Kyina, Myanmar, SWRDs say that three different local authorities establish three different arbitrary nightly boundaries within which people can buy and sell sex. The town council, auxiliary fire brigade, and local police each

set different rules which contradict one another.

Sex workers effectively have to choose which authorities’ rules they will “violate” each night, and suffer punishment from those officers. Each authority harasses sex workers, demands bribes or sexual services, and violently relocates workers to new locations. In this new location, sometimes just minutes later, the workers are again subjected to similar treatment from another authority. The fire brigade in Myit Kyina also subjects sex workers to collective punishment; if one sex worker in a street-based group cannot afford the nightly bribe, the whole group is arrested, attacked, or sexually assaulted.

“We were three sex workers sitting on the road around 10 pm. Four police officers on motorbikes came from one direction, and the fire brigade came from another. I didn’t know we were in a restricted area. One of us was talking to a client in a car. The police said ‘This is a place you can’t be. You can choose: we can beat you or arrest you.’ The fire brigade officer said ‘I’ve warned you many times about this spot.’ He never had. Sometimes they tell one group of girls one thing, and don’t tell the rest of us, and expect us all to know. We chose being beaten. They got a stick from a tree and beat us one by one; they made us bend over and hit us from behind. I tried to cover my butt with my hand, and that’s how my hand got hurt. I went home and immediately called [a SWRD named] Myo Myo. She came to see me and asked what I needed. I told her nothing except a safe environment to do my work in. She promised me she’d try to talk to the authorities. AMA and SWIM are the only people we can go to for violence support – every other organisation just does health.”

– Me Ya, FSW, 30 years old, Myit Kyina

## Testimony: Nwe Nwe Win, AMA Supervisor, Myit Kyina

Nwe Nwe Win is the AMA Supervisor in Myit Kyina. She is a former paralegal who works primarily on violations related to freedom of movement and violence against street-based sex workers.

*“Authorities, fire brigades, and police restrict the movement of sex workers; they each do patrols and tell them to relocate to other areas if they don’t want to be abused. But none of the boundaries line up. So one armed authority attacks you or demands a bribe or sex and moves you to a new area, where it happens again by another group. We’ve been working to coordinate meetings between all three groups, effectively to tell them they need to align the way in which they want to enforce the law.”*

*“It’s harder for us to deal with harassment of sex workers on the street than to deal with an arrest, because if they’re arrested at least we know where to find them. We can go and negotiate their release and bring lawyers. If they’re just left in a cemetery or being pushed from street to street by the fire brigade, it’s much harder to protect them. And on the street, police confiscate phones so they can’t call us at all. This is why it’s so important to negotiate some sense of order on the streets.”*

*“Girls call me all the time and beg us to do advocacy on making the street a safe place for sex workers. Very often they don’t want to report an attack or go to court, because that introduces many threats, they just want a safe place to work.”*

*“I’ve worked with the local administration, fire brigades, and police to agree on consistent zones in which they will not threaten, harass or abuse sex workers. I’ve also worked hard to get them to accept a collective payment instead of an individual one, so they don’t arrest us all if just one girl can’t pay. Sex workers always take care of each other, with housing and health and money and stuff, so it’s much more natural for us to be able to pay each other’s fees if someone can’t afford it for a while. Now there are less attacks on the whole group.”*

*“AMA is also part of a national coalition working to amend legal punishments for sex workers and provisions for our protection. There are 9 networks and organisations involved, together with the Ministry of Health: MSM networks, SWIM, AMA, the drug user network, My Positive Group, MP Women Net, the national NGO network, MINA faith group, and My Youth Star.”*





## 2.7 Storytelling, Knowledge Production, Safety Strategies

SWRDs host workshops and social gatherings to discuss physical protection, share security strategies, and promote community-based knowledge production. Much of this work includes oral storytelling and strategy sessions to ensure participation of community members of all literacy levels. Examples of SWRDs' creativity and leadership in collective security include:

- mapping police checkpoints, patrols, and raid locations, and sharing them orally;
- creating memorization games to help people remember and use emergency hotline numbers;
- collecting and disseminating photos and identifying details of violent clients;
- matching experienced sex workers with newer workers to facilitate mentorship and intergenerational development of security tactics;
- hosting workshops on practical strategies for safety, with attendee groups based on location of work.

In some countries, SWRDs amalgamate, analyse, and share this information via WhatsApp chains or other messaging platforms. In Tanzania, defenders in Dar Es

Salaam collect details of arrests, police violence, client attacks, and new strategies for working safely. They send out “security digests” to sex worker distribution lists on messaging applications.

In Myanmar, SWRDs share security strategies orally; defenders say they function essentially as oral storytellers, traveling to different sex worker communities and sharing long stories about police violence, clients, labour rights, and collective protection. The easily understood, engaging stories increase communities' knowledge of security best practice and build solidarity across different towns.

Most HRDs who lead the storytelling work at AMA came to the organisation following their own experiences of sexual violence. They are experts in security and protection strategies related to street-based work and cultivating safe working relationships with clients. Many of the orators are transgender HRDs, whose communities have their own traditions of oral storytelling. Transgender defenders say they incorporate protection work into their communities existing social activities to make the strategies more accessible to other workers.



## Testimony: Tan Win, Transgender SWRD and Makeup Artist, AMA Mandalay, Myanmar

*"I met a client on the road and we went to a dark area on the side of the road. I asked for money first and he said why? I told him this is the work procedure. He told me he didn't bring money, he brought an iron fist. He said he would kill me if I didn't have sex with him. So I did. He didn't pay. I have faced this many times. One man took me somewhere dark, then two more appeared and all three raped me. None paid, but they asked me to buy them drinks after raping me. I yelled for help but was scared when people came. I ran to my house as fast as I could. I didn't know about AMA then.*

*Most trans girls like me choose to work the street because we make more money and can choose the hotel or guest house we take clients too. But street sex work is more dangerous in many ways and you have to understand all these differences.*

*I got a lot of advice from AMA about how to avoid violence on the street and now I do outreach to share this knowledge with others. Things like: being confident on the street when with clients and asking for wages; how to use my voice; memorizing the hotlines and other numbers; knowing all AMA services and legal services; how to report to various points in the AMA chain; which roads police patrol and which ones have police watch points; which areas in which villages are dangerous like graveyards, train stations, and outskirts of town.*

*But we don't make printed maps or lists because this would be seem like we are forbidding it, and they have a right as workers and citizens to go there if they choose. The most important thing we [trans SWRDs] do is knowing the stories of others. We have to share stories."*

“ I share locations of friends every night. I coordinate, but this is a web, so I also tell them my location. We do lots of things as a group, as a collective decision, like if we will take a group booking or if we will move to a new street. I also collect photos and names and share information about violent clients when we meet in person. We have trained our friends to take photos of clients immediately when they arrive to a booking and walk into the KTV room, so if they abuse us we are ready to share their photo.”

– Wai Wai Myint, SWRD, Myanmar





## 2.8 Police Reform

Sex worker rights defenders are actively engaged with police departments and precincts to reform treatment of sex workers by police officers.

In El Salvador, Asociación de Mujeres Trabajadoras Sexuales LiquidAmbar has worked for years to build relationships with both local police and the Salvadoran Army to end the humiliating practice of forcing sex workers to publicly declare their HIV status during raids (See Human Right Work.1). In Kyrgyzstan, Tais Plus has worked for a decade to end the practice of forced HIV testing. The organisation began working in 1997 on health and HIV outreach to sex workers. Tais Plus officially registered in 2000, and began working on documenting violence and police abuse against sex workers in the mid-2000s. Defenders with Tais Plus now see documentation of police violence and proactive steps

to train and reform these practices as central to their work.

In Tanzania, SWRDs have built relationships with and conducted trainings for local and provincial police, including in rural areas outside of Dar Es Salaam. SWRDs introduce police participants to the Universal Declaration on Human Rights, related treaties and declarations addressing gender, health, and humane treatment in detention. Defenders use these trainings as opportunities to build in-person connections between sex workers and allied police officers, creating a network of individuals who come to know one another as citizens, neighbours, and fellow parents. Defenders say they are working build human connections between sex workers and police, to mitigate the violence sex workers experience on the street.

### HRDs Working Against Police Violence: Tint Tint Wai, AMA Mandalay, Myanmar

SWRDs with AMA work with police to reform violent treatment of sex workers before, during and after arrests. Defenders report that the most arrests occur on the street and target people working alone, but they have also documented violent raids on massage parlours, karaokes, and other sex work establishments in which more than 20 sex workers were detained at once.

#### The Abuses

Police torture sex worker detainees using a variety of tactics including blindfolding, covering their heads with a bag or fabric, tying their hands with ropes, tasing and administering electric shocks. During raids on hotel rooms, police often threaten sex workers and their clients at gunpoint, forcing them to “get under the blanket and pretend to fuck” in order to photograph them for “evidence.”<sup>31</sup> In several cases documented by HRDs, a police officers have abducted sex workers from the street, brought them to a remote location, sexually assaulted them, left, and sent colleagues to arrest the sex workers.

SWRDs have documented rampant abuse in detentions, prisons, and police custody including denial of food, being made to wait more than 24-hours to use a bathroom, beatings, sexual assault, and stripping naked trans defenders and forcing them to proclaim a different gender identity. SWRDs have also documented cases in which male police officers forced female sex workers to remove all of their clothing and “photographed their vaginas” in their prison cells, claiming “evidence” was needed to show the court. Female sex workers are regularly forced to remove their clothing and “show their breasts” in exchange for release or to end other forms of abuse.<sup>32</sup>

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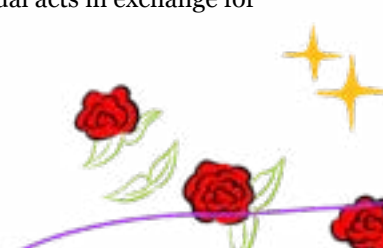
“I was selling sex on a boat and met a police officer. He said if I had sex with him and his two friends he would take me home in the morning instead of arresting me. All three of them had sex with me and in the morning they took me to the police station and detained me.”

– Kye, WHRD, AMA

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#### The Defenders

Tint Tint Wai is a SWRD, health educator, and legal counsellor with AMA Mandalay. She co-leads the organisation’s work against police violence in Mandalay. Tint Tint Wai works directly with police stations to reform violations including: the lack of adequate systems for reporting and penalizing police violence against sex workers; the phenomenon of “arrest quotas,” which police officers openly reference as justification for warrantless arrests of sex workers; theft of sex workers’ money and phones by police officers on the street; the use of “informers” to find, attack and arrest sex workers; civilians posing as police officers to sexually assault sex workers; sexual assault by plainclothes and uniformed officers; police demands for sex “free of charge;” and sexual coercion including police demands that detained sex workers pay bribes or perform sexual acts in exchange for release from detention.



## The Successes

Tint Tint Wai and her colleagues explained key abuses they have successfully reduced, ended, or advocated against with police in their area. These include arrest quotas, civilian informers, police physically attacking sex workers, bribery, and demands for sex free of charge.

"Officers from Station #1 used to be horrible about demanding sex 'free of charge.' Our advocacy has successfully reformed them. We invited the Police Chief to an AMA meeting and presented him many of the specific, detailed difficulties of sex workers lives. He had no idea. We explained about the dangers of physical and emotional abuse from police. The Police Chief eventually became friendly to AMA, and told us to teach sex workers to memorize the names of police who abuse them so he can take action. The girls are, of course, still too scared to report specific police officer names, but we tell the Police Chief in general when abuse happens and he really does investigate it. Violence cases from Station #1 has noticeably reduced since the Police Chief started investigating abuses from his officers."

"We had multiple meetings and invited police to ask honest questions. They want to know why sex worker rights defenders are promoting sex work. We explain that we aren't. We explain that we work on health and human rights. We explain that we don't want their workload to increase, that we won't complicate their work, and in fact, we want to help reduce the number of cases they have."

"A police officer kicked a sex worker off her motorbike and she was injured. Then he stole her bike and demanded a bribe. Our AMA head from Yangon came to speak to the station head, who then told the officer he had to pay \$500 in reparations to the sex worker. This was unheard of."

"Police need a certain number of arrests each month. This is not confidential. They're open about the concept of a target. Everyone knows they are given quotas from their higher-ups. If we have a good relation with the officer they'll tell us what the arrest target numbers are for the month. Sometimes they are nice to the girls to and tell them to move to a new spot because 'this area is under police control tonight.' This is an informal victory, because the practice still continues, but it means one less police officer is actively hunting us. Instead, he is helping us to evade his colleagues."



## Cultures of Criminalisation & Ending the Use of Informants

Arrested sex workers face up to three years in prison in Myanmar.

SWRDs say that police use “informers” to help them arrest sex workers. Informers are men who pose as clients, have sex with workers, refuse to pay, and then call police to come and make an arrest. HRDs say that some men ask to become informers in order to build a relationship with local police officers or have charges against them dropped.

In the above case, WHRD Tint Tint Wai and her colleagues successfully brought criminal charges against a perpetrator who was not actually working in collaboration with the police. The case demonstrates how the criminalisation of sex work puts workers at risk of violence from the general public, (not just at risk of arrest).

SWRDs say that, similarly, clients in brothels frequently tell sex workers to “just call the police” if they attack, beat, hit, or refuse to pay. Perpetrators know that Myanmar’s penal code sends sex workers to jail and lets clients go free, and use this to threaten sex workers.

SWRDs successfully advocated for charges to be brought against the perpetrator in the above case, but say that permanent legal reform is necessary to end violence that occurs as a result of criminalisation.

- The man independently posed as a police informer, and the sex worker believed he was one because the actual system of informers is so widely known.
- The man brought handcuffs not as a form of kink play, but as a psychological threat. He physically demonstrated that her identity is a crime, and that, therefore, he could do anything he wanted to her because she could not call the police without risking three years in jail.
- He threatened her into silence, mocking her lack of legal recourse and protection. He recreated a system (of police informants, arrest and criminalisation) created by the state itself.
- All his acts of coercion, including the sexual assault, were based on the shared knowledge that sex work is a crime.



## CASE IN FOCUS: HRDs Ending Forced STI/HIV Testing in Kyrgyzstan

Similar to the work that Asociación de Mujeres Trabajadoras Sexuales LiquidAmbar (El Salvador) has done to end the humiliating military practice of forcing sex workers to publicly declare their HIV status during a raid, Tais Plus (Kyrgyzstan) has been working for nearly a decade to end the practice of forced HIV testing in Bishkek.

The Department for Combating Human Trafficking and Crimes Against Public Morality was established in 2013. Police in the unit restarted the formerly abolished practice of forcibly testing sex workers for HIV and STIs. Starting with a raid at the end of 2013, police began arresting workers in brothels and hotels, sometimes more than 100 at once. Police detained, physically and sexually assaulted, and violently subjected them to forced medical tests in police stations. They often conducted these tests without consulting with medical professionals.

A new capital police initiative to “cleanse Bishkek of prostitutes in one week” was announced at a press conference in June 2016.<sup>33</sup> SWRDs report that by 2016, the most police departments and units were empowered to raid sex work establishments, demand bribes from workers, confiscate their identity documents, and refuse to return the property or release the workers until they submitted to medical test. The practice spread as a result of the impunity for and normalization of the violence perpetrated by the Department for Combating Human Trafficking and Crimes Against Public Morality.

**Defenders say forced HIV testing had a drastic impact on their work. “We used to be able to reach 2500 sex workers a year. Since 2016, so many are in hiding that we only reach 900 a year now.”**

Between 2014 and 2017, Tais Plus and Shah-Aiym jointly organised several meetings and roundtables to advocate for ending the practice. They included other HRDs, officials from the trafficking unit, and INGO allies.

Shahnaz Islamova, WHRD and Executive Director of Tais Plus, says her organisation is not against the creation of the new police department or its efforts to combat “sex trafficking,” but that forced medical testing by untrained officers is a violation of workers’ rights to live free from violence and torture, work safely, and have their privacy respected.<sup>34</sup> In the roundtables, Tais Plus advocated for police to be better educated about Kyrgyzstan’s HIV laws – namely, that refusing an HIV test is not a crime, and that administering them is not the job of security forces.

Defenders also argued, in public forums and private government advocacy meetings, that forced testing makes sex workers more reluctant to contact Tais Plus and allied medical centres for anonymous testing and counselling. Shahnaz publicly argued on several occasions that disease prevention and treatment needs to be addressed through education and rights-based care. Violence and forced testing, she explained, drive sex work underground.

## 2.9 Human Rights Trainings

SWRDs provide human rights trainings for sex workers, the general public, government institutions and police forces.

### 2.9(a) Trainings For Sex Workers

SWRDs rarely have access to their own private meeting spaces, due in part to rampant violations of sex workers' rights to freedom of assembly and association. As such, SWRDs frequently travel to "hot spot" locations such as brothels, parks, and railway stations to provide human rights trainings. Many defenders also conduct human rights trainings in their own homes, or build alliances with NGOs, hotels, or restaurants to secure safe meeting space.

In Tanzania and Myanmar, defenders train sex workers on the UDHR and their rights under their countries' constitutions and penal codes. Defenders teach practical strategies sex workers can use to advocate for their release if detained.

Defenders provide one-on-one trainings and counselling for new sex workers, who may not be comfortable attending larger group sessions and face unique security risks due to their inexperience with clients, police, family violence, and discrimination.

SWRDs also hold health rights trainings for populations who are systematically marginalised from mainstream medical care. They create and distribute lists of specific rights-related words, phrases, and concepts that sex workers can reference if they are denied care at the hospital (see Human Right Work.11(a)).

Defenders in several countries reported traveling to spaces of controlled sex work and negotiating access to workers who are unable to attend off-site trainings for a wide variety of reasons, including lack of access to transportation and childcare, threats from management, or the risk of outing to their families.

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“Before, sex workers would run away when they see officers. I taught them to respond by saying: Why am I being arrested? Where will you take me? Which code did you use to arrest me? What did I do wrong specifically? Then I teach them that if they are arrested, they have a right to call their family, to ARVs, and to food.”  
**– Su Su Linn, AMA Supervisor, Bago**

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“I tell my friends where they should and shouldn't work to avoid the police, and also to talk back to police when they are not selling sex but being accused of this. I got this knowledge from a YCO legal workshop, and now hold small workshops in Pyay. Of course we cannot always talk back because they will beat us so we have to be careful, but even under the law everyone should be released if they are not having sex directly in front of officers.”  
**– Su Su Min, WHRD, Pyay**

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“We help each other. If one of us has an issue, we help. Even in arguments with violent clients, we can help, but with the police it's much harder because we don't know everything about the laws or our rights and we all just get arrested together. I got training from AMA in Mandalay on the 30 facts [30 human rights principles of the UDHR]. We learned about diversity, non-discrimination, anti-violence, and also Myanmar's laws, then I shared all this information about the 30 facts with my friends.”  
**– Myit Kyina, FSW community member**

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## 2.9(b) Trainings For the Public

Defenders in Tanzania, El Salvador, Kyrgyzstan and Myanmar organise community information sessions, workshops, and trainings for non-sex workers. In Tanzania, defenders host workshops on the universality of human rights, and frame the denial of health services as a key human rights issue.

Tanzania HRDs also run community campaigns to promote the legitimacy of sex worker rights defence as human rights defence. One HRD in Tanzania explained: “We want to explain that we are not ‘promoting’ anything

other than human rights. We’re not promoting sex work; we’re not promoting homosexuality. We’re promoting the human rights of people who do sex work and are gay.”

In Kyrgyzstan, HRDs run community education campaigns and host public events to counter stigma and discrimination against sex workers. In El Salvador, transgender defenders in the Gulf of Fonseca region travel to rural, mountain communities to hold workshops on gender identity and expression, sexual orientation, bodily autonomy, and women’s rights.





## 2.10 Public Health Advocacy



The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, [including]

(b) The improvement of all aspects of environmental and industrial hygiene;

(c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;

(d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

**(Article 12, CESCR)<sup>35</sup>**

SWRDs fight for their communities’ right to health in the face of systemic violence and marginalization from mainstream healthcare services.

In addition to negotiating access to controlled spaces of sex work for health providers (Human Right Work.5), and securing for more leave time for workers to go to doctor

appointments (Human Right Work.6(c)), SWRDs also accompany sex workers to hospitals and clinics to help mitigate discrimination and abuse. SWRDs also play a critical role in representing the needs of their communities in local, national, and international health policies, programs, and interventions.

### 2.10(a) Advocacy at Hospitals and Clinics

SWRDs accompany sex workers to hospitals and clinics for emergency, routine and long-term care. In Tanzania, sex workers in Dar Es Salaam call SWRDs when doctors and nurses refuse to treat them. SWRDs respond to discrimination in emergency situations, including doctors, nurses and hospital staff who:

- outright refuse to treat a sex worker’s injuries following a physical attack, which is often accompanied by derogatory language about the worker’s profession;
- leave injured sex workers unattended in hospital waiting rooms for days at a time, while several rounds of other patients with less severe injuries are seen;
- insist that police be called prior to beginning emergency, life-saving treatment, knowing that this forces the sex worker to accept being arrested (and the subsequent likelihood of sexual assault in detention) in exchange for medical care;
- public humiliation by medical staff including treating sexual assault wounds in public spaces and encouraging other patients and doctors to watch;
- cite non-existent policies about only treating sexually transmitted infections for couples (based on the logic

that if you only treat one partner, the infection will return);

- refuse to treat female sex workers’ sexual transmitted infection “until she brings her husband in with her,” knowing that the patient has more than one sexual partner.

These and other forms of violence, humiliation, and discrimination discourage sex workers from seeking medical treatment in emergencies and for long-term illnesses.

HRDs from TASEFO in Mwanza, Tanzania, provide sex workers with referrals to respectful, dignified, and knowledgeable health care options. Sex workers in Mwanza told Front Line Defenders that TASEFO provided the “most important service” they had ever accessed. HRDs extensively research and make connections with allied medical care providers, which prevents the violence and psychological trauma that sex workers experience at many medical centres.

Defenders also provide trainings for their community on specific words and phrases to use to advocate for themselves when faced with discrimination in medical centres.



## WHRD Testimony:

Hosna is a woman human rights defender and Community Outreach Worker with Bridge Initiative Organisation (BIO) in Zanzibar. She works on health rights for discriminated and marginalised populations, and conducts human rights trainings to prepare sex workers on how to advocate for themselves if they are detained by police or denied medical care at a hospital.

Hosna makes lists of specific words and phrases sex workers can use to advocate for themselves. She hosts "confidence building" workshops to help sex workers practice how to advocate for their own health care when they are discriminated against and denied treatment. Participants memorize and repeat the human rights words and concepts that have been successfully used at hospitals in Zanzibar.

*"I accompany sex workers to hospitals and health care centres so they don't have to face the discrimination alone, but I also run programs to teach them how to be successful at demanding care if I can't be there. Many sex workers don't even know that this is a human right – to have access to care and not be discriminated against. We practice how to tell the hospital that you'll report them to ZAC (Zanzibar AIDS Commission) if they discriminate against you, and how to present yourself confidently to doctors. We've seen women start to use these tactics and end up getting treatment, instead of just walking away like they used to."*





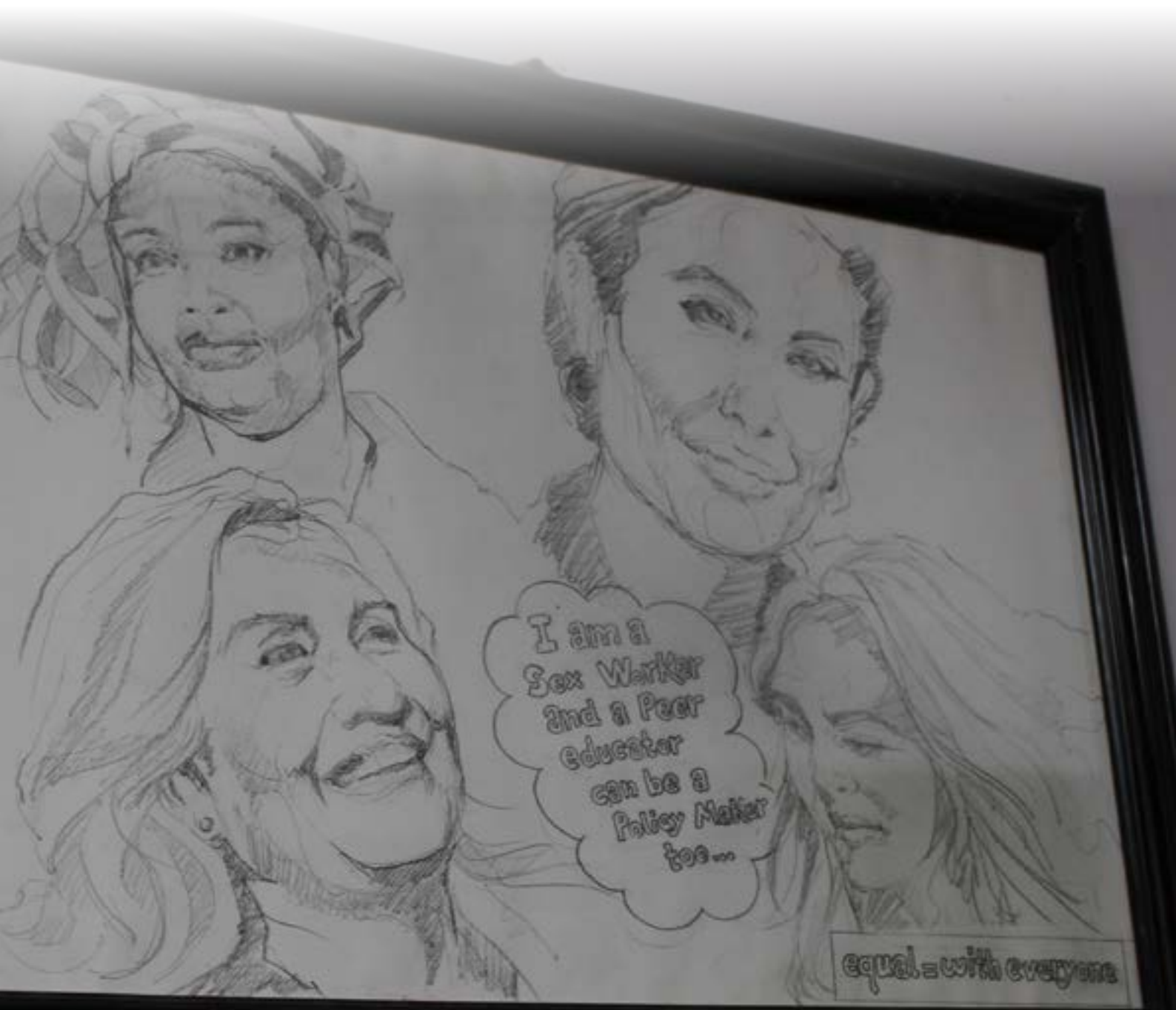
## 2.10(b) Public Policy

SWRDs are in a unique position to bring human rights and anti-violence discourse into government health policy spaces. In Kyrgyzstan, SWRDs in Osh built connections with government HIV services that they now use to advocate for police reform. Defenders have held advocacy meeting and campaigns to raise awareness of how police violence, brothel raids, and discriminatory treatment in clinics are proven barriers to HIV program efficacy.

Similarly, in Myanmar, AMA conducts advocacy campaigns and provides advisory services to government bodies, local organisations, and international NGOs

working on HIV/AIDS prevention. AMA participates in the national strategy plan on AIDS, advocating for a rights-based approach to health policy. SWRDs are reforming public health policies and programs designed and operated at:

- the national level (such as multi-year national AIDS strategies),
- local level (such as neighbourhood clinics),
- and international level (such as in-country programming by UN bodies or INGOs).



## 2.11 Creating Spaces of Solidarity, Pride and Movement Building



“the right to freedom of peaceful assembly and association” **(Article 20, UDHR)<sup>36</sup>**

“Everyone has the right, individually and in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance.” **(Article 7, Declaration on Human Rights Defenders)<sup>37 38</sup>**

SWRDs face rampant violations of their rights to freedom of assembly and association. Coming together, even in private, is a radical, resistant, and dangerous act for defenders whose very identities are criminalised.

SWRDs insist on their communities’ right to assemble. The contexts in which they work are often diametrically opposed to sex worker networking. State-sponsored efforts to prevent worker organizing are varied and vast: online censorship of SWRD accounts; laws that criminalize working together in the same apartment for safety; arrests of defenders sitting together in coffee shops; violence against detainees that intentionally divides transgender and female sex workers.

Despite the persistent risk of violence and arrest, SWRDs succeed in creating physical spaces for their communities to come together. They range from living rooms to attics, from a salon in a village to a certain tree in a certain corner

of a certain public park. They are an absolute necessity for solidarity, training, and collective well-being. They sustain sex worker communities and encourage more people to become involved in the struggle for rights.

The vast majority of defenders interviewed for this report explained that all their activism revolves around one central point: that sex workers have a right to exist, to work, to collaborate, to live, and to fight openly for these rights. Amidst discourse and policies that debate the humanity of people who sell sex, the physical spaces defenders create for their communities are life-sustaining.

Examples of SWRDs’ creativity in establishing physical spaces of solidarity include:

- forming organisations despite blanket discriminatory bans on formal registration;
- opening their homes to sex workers for human rights







programming, meetings, social events, emergency aid, protection trainings, and other movement needs;

- acting as the group representative and building relationships with owners of local churches, restaurants, hotels, and other potential meeting spaces;
- advertising and re-advertising community meetings, research opportunities and security trainings despite rampant censorship of sex workers on mainstream social media platforms;
- holding community meetings in the attics and basements of salons, keeping these spaces open after-hours to provide low-profile meeting space;
- advocating for housing.

SWRDs say that physical spaces create connections

between sex workers of different generations, and that this in turn generates pride, confidence, self-worth, and advocacy skills.

Staff and volunteers with AMA provide “professionalism” workshops that counter the derogatory messaging sex workers receive about their profession. Defenders explain that when sex workers have only ever been exposed to messaging that constructs their profession as degrading and undeserving of respect, “they don’t fight for their rights because they believe they don’t deserve them.”

Khin Hnaing San is a Program Support Officer with AMA Mandalay. She previously worked with the INGO Population Services International, supporting men who have sex with men (MSM), transgender populations, sex workers, and people who use drugs. She says she wanted to work at AMA because of the organisation’s human rights framework.



“Sex workers have little educational background and are therefore made to have very little self-esteem in their interactions with much of society. I work on capacity building programs so they can be more professional in their work, can assert that sex work is work, and that this is their profession. Many don’t value their work; they do it because they are poor, and therefore don’t fight for their rights. They’ve been told this is a ‘last resort’ activity, and that affects how they don’t fight for their rights. Regardless of how you got here, you have rights. And you have a right to fight for those rights.”

– **Khin Hnaing San, SWRD, AMA Mandalay, Myanmar**



This section examined the human rights work of SWRDs in Myanmar, El Salvador, Kyrgyzstan and Tanzania. SWRDs defend the rights enshrined in the UDHR, ICCPR, CESC, CEDAW, CAT, and ILO labour rights standards. SWRDs respond to sex workers who encounter violence, provide health education, legal and medical advocacy,

negotiate freedom of movement for survivors of coercion and trafficking, and work with authorities to provide human rights trainings at the local and state level. The following section examines the risks and threats that SWRD face as a direct result of their human rights activism.



## 3.0 Risks and Threats

Front Line Defenders conducted more than 300 interviews with SWRDs and their communities about the risks, threats and attacks faced by workers who become visible advocates for human rights.

This chapter analyses cases and testimonies of HRDs who operate at the intersection of these two identities – sex worker and HRD – and finds that a large majority of violence perpetrated against them is demonstrably in retaliation for their activism.

Targeted attacks against SWRDs include: arrest, sexual assault in detention, threats from managers and clients, extreme financial burden of their activism, raids on their homes and offices, physical attacks and police surveillance while conducting health outreach work, threats to relocation from the area they sell sex after becoming known HRDs, public defamation campaigns, and discriminatory exclusion from policy making in areas in which they have clear, demonstrable and unmatched expertise.

Front Line Defenders spoke with approximately 25 SWRDs in each of the four main research countries. Researchers interviewed an additional 20 to 40 sex worker community members who did not self-identify as activists, community leaders, health outreach workers, peer educators, or advocates. Speaking to sex workers who did not self-identify as HRDs allowed researchers to differentiate between risks faced by sex workers who are visible activists (HRDs) and those who are not.

Through this process, researchers distinguished between two categories of threats against SWRDs: those experienced by all sex workers, but for which HRDs are at a greater risk, and those unique to HRDs.

1. SWRDs are often at a higher risk of the same types

of violence that other sex workers in their communities routinely face, such as sexual assault in detention in Tanzania, or police violence on the street in Myanmar. Defenders say that their odds of experiencing these violations increase due to their activism. This happens because:

1a. their visibility as HRDs often necessitates visibility as sex workers, meaning they are more open and exposed as sex workers and to the related violence; or

1b. their work as HRDs means they spend more time in locations where attacks are likely to occur, such as brothels, “hot spot” streets, police stations, and discriminatory clinics. Sex workers who are not activists would only be in these locations during their working hours, SWRDs spend additional time in these places helping their community.

2. Defenders also experience violations that are not typical for sex workers in their area, such as different forms of torture in prison, threats by name on the street, targeted abuse on social media, and demands for sex in exchange for an advocacy meeting.

Globally, when SWRDs are harassed, threatened, arrested, attacked, sexually assaulted, and defamed, the discourse surrounding risks associated with the sex work often usurps the evidence that these attacks are in retaliation for defenders’ activism. SWRDs report being told by a range of actors – police, doctors, families, and NGOs – that attacks they experience are “just because you’re a sex worker.”<sup>39</sup> Denying the causal relationship between sex worker activism and targeted persecution is a form of defamation. It delegitimises SWRDs’ status as HRDs, and limits their access to HRD protection mechanisms and services.



Violence against all sex workers is a violation of their human rights – regardless of whether or not they are HRDs. This section highlights attacks which can be proven to have occurred in direct retaliation for sex worker activism. This is not to imply that violence against non-activists is in any way less egregious. It is framed in this way to legitimise attacks on SWRDs as attacks on HRDs.

## 3.1 Arrest

Sex worker rights defenders face a high risk of arrest under a wide variety of discriminatory laws and police practices. They risk arrest under laws used to target other types of HRDs, as well as laws used to target sex workers. For example, the vast majority of sex workers in Myanmar, including SWRDs, interviewed by Front Line Defenders, had served at least one year in prison on prostitution charges.

Very few SWRDs felt that being a known activist provided any immunity from the risk of being arrested for selling sex. To the contrary, many defenders reported that police use anti-prostitution charges to punish them for their activism, as well as other charges traditionally used against sex workers in their country (such as trumped up theft, drug, or indecency charges).

### CASE STUDY: Tanzania

Prostitution itself is not technically a crime in Tanzania. Chapter 139 of the Penal Code effectively criminalizes brothels and is used to target sex workers regardless of their working location.<sup>40</sup> Some women, particularly in Dar Es Salaam, rent rooms in brothels to work and send money back home to their primary residence and children. A greater number of sex workers, however, including transgender, male, and female sex workers, find clients in bars, clubs, their streets, or social media.

SWRDs operate at the intersection of two highly policed and often defamed identities – sex worker and HRD. This allows police and other state authorities to arrest, detain, abuse, and charge SWRDs using a wide range of spurious accusations.

Police often accuse SWRDs of “promoting homosexuality” and “promoting sex work.” In detention, many then receive false, unrelated charges such as theft or drug possession. Some SWRDs are charged using Chapter 139, related to running a brothel, promoting sex work, and trafficking. Several HRDs have been arrested while handing out information on human rights, sexual health, and harm reduction to sex workers.

Of the 29 SWRDs that Front Line Defenders interviewed in Tanzania, all but two had been arrested using accusations typical of sex worker arrests. The circumstances of many arrests, however, clearly link the arrests to their activism.

- Many HRDs have been arrested while handing out information on human rights, sexual health, and harm reduction to sex workers.
- In Mwanza, police arrested a group of 20 HRDs and activists gathered in a cafe to draft their new civil society organisation’s bylaws. Police detained them and publicly accused them of “teaching each other new [sex work] tricks.”
- In Songea, police raided a human rights training

for sex workers and arrested the HRD leading the training. They accused him of promoting homosexuality and prostitution.

- In Arusha, police arrested a WHRD on accusations of “selling” other women after neighbours became suspicious of the sex workers frequently entering her home. The WHRD has, for years, served as a community mentor and opens her home to sex workers who need counselling, protection advice, or humanitarian support such as food, clothing, and shelter.

SWRDs risk arrest in many of the same ways as defenders working on other human rights issues. Laws related to freedom of expression, association, and assembly, for example, are used against SWRDs just as they are against other defenders.

SWRDs also face arrest and detention using laws that are used against other sex workers in their communities. Defenders say their risk of arrest “as sex workers” is increased as a result of their activism. This happens in 3 main ways:

- SWRDs are subjected to targeted arrests while doing HRD work, such as leading a human rights training. Police use anti-sex work laws to detain them, knowing that the defenders are also a sex workers, Section 3.1(a)
- SWRDs lead human rights trainings and health outreach programs in locations where police conduct violent raids. Police arrest the SWRDs alongside the sex workers who work there, knowing that the defenders are also sex workers, Section 3.1(b)
- SWRDs are arrested while selling sex, but in a manner that demonstrates police targeted them because of their known activism, Section 3.1(c).

SWRDs also face arrests that are not clearly linked



## **CASE STUDY: Tanzania (cont.)**

to their activism, as a result of criminalisation and stigmatization of their sex worker identities, Section 3.1(d).

Arrests of SWRDs linked to their profession occur not only in countries where selling sex is criminalised, such as Myanmar, but also in “End Demand” countries, which criminalize the buying of sex.<sup>41</sup>

In addition to the risks faced by SWRDs with citizenship or other legal immigration status in the countries in which they work, undocumented SWRDs and those who are migrants, refugees and asylum seekers face life-threatening risks associated with their legal status, which intersect with the risks they face for defending human rights and the risks they face as sex workers.

For migrant, refugee and undocumented SWRDs, the risk of arrest documented in this section is coupled with the potentially lethal threat of deportation. Due to the countries selected for this work, migration status was not frequently raised in the interviews with SWRDs which Front Line Defenders conducted. However, migrant, refugee, asylum seeker, and undocumented SWRDs are often the only actors documenting the human rights violations perpetrated against their communities, despite the immense risks associated with this work. More HRD-focused research and protection support is urgently needed for these defenders.





In Kyrgyzstan, police pay or threaten sex workers to assist in “entrapment” exercises targeting SWRDs.<sup>42</sup> In such cases, sex workers are paid or threatened by police to call them when HRDs arrive at an area to distribute health supplies, and often to ask the defenders to spend extra time at the location until the police arrive to arrest them. Such exercises erode trust between defenders and their communities, and force defenders to make additional choices that place their own security in opposition to serving remote, marginalised sex workers. It is common for sex workers to request that defenders meet them privately to distribute condoms, HIV test results, and provide other services, but these are the same tactics used by police to “entrap” and arrest HRDs.

### **3.1(a) Arrested During HRD work and their sex worker identity is used against them**

SWRDs have been arrested and detained on prostitution- and homosexuality-related accusations when police raid human rights trainings that SWRDs lead. In 2016, Tanzanian police raided a human rights training outside of Dar Es Salaam, detained the SWRDs leading the training for seven days, and denied them food for the first 36 hours.

Police also arrest SWRDs during the distribution of health and safety supplies. Defenders in all countries in which Front Line Defenders conducted research reported several instances of arrests during the peaceful distribution of health materials to sex workers and LGBTIQ+ community members on the street, during which defenders were accused of promoting homosexuality and/or prostitution.

#### **CASE STUDY: Ismail Tindwa, Dar Es Salaam**

Ismail Tindwa is a SWRD in Dar Es Salaam, who conducts workshops around the country for sex workers and LGBTIQ+ populations, training them in both human rights and sexual health. In February 2017, Ismail and a fellow rights activist conducted a human rights training for sex workers in Songea, southwest Tanzania. When police raided the event venue, Ismail negotiated with the police to allow the participants to leave and detain only he and his co-facilitator. The two were detained without charge for seven days. They were denied food for up to 36 hours at a time on multiple occasions;

police told them if they wanted to eat, they could “trade sex” with other detainees for food. Officers repeatedly told other detainees in their cell, some of whom were on narcotics and accused of violent crimes, that Ismail and his colleague were “responsible for spreading the gay curse” and “the reason there has been no rain” in the region. Other detainees verbally, physically, and sexually assaulted Ismail and his colleague, repeating back to them the police’s words. They were released after seven days when colleagues from Dar Es Salaam traveled to Songea to pay the bond.



## **CASE STUDY: Method Bujiku, SWRD, Mwanza, Tanzania**

Method Bujiku is a human rights defender and founding member of the organisation TASEFO in Mwanza, Tanzania. TASEFO is a sex worker- and LGBT-led organisation which fights for access to health care for marginalised populations, provides harm reduction education and counselling services, and responds to emergency calls from LGBTIQ+ people and sex workers detained and often abused by police. In the event of detentions or attacks against sex workers and LGBTIQ+ people, Method coordinates the communication chain amongst colleagues, collects money for bail/bonds, and reviews current contacts inside the police force who may be able to assist. He also coordinates contact with the few lawyers in Mwanza who are (seldom, but occasionally) available to respond to violations against sex workers and LGBTIQ+ people.

In 2015, Method and fellow TASEFO founders began planning to formally register the organisation and move meetings out of the INGO offices which had

hosted them. For independence, they began meeting in local restaurants and cafes. Due to discrimination against sex workers in Mwanza, they were often only able to meet, even during the day, in restaurants and clubs known to be already frequented by sex workers. During one meeting in 2015 in which approximately 20 organisers were discussing the formation of TAFESO, seven police officers raided the restaurant and accused the defenders of “teaching each other new [sexual] tricks” and “promoting prostitution.” Police shouted “do you think people like you are free to gather in this country?” while arresting the group, and brought them to the police station where they demanded financial bribes and sex in exchange for potential release. All of the defenders who were detained were also sexually assaulted, beaten and verbally abused by police officers. Several were repeatedly sexually assaulted in detention. Method was held for 3 days before being released on bail.

## **CASE STUDY: Salum Abdallah, SWRD, Zanzibar, Tanzania**

Salum Abdallah is a SWRD and Executive Director of BIO in Zanzibar, Tanzania. BIO advocates for the rights of LGBTIQ+ people and sex workers through HIV/AIDS programmes, medical accompaniment, movement building, spiritual education and healing communities for queer Muslims.

In December, 2016 Salum and his colleague were leading a safety, security, and human rights workshop for 12 sex workers. During the session, two uniformed police officers entered the room, confiscated all training materials, and arrested the SWRDs and participants. The officers accused Salum and his colleague of “promoting sex work.” Salum and his colleague were detained for 10 hours in police station before being released. They were verbally abused and harassed throughout the detention.





### 3.1(b) HRDs arrested while doing human rights work in sex work location when a raid occurs

SWRDs conduct human rights work in locations where attacks are likely to occur, such as brothels, “hot spot” streets, police stations, and discriminatory clinics, (See Human Right Work). Sex workers who are not defenders would only be in these locations during their working hours, but SWRDs spend additional time in these places helping their community.

Literally, SWRDs spend more hours per week in environments where arrests often occur. The number of hours per week spent negotiating with managers or police, for example, is greater for HRDs than other sex workers. Similarly, HRDs spend time in multiple brothels where they do not actually sell sex, because they are conducting human rights trainings. They are therefore exposed to more brothel raids and the corresponding risk of arrest.

“When sex workers are arrested, their friends will call AMA and we go to the station. I and another paralegal are responsible for the trans sex workers; we go and meet the officers to analyze the case, ask permission to provide food while in detention. Otherwise they go days without food. We ask permission to provide legal services because we have two lawyers.

Police say things like ‘We don’t care who you are and where you’re from, don’t make things more complicated for us.’ By responding to these emergencies, I’m basically presenting myself for arrest at the station every week. When I go to the street to do health outreach, if police came to arrest the girls that night, I’d either be arrested along with the others, or targeted because they know me. I’m very well known so I’m afraid.”

– Htet, SWRD, AMA Mandalay, Myanmar

#### CASE STUDY: Method, SWRD, Mwanza, Tanzania

In January 2018, Method and colleagues were handing out information packets on human rights, health care and sexual harm reduction to sex workers at an outdoor gathering in Mwanza. They were also using the opportunity to discuss future health and human rights programming with the community. Police raided the event and accused Method of promoting sex work. He argued with them about why the government was receiving international aid to prevent the spread of HIV and distributing condoms in some communities but seeming to deliberately exclude sex workers, and then arresting activists who served that community. Police detained Method before he was released on bail.



### 3.1(c) HRD visibility leads to targeted arrest while selling sex

As result of their visibility as HRDs, SWRDs face an increased risk of arrest under the laws and codes used to persecute sex workers. SWRDs in Myanmar, Indonesia and Tanzania report being targeted by police on the street at night, while selling sex. They are singled out because of their known history of activism.

warrantless arrests of people accused of, suspected of, or “known” to have committed crimes. Combined with the discrimination that sex workers already face, this places all sex workers at risk of arrest at any time if they are “known” to be sex workers.

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“In 2016, I was working on the street when a police officer came to me drunk. He starting touching me and grabbing at my clothes. He asked if I was Esvetta from Tais Plus. He kept yelling about Tais Plus, and shouting my name and that he knew who I was while he was grabbing at me. Of course they know who I am, and since then this has happened many, many times. All through 2017 and 2018, they come to me on the street – it’s worse when they’re drunk – and touch me and yell that I’m Esvetta from Tais Plus.”  
**– Esvetta, SWRD, Tais Plus, Bishkek, Kyrgyzstan**

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“We know of lots of cases in Myit Kyina in which police arrested a ‘known’ sex worker who was not selling sex at the time. There is complete discrimination, and we train girls to challenge the lack of evidence. This protects her temporarily, but then the police retaliate by watching her very closely and the second she sells sex, they arrest her.”  
**– Nwe Nwe Win, AMA Supervisor, Myit Kyina, Myanmar**

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Myanmar allows for the warrantless arrest of people perceived to be soliciting sex. HRDs say this is due to a combination of two factors. The colonial, 1949 Suppression of Prostitution Act outlaws soliciting or seducing in public. Further, police are known to make

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SWRDs’ visibility from organizing, leadership on the street, presence in police stations, and other activities contributes to their being “known” as a sex worker, and puts them at an even higher risk of arrest than sex workers who are not visible activists.



### 3.1(d) Arrests not explicitly linked to activism

Arrests based on identity, socio-economic class, and profession affect SWRDs’ family lives, economic stability, socio-emotional health, community status, and a wide range of other factors which in turn affect the efficacy and security of their activism. While it is not always possible to identify exactly which arrests were a result of their activism, it is clear that all arrests negatively affect their activism.

The UNAIDS Advisory Group on Sex Work explores this multi-faceted impact of criminalisation on sex worker’s lives, families, and work stating that:

“Activities associated with the selling of sex - operating a brothel, solicitation for prostitution, living off the earnings of sex work, and transporting or managing sex workers – are frequently criminalised. Thus, even if the selling of sex is not a criminal act, sex workers and their managers, other associates and even family members can face criminal charges.”<sup>43</sup>

The UNAIDS Advisory Group on Sex Work finds that “there is very little evidence to suggest that any criminal laws related to sex work stop demand for sex or reduce the number of sex workers.”<sup>44</sup>

“Rather, all of them create an environment of fear and marginalisation for sex workers, who often have to work in remote and unsafe locations to avoid arrest of themselves or their clients. These laws can undermine sex workers’ ability to work together to identify potentially violent clients and their capacity to demand condom use of clients. The approach of criminalising the client has been shown to backfire on sex workers.”

### Testimony: Ayemar, SWRD, Yangon, Myanmar

Ayemar is a SWRD and FSW in Yangon. She trained as a paralegal via AMA’s community training program and now manages cases related to sex workers who are arrested, detained, assaulted, or put on trial in Yangon. She responds to emergency calls from sex workers and their families following arrests, visiting police stations and detention centres, conducting preliminary intake interviews related to the details of the arrest, health needs and any abuse experienced in police custody.

Ayemar no longer works on the street, exclusively taking private clients, in an attempt to mitigate the threats introduced by her visibility as an activist. Working on the street, she risks arrest under Myanmar’s prostitution law, a

risk she is no longer willing to take because “three years in prison is three years I can’t help people.” Additionally, under the criminal code which allows for the warrantless arrest of those accused of soliciting sex, she feels she could more easily be targeted given her visibility as an activist. Although taking fewer clients privately is safer in some senses than working on the street, it also separates her from her community, lessens her connections and awareness of the current threats facing sex workers on the street, and reifies the stereotype that activists are “rich.” She also has less consistent access to a range of clients, and makes less money than she used to.



## 3.2 Sexual Assault in Detention

Of the 82 sex workers Front Line Defenders interviewed in Tanzania, all but two had been sexually assaulted by police. Assaults occur on the street, in police vehicles, and in police stations.

All HRDs who had been arrested for their human rights work in Tanzania were sexually assaulted in detention.

The vast majority of assaults were physically perpetrated by police, but several defenders were assaulted by other detainees after police told them to punish the HRDs for their activism. (See Section 3.2(a))

Most SWRDs interviewed were also severely beaten by police before, during or after the sexual assault. Several were also subjected to degrading and inhumane treatment such as being made to act like animals, crawl through sewage, or have sex with officers in public in exchange for their release. HRDs who refused to do have been beaten and tortured. One WHRD was shocked with electric currents after she refused to perform sex acts during a

one-week detention related to her human rights work.

The majority of HRDs interviewed in Tanzania had also been asked or coerced into having sex with officers to secure the release of other detained sex workers, for whom they had come to the police station to advocate.

This constitutes a critical difference in the treatment of SWRDs as compared with the general sex worker population. While the vast majority of sex workers are asked for sex in exchange for release, only known activists appear to be coerced into providing sexual services to secure the release of others. (See Section 3.3)

In a discussion with a group of female sex workers and transgender sex workers interviewed in Yangon both reported that sexual assault in detention is significantly more common against transgender sex workers, and that holds true for abuses against HRDs. Transgender SWRDs were, in the assessment of both groups, more likely to be sexually assaulted in detention than cisgender WHRDs.

### 3.2(a) Police Incite Abuse from Other Detainees

In several cases in Tanzania, after police arrested a well-known HRD and placed them in detention, they told other (non-sex worker, non-HRD) detainees that the HRD in their cell was responsible for promoting homosexuality and prostitution.

In rural areas of Tanzania, police have told other detainees that HRDs are responsible for causing droughts and

bringing curses on the community. (See Section 3.1a)

In 2017, one detained SWRD was violently attacked by cellmates after police told them he was responsible for the drought because he promoted homosexuality. The defender had been arrested while conducting a human rights training for rural transgender women.



### 3.2(b) Collective Punishment

In Myanmar, several SWRDs reported that when they were arrested with groups of other sex workers, their attempts to stop police from sexual assaulting detainees resulted in violent collective punishment for the duration of the detention. In one emblematic case in Kachin State, police detained a group of 14 sex workers. One SWRD

in the group who had legal training informed the others that they had a right not to immediately confess to all accusations, as police typically coerce sex workers to do. Police became angry with her, and beat all 14 sex workers as punishment.

“ I spent 14 months in jail in 2008. Fourteen sex workers were arrested on the street. As they were beating us and sexually assaulting us before putting us in the car, I said to them, ‘You don’t need to beat us. If you’re going to arrest us because sex work is a crime, even though you don’t have any evidence, just do it according to the law. You don’t have to beat us.’ The police started screaming at me, ‘What education do you have?’

They put us in two cars. I tried to work as quickly as possible to tell all the girls they didn’t have to confess to anything, but I couldn’t speak with all of them in time. In the station, many confessed when police said the ‘evidence’ was strong – they meant that several officers and men from local administration agree that we are sex workers. This counts as evidence. We were kept in dark cells for three days. On the way to the cell, one of the officers who arrested us was still angry and yelling at me that I shouldn’t talk back to police. He punished our whole group because I told them not to beat us. They put us all in a different place than other sex workers, in a section that is much more dark and has many many bugs. They put us in the drug dealer section, which is mostly men, even though we are women.”

– Myo Myo Aye, SWRD, Kachin, Myanmar

#### **CASE STUDY: Aziza Peter, Arusha**

Aziza has been a counsellor and emergency responder for female sex workers in danger in Arusha for six years. She is known in the community as a trusted person to counsel new sex workers on their rights and safe practices, and to provide food and shelter to those in need. She responds to emergency calls from the police station from detained and abused sex workers, makes visits to local police stations to advocate for the release of victims and also accompanies women to the hospital to advocate for their rights to health care and non-discrimination.

Though she works independently, she is one of a number of activists in Arusha currently assessing the possibility of starting the region’s first ever organisation focused on LGBTIQ+ and sex worker rights, with a focus on providing critical information on health rights and safe sex, which the government has systematically denied these populations. She liaises with the human rights organisation TACEF in Dar Es Salaam, but funds her emergency response and humanitarian work entirely with her own money.

For her work, she has been threatened, arrested, detained, sexually assaulted in detention, and tortured with electric currents.



### 3.2(c) Accusations of Trafficking

Because of the lack of safe spaces for sex workers to gather in Arusha, as a community organiser Aziza frequently holds gatherings and provides informal counselling for Arusha sex workers at her house. Neighbours have accused Aziza of operating a brothel and “selling” sex workers.

In 2015, a girl in Aziza’s neighbourhood was raped by an older man. Due to Aziza’s reputation as a women’s rights

activist and her experience with helping women access emergency health care after sexual assault, the girl came to Aziza for help. Aziza took her to the hospital where the doctor confirmed she had been raped and provided her with care.

In the days following the assault, several neighbours accused Aziza of “selling” the girl. Some called the police and demanded that Aziza be arrested.

### 3.2(d) Arrest & Torture

Seven police officers came to Aziza’s home and asked why she was “making her house a brothel.” They arrested her and held her in detention for one week, when the girl came to the station and testified that Aziza had nothing to do with her rape, and was in fact helping her access care after the attack.

In detention, Aziza was physically, psychologically, and sexually assaulted. She was held in a small cell, approximately 7x7 feet, with up to nine other women at a time. They took turns sitting. Only metal bars separated the women from the men in the next cell, who groped and verbally assaulted the women daily. Authorities fed detainees once per day, and often refused to accompany

them to the toilet to prevent sexual assault by male detainees.

Every afternoon the women were taken out of the cell to mop the floors of the detention centre. During this time, police officers demanded the women perform sexual acts and raped them. When Aziza refused, she was taken to a separate room and told to mop a floor through which an electric current was running. Officers watched while she was forced to repeatedly inflict shocks on herself by touching the floor with a wet mop. They repeatedly told her she could submit to being raped instead of being electrically shocked.





## 3.3 Threats While Advocating at Police Stations and Courts

When SWRDs respond to emergency calls from sex workers at police stations, police verbally and sexually harass defenders using words, gestures and threats that reference both their activism and their sex work.

Outreach workers in Bishkek report receiving demeaning sexual comments from police officers. Several SWRDs report being “confused for arrested sex workers” when they arrive in court to accompany detainees through their trials. They say police and judges use “insulting words” and make “sexual comments.”

Defenders report that specific words and phrases indicate that the officers think the defenders are among the sex workers on trial. In court, police specifically harass detainees who they believe did not pay bribes to them during the arrest. Defenders are known for refusing to pay illegal bribes to police on the street. When they appear in court to support other workers, police harass them as though they are among the detained workers who did not pay the bribe.

““ When we go to court with the lawyers or just to support the sex workers on trial, the police officers start talking to us like we are the ones who they arrested. They harass so many sex workers every night they can’t actually remember who they arrested, who gave bribes, and who didn’t. So if they think you’re one of the ones who didn’t give a bribe, they harass you in court.”

– Esvetta, SWRD, Outreach Worker & Community Mobilizer, Tais Plus, Bishkek, Kyrgyzstan

### 3.3(a) Retaliation

Many SWRDs in Kyrgyzstan and Myanmar have been threatened that if they do not leave the police station, abandon those they are trying to help, and/or stop their activism, police will “do the same to you.” Police in both countries use the same threat, appearing to reference the threat of arrest, sexual assault, or other abuse.

SWRDs working with Tais Plus in Bishkek, including the organisation’s Executive Director Shahnaz Islamova, said police have threatened to burn down their homes and attack their children if they do not stop their human rights work.

In Myanmar, WHRDs report frequent threats from police to punish large groups of sex workers in retaliation for the defenders’ human rights activities at police stations and in court rooms.

““ In Mandalay, we had a case in which our legal counsel team successfully got a sex worker out of detention. The police followed her out of the station and shouted ‘Be careful. I will arrest all of the sex workers in Mandalay.’”

– Aye Aye, SWRD and Director, AMA Myanmar



### **CASE STUDY: Aizada, Bishkek**

Aizada is a well known SWRD in Bishkek.<sup>45</sup> In 2011, a police officer sexually assaulted Aizada in retaliation for helping a sex worker bring a formal complaint against the officer. Shortly after beginning the complaint procedure, the officer came to where Aizada was selling

sex on the street at night, forced her into his car, took her to a flat in Bishkek and demanded she rescind the complaint. He sexually and physically assaulted her in the flat, and threatened to sexually assault her children if she did not rescind the complaint.

### **3.3(b) Police Demands for Sex from HRDs to Free Others**

In Tanzania, all 80 interviewed sex workers who had been detained or stopped by police had been asked or coerced to perform sex in exchange for their release. Sex workers say this illegal, degrading practice is an expected part of almost any interaction with police on the street.

For SWRDs, there is an additional component to the abuse. Police demand sexual acts from SWRDs in exchange for the release of another person, or for the release of a group of detained community members.

Tanzanian SWRDs told Front Line Defenders that when they receive emergency calls from detained sex workers and go to police stations to help, police demand sex in exchange for the HRDs' advocacy goals, including

releasing detainees or providing medications to HIV+ detainees.

In most cases, police demands for sex were made in front of the other detained sex workers. The defenders' communities witness the degrading treatment, and defenders have to publicly choose between submitting to a sexual assault or leaving their communities in detention. In some detention centres in Tanzania, sexual assault is more common at certain times of day. This knowledge compounds the horror of the decision SWRDs face. They know that if they refuse police attempts to coerce them into sex, their friends and community members will be sexually assaulted in the coming hours.

“Police basically force me to include my sex work in my activism, like they want to see how bad I want to help my community. Because I'm a sex worker, it's like they think I should use sex to advocate for human rights. They make me choose between being a good activist and getting people free, or choosing to not be raped myself. And they make us choose in front of them. If I do it, if I say yes to going in the other room with the officer, I lose respect from some people. Because activists shouldn't do this, right? And if I don't do it, innocent detainees stay in their cells and I know they will be raped later that day.”

– SWRD, Dar Es Salaam

### 3.3(c) Humiliation of HRDs

SWRDs say the threats and harassment they endure at police stations is clearly aimed at humiliating them, delegitimizing their human rights work and diminishing their status as activists in the community. (For analysis of the uniquely violent treatment experienced by transgender SWRDs who do advocacy work to police stations, see

Physical Presentation, Stereotypes & HRD Security: Physical Presentation, Stereotypes & HRD Security.)

For analysis of the uniquely violent treatment experienced by transgender SWRDs who do advocacy work to police stations, see Physical Presentation, Stereotypes

“I’m not active as a sex worker right now, but of course as part of my outreach work I still spend time in the areas where we usually sell. Police came to arrest us all, as usual. I explained I was from AMA and that I was doing health education. I hoped this would make them leave all of us alone. Instead, they forced me to kneel down and beg only for my own release. After I spoke up they wanted to humiliate me in front of the other sex workers.”

– Moo Ay, SWRD and HIV/STI Counsellor, Myanmar

“They let us in to the stations but then use rude words, physically take money from us, insult us, embarrass us, and made me feel bad about myself. It feels like they want to prove to the other sex workers that being an advocate is a humiliating thing.”

– Htut, Transgender SWRD and Outreach Worker, AMA Myanmar





## 3.4 Increased Abuse From HRDs' Own Sex Work Clients

SWRDs report violent attacks from clients in retaliation for their activism. In some cases, clients explicitly reference the HRD's public advocacy, workshops and other human rights activities during a sexual assault. Several HRDs reported that as their activism became better known or more effective over time, clients they had worked with for many years without incident became more violent and began issuing threats to stop their activism.

SWRDs report that client violence as an act of retaliation for their activism is the most likely type of violence to be minimalised and delegitimised as having occurred "just because you're a sex worker." The dehumanizing, devaluing and discriminatory rhetoric surrounding sex work normalizes violence against sex workers. For HRDs, this means that attacks which occur as a result of their powerful activism can be written off as a consequence of their sex work.

### **Not All HRDs Agree on the Use of the Word Client After a Violent Attack. Here's Why.**

Some SWRDs interviewed and consulted for this report say that when a client becomes violent, they are no longer a client. At that point, these HRDs explain, the former client should be referred to as a perpetrator. Other SWRDs say that even after a client has perpetrated violence, they remain a client, and to remove their client status implies that once violence occurs in the work place, it is no longer work. They argue that this undermines SWRDs' efforts to advocate for labour rights improvements, by creating a false binary between "work" and "violence." Front Line Defenders respects the varied and complex analyses of SWRDs on this issue. This report will continue to use the word "client" in instances where violence occurs, because it best illustrates the specific point about HRD protection that this section covers. Namely, that client violence against HRDs needs to be understood from a HRD protection perspective, because that violence increases as HRD visibility increases.



## **CASE STUDY: Ismail Tindwa, Dar Es Salaam, Tanzania**

Ismail Tindwa is a SWRD in Dar Es Salaam, who conducts workshops around the country for sex workers and LGBTI+ populations, training them in both human rights and sexual health. He has also organised human rights and sensitization trainings for police officers in Dar Es Salaam, working to reduce police violence and sexual assault against sex workers during night patrols, raids and in police custody. Ismail responds to an average of five emergency phone calls per week from sex workers who have been detained and abused by police.

As a result of his human rights work, arrested and held without charge (See Section 3.1(d) for Ismail's arrest case), assaulted by fellow detainees, the subject of multiple sexualised smear campaigns, and sexually assaulted by his own sex work clients.

### **Sexual Assault**

In September 2017, Ismail was sexually assaulted by a client and four other men in a hotel room in Dar Es Salaam. He had worked with the client for more than five years. The client had never been violent with him before that night. During meetings in the weeks before the attack, the client began to ask questions about sex work, homosexuality, and Ismail's activism.

***"He repeatedly told me that being gay was fine, and being a sex worker was fine, but that I had to stop my harakati (activism). He knew about the human rights workshops and trainings I do. He said this was 'promoting' sex work to other people, especially kids.***

On September 15, I had an appointment with the client. Four extra men came to the appointment. This was not part of our booking. They demanded I have sex with all five of them. I said I would not. We argued for a while, then two of them held me down and tied a gag around my mouth so if I screamed no one would hear me. They beat my legs until I couldn't stand, then took turns raping me. They told me they were going to make sure I could never have sex with a woman or a man ever again. They held my eyelids open and ejaculated into them; they said it would 'help me see better.' They put my genitals in some kind of vice – I thought I was going to die.



## CASE STUDY: Ismail Tindwa, Dar Es Salaam, Tanzania (cont.)

Throughout the night, my original client kept talking about my *harakati* (Swahili for my “activism”) saying it was my fault that more people were becoming sex workers, and that I was responsible for teaching it in my workshops.

At some point I passed out. I woke up in the hospital with a police officer in my room telling me I was being charged with theft. The hotel lied to the police and said I was beat up after stealing something from my client. I needed hospital treatment for two months after the attack, and then moved back to my home village.

Later that month I learned that my client’s son had told him that he was gay the month before the attack. He blamed me.”

### Visibility, Threats & Relocations

In the year leading up to the client attack, Ismail’s human rights work became better known. Police raided his home and his human rights organisation’s office several times, accompanied by reporters who publicized the raids.

In May 2016, Ismail was working with Stay Awake and Network Activities (SANA), an organisation working for the rights of LGBTI+ people and sex workers. A group of reporters came to SANA’s office, filmed a video of the outside of the office, and broadcast the footage with accusations that the HRDs were promoting homosexuality and sex work.

The following year, in February 2017, Ismail was arrested and accused of promoting sex work and homosexuality. After Ismail was released, he began receiving threats from his neighbours and his landlord.

“I was given a notice by my landlord to leave my home because he received threats from the neighbours. They told him he is renting his house to a sex worker who is spreading homosexuality. I was then hosted by my friend

outside of Dar es Salaam for a month until May 2017. In May, seven men who claimed to be police officers raided the house, took us outside and beat us. Even though we screamed, not a single neighbour came out to help. The next morning we reported it to the police and went to the hospital. I had to relocate again to stay with a different friend outside of Dar es Salaam.”

Months later, in September 2017, the sexual assault occurred.

In June 2018, Ismail was walking in a market when three men stopped him and asked him where he worked. One asked, “Aren’t you the influencer of sex worker and homosexuality?” in reference to his activism. “They told me they will be watching because they know what I am doing.” Ismail again moved to a new flat in an attempt not to endanger the friend he was staying with after his landlord forced him out of his home in May.

Days later, also in June 2018, two unknown men came and knocked on the door of the house where he was staying, loudly and angrily asking for “the influencer,” again in reference to Ismail’s known activism for LGBTIQ+ and sex workers.

Since his widely publicized arrest in 2017, Ismail has also received threats from an increasing number of clients. They now explicitly reference his activism, using it as a reason to not pay him or to phone the police after their meetings.

“As a gay male sex worker who is now much more famous as an activist, I’ve been receiving several threats from my clients where they all keep referring to the same incident that happened last year. They know about the other client who attacked me. Some now deny to pay me after the service and some have called the police without me knowing.”



## **CASE STUDY: Aziza Peter, Arusha, Tanzania**

Aziza is a SWRD in Arusha, Tanzania. She is well known locally for her human rights work including opening her home to sex workers and survivors of sexual assault who shelter or food; accompanying women to the hospital for urgent care or to file police reports; counselling new sex workers on rights and safety practices; and responding to emergency calls at the police station from detained and assaulted sex workers. Aziza has been defamed, arrested, and sexually tortured in detention for her human rights work. (See Section 3.2 for Aziza's arrest and treatment in detention)

In February 2017, less than two years after Aziza was arrested for her human rights work and became known as a woman human rights defender, five men kidnapped and repeatedly sexually assaulted her for one week.

Aziza reported that she agreed to a client booking with one man and he drove her to an unknown building. He forced her into a room and four more men arrived. They locked her in the room for seven days, returning each day to sexually assault her. She was vaginally, orally, and anally assaulted. Aziza reported that on several

days, the men brought a large dog to the room, fed the dog a white pill, and then used the dog to sexually assault her. The men provided her water and bread once per day after assaulting her.

One of the men had been a client before and knew about her activism. Aziza believes there is a connection between her raised visibility as an activist, the increasing hostility of her neighbours related to her work as a sexual assault advocate and shelter organiser, and the rapid spike in violence from an existing client.

Aziza was unable to afford medical care for 18 months after the attacks. She also feared stigma and possible legal repercussions if she sought help. Infections related to the attack and being sexually assaulted by an animal became severe, and continue to affect her today. Aziza stopped working as a sex worker due to her injuries and psychological trauma of the attack, but has continued her human rights work in the community.



## 3.5 Threats from Managers and Clients of Other Sex Workers

***“I helped a female sex worker who was falsely accused by the police of using drugs. She was being framed by an angry customer. His friend came to me and said that I would be killed very soon if I kept ‘helping that sex worker.’ He said ‘I will break you apart.’”***

***– Mimi, SWRD & Paralegal, Bago, Myanmar***

SWRDs report receiving threats from the managers and clients of sex workers whose rights they defend. This includes threats from:

- clients against whom the SWRD is assisting a sex worker to file a police report following an instance of violence;
- gang members affiliated with a violent client against whom a SWRD is helping a sex worker to file a police report;
- managers of establishments who do not want their employees filing police reports against violent clients for fear it will harm their businesses;
- managers of establishments where workers begin to collectively advocate for increased time off following a labour rights training conducted by a SWRD;
- managers of establishments where SWRDs conduct human rights trainings.

In Myanmar, Kyrgyzstan and El Salvador, SWRDs report that even after negotiating access to controlled spaces of sex work (See Human Right Work.6), establishment managers place extreme restrictions on defenders’ work. Managers often only permit SWRDs to speak with sex workers under their supervision (rather than in private), and limit the conversation to health topics. Many SWRDs reported being threatened to leave brothels just minutes after beginning to speak with sex workers.

Violent clients, managers, and members of the general public also threaten SWRDs who accompany sex workers to file reports in police stations or defend themselves in court.<sup>46</sup> Several SWRDs in Myanmar reported receiving verbal death threats from perpetrators at or outside a police station, and that police took no action.

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““At the outskirts of Yangon there’s a big van (“mobile brothel”) with 10-20 sex workers working inside, and a pimp outside selling and keeping watch for police. I went to do education there, the pimp threatened me saying I only had 10 minutes. As the same time, the sex workers really want to know about HIV and STI, so we have to do this really fast, and at the same time of course be watching for the police.”

***– Kye, SWRD and Health Outreach Worker, AMA Myanmar***

“A manager lied to my face and said he had no sex workers in his massage parlour. I could literally see girls I knew behind him. Another place told me I only had ten minutes with the girls, then he started yelling outside, banging on the door and screaming ‘time’s up’ while I was doing a private health training. I had to quickly hand out our emergency numbers, tell them to call me anytime, and leave before he revoked our access permanently.”

***– Thanbar, SWRD and Peer Educator, Myanmar***

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“In 2017 I helped a FSW abused by a female brothel owner to file a police report about the violence she experienced at work. The owner said to me ‘There are a lot of gangsters in the city that I know. If I want, I can have your legs broken or kill you.’ - Su Su Linn, SWRD, AMA Supervisor, Bago, Myanmar

“In October 2018, I helped a trans sex worker go to the second biggest station in Bago to report client violence. She had been thrown off a bridge. The client was a paralegal and verbally attacked me right outside the station – he’d been following me and knew we were going to file a report that day. I told the police about his threats, even though I knew they’d watched the whole thing. The police said if I didn’t stop making complaints they’d send me to prison. The client had money, and connections in the legal system. Of course they’d send me to jail. So I ignored his threats, focused on filing the initial report, and took the sex worker home. On my way out, the client told me if I didn’t ‘stop helping that transgender’ he would ‘send gangsters to kill [me].’” - Su Su Linn, FSW, AMA supervisor in Bago

“People regularly accuse sex workers of dressing ‘indecently’ under code 3a. We help to defend them in court, linking them with one of our paralegals or a legal team in Yangon. When the person who accused them finds out though, they threaten AMA staff, including in police stations. The police see it and do nothing.” – SWRD, Mandalay, Myanmar

“A sex worker was raped by a waiter, and her supervisor, at the KTV where they both worked. He kidnapped her from work and attacked her. She called AMA after, who counselled her on how to claim her rights in front of a judge. First, I took her to the police station, opened the case, and he was arrested and detained to the day. After the rapist learned there was a case, the general manager of the KTV bribed the police to close the case and release the man. Then the manager threatened the girl to drop the case. Before the court date, he forced her to sign a document saying it didn’t happen. Now, the GM refuses to let AMA into his KTV to do outreach. He’s punishing all the other workers because we are trying to help a rape victim access justice. When we went to the station one day, the rapist was there and shouted ‘I’ll be watching you, let’s meet again, I’m watching, be careful.’ He was being walked into detention and our paralegal staff were sitting in the station with the survivor. He shouted this in the middle of the station and the officers did nothing.”

**– Tint Tint Wai, Mandalay, Myanmar**





## 3.6 Travel and Transportation Risks

SWRDs described several risks related to traveling, transportation and freedom of movement while conducting their human rights work.

Several of these risks relate to working in and across territories controlled by multiple, rival or overlapping armed groups, including state and non-state actors. (Territory-related risks are discussed in Section 3.7)

SWRDs are regularly attacked in the course of conducting their human rights work, but in a manner that indicates they were targeted because of their sex worker identities. These types of attacks sometimes look like attacks that many sex workers in their area experience. SWRDs are exposed more frequently to these risks as a result of their human rights work.

For example, some SWRDs spend more nights per week traveling on dangerous roads than other sex workers, because in addition to the times they sell sex, they spend additional time in those areas responding to emergencies from other sex workers.

SWRDs are exposed to physical attacks and police surveillance while doing outreach work and while responding to medical emergencies on the street.

The cases and testimonies of such attacks documented by Front Line Defenders highlight that the extent to which a defender is visually assumed to be a sex worker impacts how likely they are to be attacked. The case analyses indicate that HRDs who are not sex workers, or whose physical presentations are not read as such, would be unlikely to endure these attacks. (See Physical Presentation, Stereotypes & HRD Security: Physical Presentation, Stereotypes and HRD Security)

SWRDs are the people most qualified to do protection work in their own communities. They are also, very often, the only people that other sex workers will realistically call for help. But they are inherently more at risk while doing this protection work than non-sex worker HRDs. Their bodies are read as “sex worker” bodies, they are assumed to be selling sex, and then they are attacked “as

### 3.6(a) Attacks During Outreach Work

In Myanmar, Tanzania and El Salvador, SWRDs have been sexually harassed and assaulted traveling to and from their outreach work. In Myanmar, defenders with AMA typically carry male condoms, female condoms and organ replicas for health demonstrations, which “men think are dildos.” Several HRDs reported that men on public transport will make comments about the HRDs being “whores” and “prostitutes,” and then begin to touch, grope or grab them. HRDs are also harassed on rickshaws. Defenders say that in certain neighbourhoods and at certain times of day, people assume that women using rickshaws are sex workers. These are the same neighbourhoods and times of day that HRDs do human rights outreach work. They use rickshaws because other forms of transportation are too expensive.

Similarly, in eastern El Salvador, transgender SWRDs with Las Estrellas Del Golfo travel to remote mountain villages

to conduct gender rights trainings. They cover topics such as gender identities, sexual orientation, gender expression, non-discrimination, and the indivisibility of human rights.

The transgender women travel in groups of five. Following a period of security incidents, tests, and revisions to their security strategies, they decided five was the safest number. A small sedan vehicle does not have enough spacer for five defenders, and they cannot afford to rent or buy a larger van. To travel into the mountain villages, the defenders ride in the back of a flatbed truck, driven by a friend or family member of the group. They sit exposed in the back of the slowly moving truck on unpaved streets. The HRDs say that when they leave and enter the villages, groups of men grab at them and physically pull them from the vehicle. They shout transphobic slurs and offer the defenders money in exchange for sex.

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“We don’t have the budget to provide our staff with transportation when we do outreach, so they end up in situations like this. We want an outreach bus to prevent this from happening.”  
 – Aye Aye, SWRD and Director, AMA Myanmar

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### 3.6(b) Attacks During Emergency Response Work

In Tanzania, several defenders reported being attacked when responding to a medical emergency called in to the hotline by an injured sex worker. While traveling to the area of the attacks, SWRDs are subjected to the same attacks they would have been exposed to if they were selling sex that night.

In each of the above cases, defenders say that the attacker (typically a man) perceived them to be a sex worker

and this served as grounds for assault. Working as an HRD increases the number of hours per week that a sex worker is in public, gaining visibility, and utilizing public transport, thus magnifying the existing violence experienced by sex workers in general. This, as with criminalisation, demonstrates another way in which violence against sex workers in general puts HRDs from this community at risk. See Physical Presentation, Stereotypes

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“Transportation is a huge issue. When I need to go assess a health emergency, it’s way too dangerous to walk so I have to pay for my own taxi. A rickshaw makes it way more likely I’ll be attacked. For many sex workers, if she wants my help filing a police report or getting another kind of help, nowhere within walking distance of her homes is safe to meet. So I have to pick up her up to meet safely somewhere else. I spend my own money on this.

I used more than \$100 of my own money on transportation to respond to emergencies last month. We really need a van and consistently safe way to respond to things. I’m not going to say no to an emergency just because it’s dangerous, but a van would help a lot.”

– Htet, SWRD, AMA Mandalay, Myanmar

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### 3.6(c) Police Surveillance

SWRDs in Myanmar report being followed by police during their outreach work, especially those doing health education in massage parlours. Police surveil SWRDs to learn the locations of sex work establishments in the city to conduct future raids. This puts SWRDs at risk in a number of ways:

- arrest by police if they are inside during the raid;
- threats of physical attack from managers for bringing police to their establishments;
- loss of trust from sex workers who now face arrest (and the sexual abuse, loss of income, and stigma which accompanies arrest);
- emotional and psychological trauma of having violated the ‘do no harm’ principle of health and rights work.

Defenders in Myanmar report that this surveillance often forces them to travel and conduct outreach work at different hours of the day, when surveillance is less likely or easier to avoid, such as late at night or early morning.

However, dark hours are more dangerous times to travel, with risks of arrest, criminalisation or attack increasing.

By traveling at night, defenders again risk being typecast as someone selling sex, and then risk arrest under anti-prostitution laws. The choice they are effectively forced to make is between risking their own safety by traveling at night, or endangering their community by risking surveillance and raids by traveling during the day.

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“Because of all these surveillance risks, it’s very difficult to meet sex workers during the day and not put them at risk of arrest. So our outreach workers and paralegals have to go to hotspots at night instead, which puts us at risk of being arrested as sex workers.”

– Aye Aye, SWRD and Director, AMA Myanmar

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“Some massage parlours tell police that they’re closed, but really they are still working. Our outreach workers go and give health education to these parlours too, because the women in them have a right to health. Police follow our staff and very soon after, sometimes within an hour, bust the parlour. So it’s very obvious they learned the location by following us.” – Aye Aye, SWRD and Director, AMA Myanmar

“Police used to follow me as a way to learn where all the brothels are; now they’ve basically made a map based on our work. Plainclothes officers would follow us and “hide” but I knew who they were because of their hair, walk, and eyes.” - Khin Hnaing San, SWRD, AMA Mandalay, Myanmar

“Police followed me doing health outreach on the street and listened in on my session. I didn’t mind them listening to me because the information I’m giving is not illegal, it’s about health and human rights. But then after the training they followed both me and the other sex workers, and now the women don’t trust us as much.” – Kye, SWRD, Myanmar

“Police followed me when I was doing health outreach trainings because they think of sex workers and their clients as criminals, and see me as someone who will lead them to these criminals. The sex workers – who used to thank me for coming – yelled at me that day and told me to never come back. So now the girls there can’t have medical care or emergency contacts because the police are tracking me?”

– Thanbar, SWRD and Peer Educator, Myanmar

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## 3.7 Territories Controlled by Rival Groups

Travel also presents a security risk for SWRDs whose human rights work necessitates that they cross back and forth between territories controlled by rival groups. This includes a wide variety of aggressors including state and federal police, armed criminal networks, national militaries, local gangs, ethnic armed groups, and local fire departments.

In northern Myanmar, SWRDs have to navigate how to conduct outreach work in territory which is technically controlled by the federal government, but under de facto control of the state's particular ethnic armed organisation (EAO). In El Salvador, the primary travel risk is crossing between territories controlled by rival gangs. Urban areas like San Salvador are rigidly divided into blocks controlled by rival gangs. People who cross between these areas frequently, such as taxi drivers or people who drive delivery trucks, are regularly threatened, attacked or murdered by gangs for allegedly transferring information to rivals, or undermining one group's sovereignty in a particular area.

Sex workers, like many residents of urban areas of El Salvador, regulate their movements, clients and working hours to avoid traveling between or across gang controlled areas. SWRDs, however, have to cross gang boundaries to deliver trainings, distribute health materials or respond to emergencies. The risk of threat, attack or killing by a gang that SWRDs face is similar to that faced by other types of HRDs operating in these spaces who cross between

territories in the course of their human rights work.

SWRDs who coordinate networks of defenders spend large amounts of time creating schedules and maps. As a protection strategy, they try to send each defender only to areas controlled by the same gang that controls the area where the defender lives. This eliminates the need to operate within rival territories, but places immense psychological stress on the coordinating defenders, who must keep track of shifting gang boundaries or risk their colleagues being murdered.

The risk of crossing between rival territories is faced by many HRDs in San Salvador; it is not unique to SWRDs. An additional layer of threats faced by SWRDs, however, is being forced to separate the area they sell sex from the area in which they do their human rights work. This happens as a result of direct threats or perceived risk. (See Section 3.8 for analysis of why defenders separate these spaces and the effect it has on their financial, physical, and socio-emotional health.)

If defenders are forced to relocate either the area in which they sell sex or the area in which they conduct human rights work, this often forces to operate across rival gang territories. It complicates the work of the coordinators, who now have to consider not only the two areas in which a defender lives and conducts HRD work, but also the area in which they sell sex.



## 3.8 Relocating Areas of Work

SWRDs reported changing their area of either sex work or human rights work, either as a proactive security tactic or after receiving explicit threats to do so.

Most of these moves are to other neighbourhoods, towns, or regions of the country. At least one SWRD in Kyrgyzstan, however, reportedly left the country following targeted police harassment. According to her colleagues at Tais Plus, the former Tais Plus Outreach Worker had assisted several sex workers to file complaints related to police abuse in Bishkek. She began receiving targeted

threats and intimidation from police on the street, while she was selling sex. When she did not stop her human rights work, police in Bishkek contacted the defender's family in the rural region of the country where her hometown was located, and outed her as a sex worker to her relatives in the conservative town. The WHRD became estranged from her family in her hometown and fearful for her life in Bishkek, and decided to immigrate to another country to work as a sex worker.

### 3.8(a) Threats to Move

In Myanmar, SWRDs from Pyay, Yangon, Myit Kyina, and Mandalay reported being forced to change the city in which they sell sex after their visibility as human rights defenders increased.

- Some defenders were explicitly threatened by police to change their working location. Several were told they had become “too well known” as a result of their activism and would “definitely be arrested.”
- Others changed locations to avoid their families learning about their sex work, a risk that was significantly increased as a direct result of their work supporting other sex workers.
- Some defenders said they wanted to keep their work life private. Counselling other sex workers in their homes, spending extra time in brothels and other establishments to do outreach, and conducting emergency response visits to police stations and hospitals all increase the visibility of defenders, which in turns increases the risk that their families will learn about their work life, or that police will target them.

After receiving direct threats from police to relocate the area in which they sell sex, SWRDs in Myanmar have relocated to areas as far as a full 24-hour commute away, to work in brothels where they have connections and can find employment. Several now work in brothels other regions for multi-month periods, and then return home for short periods of time to see their families and continue their human rights work in their home towns. This results in significant time away from their children, families, colleagues and activist networks of support.

The distance defenders are forced to travel varies, based on a number of factors. Defenders in Yangon separate their sex work area and human rights outreach area to different parts of the city, so each is under the observation of different police precincts.

Defenders in border regions or more remote areas of Myanmar like Kachin state report having to transfer their sex work to another province following explicit police threats to do so. The rural city of Myit Kyina is too small to continue selling sex quietly without police observation once a threat has been made to move.

## Work Relocation as a Threat to Labour Rights Defenders

SWRD testimonies about relocating their place of employment to continue their activism mirror testimonies of labour rights defenders working in other sectors, such as a textile industries, agriculture, construction, mining, education, and medicine.

Labour rights defenders in many industries are forced to seek new employment in order to separate the physical space in which they earn money from the area in which they organise for rights. Labour rights defenders are coerced into changing jobs after receiving direct threats related to their organizing and advocacy in factories, hospitals, farms, and

schools. Others choose to do so after perceiving a threat. Some have been punished by company management by being forcibly relocated to factories in towns far from their homes.

For many HRDs, separating the area of activism from the area of employment undermines the efficacy of labour organizing. It removes defenders from the daily experiences of their colleagues, and the context in which they lead struggles for rights. It also causes a drastic financial and subsequent psycho-social burden on both the defender and their family. **See Front Line Defenders 2019 report, Striking Back: Egypt's Attack on Labour Rights Defenders.**



### 3.8(b) Impact on Finances, Family and Activism

The economic and emotional burden on defenders who are forced to change their work locations is immense. In addition to many months spent away from their families and friends, they are also spending far more of their income on transport than they previously were. Additionally, the psychological strain of being forced to separate their sex work life from their outreach work often results in decreased connections with sex workers in their hometown, and therefore less efficacy as a community advocate.

Relocating for security purposes can also impact a defender's access to health care, especially for those on ARVs. The National AIDS Program in Myanmar requires people to receive ARVs from the same location for one year before they are able to transfer their care to another medical clinic. When an HRD is forced to move, they risk losing access to life-saving ARV treatment and transitioning into AIDS-stage HIV.

SWRDs who face this predicament – of having to move and then not attending ARV treatment – fear they are contributing to the a narrative about sex workers as unreliable patients. Many defenders in Myanmar are actively working to combat this defamation against their communities, so the emotional burden of contributing to it

is immense. SWRDs report that staff running nationwide HIV programs have said highly offensive things to SWRDs about their communities, such as “you can’t even control your girls or get them here for treatment; you can’t even keep track of them.” Defenders have immense guilt about playing into this narrative when they are forced to stop their own treatment and relocate as a result of their activism.

“I changed my working cities to be away from the areas I help sex workers. I recently changed the town that I [sell sex] in because I became too well known in my hometown through my outreach work. People started threatening me when I was selling sex because I’d become well known as an advocate. Now I’m 30 minutes away on motorbike to the new city I work in. Transport is way more expensive.”

– Nway Nway Linn, AMA, Pyay, Myanmar





## **CASE STUDY: Myo Myo Aye, SWRD, Kachin, Myanmar**

Myo Myo Aye is a SWRD in Myit Kyina. She attends and disseminates information from health and legal trainings, helps sex workers access blood testing services, and organises monthly meetings to update approximately 20 members of her community on law reform efforts to ensure that sex workers have the latest available information related to the various legal codes police use to target them. Myo Myo Aye also coordinates emergency health care for detained sex workers, who are often denied both health and legal services in detention. Additionally, when working on the street with groups of other sex workers, she often takes on a leadership or spokeswoman role when police harass, intimidate or assault workers.

*"In 2017, police pretended to be customers and arrested a whole brothel, all 20 people. They extended the detention many times in three month increments; the court just kept extending it because there was no lawyer to defend them. We did what we could. One girl was one ARVs and we got the National AIDS program involved to get her care. One woman gave birth in detention. Finally the brothel manager paid for a lawyer to get the girls out, then made them pay the legal fees in sex."*

As a result of her visibility, she has been threatened by police officers multiple times to "relocate" her work to different cities, and explicitly told by low-ranking police officers that they are tracking her and targeting her on the street. Additionally, when she intervenes in violent or threatening interactions between sex workers and police officers on the street, she is regularly beaten alongside the women for whom she advocates.

**Collective Punishment in Jail:** *"I spent 14 months in jail after an arrest in 2008. Fourteen sex workers were arrested on the street. As they were beating us before putting us in the car, I said to them, 'You don't need to beat us. If you're going to arrest us because sex work is a crime, even though you don't have any evidence, just do it according to the law. You don't have to beat us.' The police started screaming at me, 'What education do you have?' They put us in two cars. I tried to work as quickly as possible to tell all the girls they didn't have to confess to anything but I couldn't speak with all of them in time. In the station, many confessed when police said the 'evidence' was strong – they meant that*

*several officers and men from local administration agree that we are sex workers. This counts as evidence. We were kept in dark cells for three days. On the way to the cell, one of the officers who arrested us was still angry and yelling at me that I shouldn't talk back to police. He punished our whole group because I told them not to beat us. They put us all in a different place than other sex workers, in a section that is much more dark and has many many bugs. They put us in the drug dealer section, which is mostly men, even though we are women. The lawyer came Monday and got us out."*

**Threatened to Relocate:** *"Sometimes police officers tell sex workers they know when they are going to do a patrol, or which streets they'll focus on during the local administration's 'sex work free days' when they have arrest targets, so we can relocate. For me though, low ranking officers tell me I need to change where I do sex work permanently because I am too well known. They tell me I should start working outside of the city. The first time was in 2014. I walked by a police officer in a tea shop during the day and he stopped me and said, 'You've become really well known. If you continue selling sex we'll arrest you for sure. You should relocate somewhere outside Myit Kyina city. It might be okay to stay in Kachin state, but not the city.' He said they would come for me specifically, not even just targeting me during a regular sweep. At this time, I wasn't known yet for doing trainings, just for being the person who talked back on the street and threatened to take legal action if they beat or raped us."*

*I did what the police asked, and now I sell sex in cities far away from Myit Kyina. I go to brothels in other cities but it takes a full 24 hours to travel there. I stay for different periods of time, sometimes two weeks, sometimes three months, to make money then come back to my kids. But my family, my community, my activism are all still here. And still when police see me in the market, sometimes this happens every day, they always keep threatening me tell me not to come back to work in the city or they will arrest me."*

*My friends support me, they think it's good to talk back to police and try to stop harassment, but they don't want to do it because it's really difficult to go and work in another region many hours away."*



## 3.9 Threats and Abuse from the Public

SWRDs in all countries in which research was conducted reported receiving both verbal and physical abuse from the public, aside from that received from government officials, police, military, and managers in the sex trade. Additional perpetrators include neighbours, religious leaders, husbands of women they assist, and families of their own clients.

In Myanmar, one WHRD reported:

“ We get a lot of criticism. From police, from religious leaders, from wives of clients. ‘The bitch is working for the bitches.’ Women blame us for their husbands not being monogamous. They say we are the reason they have affairs. Because we seduce them. As an activist, they say to me ‘You are the Queen of Sex Workers. You encourage them.’ Then police say to me ‘You should make your girls more polite; make your girls behave.’ Behave means in accordance with social norms. My job is not to make sex workers fit social norms. It’s to fight for our rights.”

– **Tint Tint Wai, SWRD, Health & Legal Counselor, AMA, Mandalay**

HRDs in all four cities visited in Tanzania have received threatening, anonymous phone calls not to continue their work and activism on behalf of sex workers. Sofia, a WHRD in Dar Es Salaam, reported receiving more than 15 phone calls to her personal cell phone in two months, between December 2017 and January 2018, threatening her to stop her work. In several instances, the callers referenced specific locations she had visited to assist a sex worker in a medical emergency.

Several HRDs in Tanzania also reported being physically attacked by members of the public in response to their human rights work. Incidents included “angry mobs” surrounding their homes and accusing them of promoting homosexuality and prostitution, being followed and pushed off their motorbikes by men in cars who had followed them while responding to a medical emergency, and attacks in cafes while holding human rights trainings.

HRDs reported several forms of verbal abuse online. In Myanmar, many HRDs identify themselves on Facebook as volunteers or affiliates of AMA Myanmar, a form of legitimacy among the community, government officials, and international contacts. However, this also has led to degrading and hyper-sexualised online comments and threats from the general public.

“ One of our Yangon staff got sexually harassed on Facebook. They knew she was working for AMA – it’s in her profile so sex workers can contact her for help – and so men assume she will be easy to have sex with. There is an assumption that sex workers, especially public ones like our staff, are easy to have sex with.”

– **SWRD, Yangon, Myanmar**





## **CASE STUDY: Evans Kitange, SWRD, Arusha, Tanzania**

Evans Kitange is a SWRD in Arusha. He works on countering discrimination, violence and stigmatization of sex workers through both community education and counselling for sex workers themselves. He holds individual counselling sessions and group workshops focused on health rights, safe working practices, risk assessment and security planning, particularly for new sex workers who are at high risk of exploitation.

In August 2017, Evans was holding a counselling session in a cafe for three MSM sex workers in their early 20s,

discussing the threats they were currently facing and discussing best practices for protecting themselves at work. Three men at the cafe overheard their conversation and attacked Evans, accusing him of “teaching the boys” to be sex workers and “promoting homosexuality.” The men beat him with glass bottles, hit him repeatedly, stole his phone, and broke several of his teeth. Evans was unable to call the police or seek medical care for fear that he would be accused of promoting sex work and arrested.





## 3.10 Raids on Homes and Offices

Defenders in Tanzania and Kyrgyzstan have had their homes and offices raided by both state and non-state actors as a result of their human rights work. The most common perpetrators reported were local police, nationalist “neo-Nazi” organisations, neighbours and husbands of women who HRDs are assisting either via domestic violence shelters or with legal support.

In Tanzania, police have raided homes and offices of HRDs in Dar el Salaam, Mwanza and Zanzibar. The majority of defenders interviewed in these cities were forced to move personal or professional residences at least once between 2016 and 2017. In Mwanza, Tanzania, multiple instances of break-ins, attacks by armed mobs, and homes set on fire were reported. In Arusha, Tanzania, large groups of neighbours have gathered outside HRDs’ homes and threatened to call police. Several HRDs have suffered raids and attacks from neighbours or local journalists, including incidents in which HRDs’ homes were set on fire or broadcast on local TV with incitement to attack.

Due to budgetary constraints, defenders in Myanmar report that their offices in three cities are located in “very unsafe” areas of town with high rates of crime and violence.

- In Myit Kyina, AMA shares the office with upstairs neighbours who do not work in human rights. The space they use for health counselling and socio-emotional support groups is shared with a landlord on the second floor, who frequently comes to the first floor to ask about the work they are doing, attempts to sit in on sessions, and refuses to give them privacy during counselling. Transgender members of the community in particular do not feel safe openly discussing their security, health and well-being.
- In Bago, the building landlord lives on the second story of the building where AMA has its office, and “can hear every conversation we have.” Additionally,

HRDs based in the Bago office of AMA report that the “next door neighbour is on drugs and very often shows his private parts to sex workers who come here and masturbates in front of our paralegals.”

- In Mandalay, the exposed location of the office facilitates easier access for “husbands [of sex workers] who come to the discussions and begin screaming at us and threatening us.”

The risk of attack from the husbands of sex workers who HRDs support was discussed in both Myanmar and Kyrgyzstan. In Karakol, Kyrgyzstan, a small group of WHRDs operates a shelter and safe house for both sex workers and survivors of domestic violence. In several instances, husbands of the women living in the shelter have come to the gate and attempted to break-in while yelling in the street. The WHRD who lives at the shelter as a coordinator explained that although her organisation is aware of the risk of office raids from nationalist and neo-Nazi groups, it was attacks from shelter residents’ husbands that most motivated her desire to reinforce office security, purchase a new gate and install security cameras.

Raids and attacks on offices and community gathering spaces have a clear impact on HRD security, as activists leading the gatherings in these spaces are especially visible and likely to be targeted in the event of a raid or mass arrest.

Because of the lack of safe spaces for sex workers, many SWRDs hold community gatherings in their own homes. This then presents the risk of a raid or attack on their home. In at least one case in Tanzania, a SWRD hosting community members in need of food, shelter, or psychosocial care in her home led to accusations of “trafficking.” (See Section 3.2, case of Aziza Peter, Tanzania)





## **CASE STUDY: Method, Mwanza, Tanzania**

Method Bujiku of TASEFO was forced to evacuate his personal home three times between 2016 and 2017 due to severe threats including break-ins, theft, armed groups surrounding his home and neighbours setting his house on fire. In all instances, he has been forced to leave behind personal and professional belongings, and lost rent he paid in advance putting a severe financial strain on him and his activism.

1. In January 2017, Method's home was broken into while he was out. Nothing was stolen or removed from the home, but all electronics were broken and his belongings thrown around the house. After this, his family asked him to stop his activism; he continued, but moved to a new flat.
2. In May 2017, a curtain hanging on the outside of his front door was set on fire during the night. Method woke up as the fire began to spread to the roof, covered himself in a wet blanket and ran through the front door. Outside, a group of approximately 30 people from the neighbourhood had surrounded his home holding sticks and rocks. They yelled things about his work "promoting" sex work and homosexuality, repeating many of the things police had said to him during public arrests the year prior. Method ran from the crowd, but was beaten and his shoulder remains injured one year later (June 2018). He moved to a new flat.
3. In his third home, he was again subjected to defamation and smear campaigns related to his activism, and on several occasions small groups of unidentified individuals came to his door and windows shouting the same accusations ("promoting sex work," etc.) and threatening to attack him and call the police. Method again was forced to flee his flat. He has moved back into his parents' home, but fears he will now endanger his family.

## 3.11 Loss of Community Trust

***“One time when I was arrested working on the street, the officers started making comments about my body and told me if I showed them my breasts I would be released. They actually demanded it. One of them started to reach for my shirt, so I took it off myself instead. After that, I still was not released. If we identified ourselves as sex workers when doing advocacy, this is the same thing that would happen to us at the station, so we can’t. But that also makes it difficult sometimes, because obviously the girls trust us more if they know we are sex workers too.”***

***– Ayemar, SWRD, Yangon, Myanmar***

### 3.11(a) Police Surveillance

Police surveil SWRDs conducting human rights outreach in brothels and massage parlours, as documented in Section 3.6c. In addition to presenting security risks for the defenders, this surveillance also erodes hard-earned trust between SWRDs and the sex workers they are supporting. If police follow defenders to a previously unknown sex work locations, the workers there now face arrest, and the accompanying sexual abuse in detention, loss of income, stigma and other ramifications of arrest. Defenders come to be seen as too dangerous to be worth associating with, resulting in even less access to health and labour rights information for workers.



### 3.11(b) Changing Physical Appearance As a Security Strategy

As a result of the abuse and discrimination experienced on streets, in hospitals, and in police stations, many SWRDs change their appearance before responding to an emergency. Some female SWRDs in Tanzania, for example, wear headscarves and abayas and remove all make-up before responding to a medical emergency. They do the same when accompanying an attacked sex worker to hospital because, “we know we won’t be able to get them seen by a doctor, or not as fast, if we look like sex workers too.” For SWRDs who are transgender women, in many countries, this often means changing into masculine

clothing, removing makeup and jewelry, and even cutting their hair or removing wigs that they prefer to wear at all times. These changes mean they cannot go to the police station straight from work, slowing down their response time in an emergency or forcing them to take extreme risks if they do not alter their appearance. It also forces them to look “different” from other sex workers to be “taken seriously” as an advocate – effectively forcing them to choose between visually abandoning the community identity, and successfully getting a member of that community out of detention.



### **3.11(c) Alleged Financial Gain from Activism**

SWRDs navigation of how to conduct their work without endangering their community is further complicated by misinformation spread about the alleged financial benefits of activism. In Tanzania defenders report hearing comments such as “you’ve reached a new status” or “you’re not one of us any more.”

In Myanmar, SWRDs report receiving comments from community members that indicate a sense of frustration over the perceived financial and educational benefits of being an activist, such as “you will be rich soon, you’re not one of us anymore.” SWRDs report that surveillance by the police compounds such divisions between them and their non-activist community members, who sometimes view SWRDs as both wealthy and a potential security risk to associate with in a professional or personal capacity.

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“ Basically, other sex workers think we’re being paid for our activism. So they start hating us, and it also starts an expectation that we can pay bail or bribes to ‘save’ them from detention. Obviously it’s actually the opposite, we are actually losing money because of our activism. “We get judged by other sex workers who think we’re not ‘one of them’ anymore, like we have another status now because we’re human rights activists too. Since we started this organisation, the others call us for help, but not socially any more.”

– Method, SWRD, Mwanza, Tanzania

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### **3.11(d) Retaliation Against Sex Workers Who Seek Help from HRDs**

In Bago, Myanmar, a rural area approximately an hour north west of Yangon, the majority of sex workers supported by SWRDs have low levels of literacy. If detained, during the initial intake at the police station, they are forced to sign documents (with a signature or thumb print) that they cannot read. Often they are forced to sign blank pages which police later fill in with erroneous case “details.”

Police threaten sex workers with higher jail sentences if they seek help from SWRDs. Several sex workers report being explicitly told they would spend years in prison “if you try to call a lawyer. Many sex workers now fear even saying the word “lawyer” in a police station because the threat of retribution for calling an advocate is so prevalent.

In other instances, sex workers have reported to AMA that police now recognize AMA as an advocacy organisation and threaten sex workers not to phone them.

It is also critical, therefore, for sex workers to have an emergency number they can call to reach a SWRD with legal training, but who police think is “just” a fellow sex worker, not a lawyer. Sex workers pretend to be calling a family or friend when they ring the AMA emergency hotline.

## 3.12 Financial Burden of Activism

SWRDs take and endure financial risks to protect their communities. As a result of these and other financial burdens associated with their activism, many SWRDs report becoming more financially dependent on their families, or simply living in poverty unable to afford their own food, shelter, clothing, and medical needs.

In many ways, the financial burden of SWRDs' activism is similar to that shouldered by many activists whose work is not paid by an NGO salary or stipend. Their human rights work occurs in addition to, alongside, or at the expense of their own paid jobs.

For labour rights defenders in many industries, some labour rights activism has to be done during normal industry working hours in order to be effective. This could include documentation of labour abuses or responding to medical emergencies on the job. This means human rights

work needs to be done in same hours money is earned in order to be effective. This affects labour rights defenders' reputation as a dependable worker, their employability, and can lead to their firing.

SWRDs face additional complications related to the stigma, shame, and criminality associated with paid sex. SWRDs' own paid clients may stop meeting with them if they become too well known as an activist. Visibility makes a defender critical to their community – increasingly known as the one to call in an emergency, for example – but it also makes some of their paid clients feel more likely to be “outed” as a client. This forces defenders to choose between increased visibility, which often helps their community, or less visibility, which would make it easier to sustain clients.

### 3.12(a) Hours of Work

Many SWRDs report say the most important hours to be available for their communities in case of an emergency are the same hours in which they need to take client bookings to earn their own money.

SWRDs cancel their own client bookings to respond to emergency calls from detained or attacked sex workers. This affects the payment for that booking and possibly future employment opportunities. In certain contexts, client violence becomes more likely when the terms of a booking are renegotiated or cancelled mid-booking, putting SWRDs in greater danger from their own clients if they cancel an appointment to respond to an emergency.

Because many sex workers find clients independently

online (without the use of an intermediary or manager, for example) time spent doing human rights work necessarily means less time spent online finding clients.

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““ Since becoming really active as a community worker, I spend more time on WhatsApp organizing protection, check-ins, and buddy-systems than on I do on Instagram finding my own clients.”  
– SWRD, Dar Es Salaam

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### 3.12(b) Loss of Clients

Many SWRDs say their clients are “nervous” about making bookings with well-connected or “famous sex workers,” fearing it will bring additional legal or social complications to an already criminalised and shamed activity. Many SWRDs in Tanzania report having lost good clients when they became better known as activists. Several had clients who expressed support and respect for the human rights work the defender was doing, but said the accompanying risk of criminalisation was too high.



“ “Being an activist makes being a sex worker hard. When my usual, good clients find out about my activism, they fear that it will be dangerous or complicated for them. I also often get calls for help right when I have an appointment, or even in the middle of one. Every month I cancel at least 5 clients to respond to an emergency call from a sex worker who’s been detained or assaulted by the police. Most client appointments are at night. So are most arrests.” – Method, SWRD, Mwanza, Tanzania

### 3.12(c) Transportation Costs

SWRDs spend their own personal income on transportation in order to do their human rights work, including emergency response at police stations, bringing injured sex workers to the hospital, and traveling to remote areas to conduct human rights trainings.

In Kyrgyzstan, Tais Plus Outreach Workers use the organisation’s vehicle or a taxi to respond to emergency calls from arrested sex workers in police stations. Sometimes Tais Plus has a budget to reimburse SWRDs

for taxi costs, but often defenders have to pay for this transportation themselves. Tais Plus’ transportation budget technically only covers oil, petrol, and insurance for travel related to health outreach work, because they have consistent donor funding for this work. The travel budget does not officially cover emergency response work, even though this is often the most urgent, life-saving work defenders do with the vehicle.

## CASE STUDY: Police clients, Tanzania

More than half of sex workers interviewed in Tanzania had taken police clients in the past, including several HRDs. Having police clients can, in some instances, help sex workers avoid arrest or secure a faster release from detention,<sup>47</sup> but it presents complications.

SWRDs report that in some instances, having police clients has led to ally-building between sex worker communities and police officers, some of which have developed into opportunities to train police on sex worker rights, HIV/AIDS awareness, PREP, and sensitivity to the unique needs of detainees with different sexualities, gender identities, and gender expressions.<sup>47</sup>

However, in other instances, police clients have put activists at risk. In a 2016 case in Tanzania, a police

officer opened a sex worker’s phone after a booking and read through WhatsApp threads where activists were discussing protection planning and organizing strategies. The officer took screenshots of conversations related to TASEFO’s work, capturing images of the group thread in which activists were planning upcoming activities and distributions of health rights information. Method, a well-known HRD in Mwanza who was active on the thread at that time, was subsequently arrested and detained for two days.

Simply dropping police clients is not a simple matter, however, given the financial burden of ruling out an entire group of well-paying business. Many clients also date back many years, and may become suspicious if an activist suddenly stops responding.



## 4.0 Anti-Trafficking & HRD Security

*The proper purpose of anti-trafficking laws is to address conduct that involves lack of consent due to coercion or deception, or involvement of minors. However, in many instances, anti-trafficking treaties and agreements are used to justify laws and law enforcement measures that go beyond these proper purposes. Some governments use the treaties and laws on trafficking to justify suppression of all voluntary adult sex work. ‘Raid and rescue’ approaches of some law enforcement agencies and non-government organisations (NGOs) can result in sex workers being forcibly removed from their workplaces regardless of whether they are working voluntarily or under duress. The UNAIDS Advisory Group on HIV and Sex Work recommends that sex work and trafficking for the purpose of sexual exploitation be understood as separate concepts.*

*Laws that conflate human trafficking and sex work and define sex work as ‘sexual exploitation’ contribute to vulnerability, generate stigma and create barriers to HIV service delivery. Trafficking laws have been used to justify crackdowns and raids that suppress adult voluntary sex work ... This has resulted in abuses of sex workers’ human rights and undermining of HIV responses.*

*United Nations Development Program Asia-Pacific Regional Centre, 2012<sup>48</sup>*





## 4.1 Definition

Legal efforts to prevent trafficking in persons, reduce the scale of the suffering inflicted on survivors, and bring those responsible to justice are critical. Trafficking in persons remains a highly lucrative activity for international criminal networks and is often linked to corruption and other damaging criminal activity.

The United Nations defines human trafficking as the recruitment, transportation, transfer, harbouring, or receipt of persons by improper means (such as force, abduction, fraud, or coercion) for an improper purpose including forced labour or sexual exploitation.<sup>49</sup>

Many adults and children are trafficked, forced or coerced into commercial sex. Such crimes, and their devastating consequences on the lives of victims, persist due to a range of factors, including poverty, corruption, criminal networks, stigma, and inequality based on gender, race, class, sect or caste. Front Line Defenders fundamentally opposes all forms of trafficking in persons, coerced labour and slavery, including the abuse of children, and seeks to support where requested HRDs who face risks as they work to bring those responsible to justice.

For the purposes of this report, Front Line Defenders understands sex workers to be adults who regularly or occasionally receive money or goods in exchange for consensual sexual services. However, in establishing any working definition of sex work, sex worker, or sex worker rights defender, Front Line Defenders strongly respects that many terms related to the sex trade are the subject of ongoing critique by SWRDs themselves. As with other groups of human rights defenders, shifts in language must be respected and, where appropriate and in consultation with defenders, adopted by the international community.

One such debated term is the word “consensual.” Although historically used to distinguish sex work from “forced sex,” the Canadian sex worker rights organisation Stella writes in its language guide that “forced sex” is not work at all: “Where people do not consent to providing sexual services for money, this is abuse or assault, not work.”<sup>50</sup>

Of the word “consensual,” Stella writes:

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“ The term consensual evokes its opposite – forced, and risks creating a division between sex workers who are categorized by the public as consenting or forced, which encourages the perspective that certain sex workers should be blamed while others should be saved. Another unintended consequence of this phrase is that it obscures the difference between good and bad working conditions; while sex workers can consent to work we can still experience unsafe labour situations. So, we may consent to working in sex work, but not consent to the working conditions, which we try to improve with a focus on evidence based human rights advocacy. The issue of consent for people who work in sex work is around agreements for services and conditions of work.<sup>51</sup>

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SWRDs, therefore, are human rights defenders who defend the rights of sex workers. This includes the rights of those who consent to providing sexual services for money, but do not consent to a particular working condition. (See Human Right Work.6 for more on how SWRDs defend labour rights)

When SWRDs undertake both their human rights work and their sex work, they encounter people who have experienced or are experiencing human trafficking.

In such instances, the human rights services that SWRDs provide – such as gender violence trainings, access to justice, documentation, wage negotiations, access to health care, emergency response work, and other forms of human rights work outlined below – benefit not only people who identify as sex workers, but also those who



entered the sex trade unwilling or as a result of coercion, and those wishing to exit.

Another critical component of framing the work of SWRDs vis-a-vis trafficking is the understanding that the identities “sex worker” and “trafficking survivor” are distinct, temporal and self-claimed. Several sex workers and SWRDs interviewed for this report disclosed a past experience of trafficking (either in the middle of their careers, such as moving to a new brothel under false pretences and then being denied pay, or as their initial entry into the sex trade). Some of these people identified

as trafficking survivors and sex workers. Some did not, and identified only as sex workers.

Likewise, in the case of defenders, some identified as anti-trafficking activists. However, most defenders interviewed who do work which directly improves the lived realities of trafficked people still did not identify as anti-trafficking activists. The reasons they choose not to identify as such are outlined below.

## 4.2 Sex Worker Rights Defenders Do Anti-Trafficking Work

Despite the ways in which “anti-trafficking” language is often deployed against sex worker communities, organisations, collectives and individual activists (see below), SWRDs do life-saving work that experts in human trafficking identify as anti-trafficking work. This work includes negotiating access to brothels and other managed areas of sex work, identifying medical needs, building connections and trust with both sex workers and managers, and engaging in harm-reduction activities including the provision of health care and human rights training for workers selling sex in a wide variety of locations.

The work of SWRDs in negotiating access to controlled spaces of the sex trade is a critical component of their outreach to and protection work with people who have been trafficked. Where organisations known to work explicitly on anti-trafficking would mostly not gain access, SWRDs can build relationships with brothel managers based on the provision of health services. (See Sections 2.4 and 2.5)

SWRDs often play the most critical role in collaborative efforts to address cases of sex workers seeking reparations for unpaid work or to exit a particular work environment. They negotiate and gain access to controlled spaces of sex work, most often at extreme personal risk, which allows them to research, document, and report on spaces that groups explicitly identified as “anti-trafficking” mostly cannot access.

SWRDs working with AMA Myanmar have built a strong reputation amongst sex workers in a wide variety of work locations, such that sex workers facing physical, sexual, or financial coercion frequently call the organisation’s helpline for assistance, without fear that their livelihood or security will be compromised. SWRDs in Myanmar collaborate with several state and private organisations working to address human trafficking on case-specific protection work, and have facilitated meetings between national-level anti-trafficking organisations and local officials to recuperate unpaid wages for sex workers.

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“A sex worker in a brothel in Mandalay wanted to go back to her home town for a week but the manager didn’t allow her to leave. They withheld her salary, fought with her, threw her belongings to the street, and said ‘call the police if you want, you’ll be arrested.’ The girl called the AMA hotline. We met with the girl quietly during one of our health outreach visits, then we at AMA Mandalay coordinated with a government-backed anti-human trafficking body, which has a sub-regional group here, to solve the problem. We worked with the community administration to get her reimbursed for the withheld wages, and to ensure that she could travel home freely to visit her family and resume her job when she came back. We had to play the role of communicating these things to the brothel owner in a way that didn’t jeopardize future work there also.” - **Ma Ei, SWRD, AMA Mandalay, Myanmar**

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Trafficking can take the form of an experience of unpaid labour, or changing work locations under false pretences, in the broader context of poverty, control and criminalisation. There are cases in many countries of consenting sex workers (usually female sex workers) being promised higher wages or better working conditions if they change brothels, only to be transported to a location where they do not receive higher pay or basic labour rights. These cases look very similar to instances of trafficking in other industries, such as agriculture and construction, in which workers are transported from a



paid work environment to an unpaid work environment under false pretence. In many of these cases, the workers want to return to their prior employment status as a paid worker, but know that contacting an anti-trafficking organisation or the government for support could result in detention, deportation, or stigma within the industry which will harm their chances of working again.

**As such, SWRDs play a critical role at all levels of addressing both emergency situations and broader systems of violence, because they do not demand that individuals identify themselves neatly as “consensual sex workers” or “trafficking victims” before providing health services, human rights trainings, and labour rights advocacy. To do so would jeopardize the work, the safety of the SWRD and the safety of sex workers.**

A 2018 report from the Global Alliance Against Traffic in Women presents cases from seven countries (Canada, Mexico, Spain, South Africa, India, Thailand and New Zealand) in which SWRDs, organisations and collectives are documenting and fighting against abuses against sex workers and survivors of human trafficking.<sup>52</sup> The report, Sex Workers Organising for Change: Self-representation, community mobilisation, and working conditions, illustrates how SWRDs “learnt of situations where a woman was experiencing violence, working under unacceptable conditions, or was brought to the industry through force or deception, for the purpose of exploitation. In these instances, sex workers resolved the issue as a collective, by providing advice and referral to other organisations, negotiating with the brothel owner/madam, chasing the pimp out of their area, or gathering money to help the woman return home.”

A decade prior, in 2008, a report from the Open Society Foundation, Our Lives Matter: Sex Workers Unite for Health and Rights presented a range of sex worker rights organisations around the world “pioneering a pragmatic rights-based approach to help trafficked women and minors get out of the sex trade.”<sup>53</sup> The report found that “the fight for sex workers’ rights and the struggle to end trafficking mutually reinforce each other. When empowered, sex workers are often the best placed and most able to assist trafficked persons and underage minors.”<sup>54</sup>

These two reports are among several pieces of research that document and affirm the critical work of SWRDs in the fight against human trafficking.

SWRDs do many types of human rights work (see Human Right Work) and should not need to be reduced or essentialized into “anti-trafficking” activists in order to be deemed legitimate advocates by human rights colleagues, peers, international organisations, donors, feminist movements, or state agencies. It is nonetheless important to note that a growing number of prominent, internationally recognized organisations who do focus primarily on anti-trafficking efforts are increasingly publishing research affirming that SWRDs are often best placed to investigate, document, and address trafficking crimes, should they choose to include these activities in their larger body of human rights work. (See Sections 2.5-2.7). Further, many anti-trafficking publications and organisations express concerns that criminalizing sex work endangers SWRDs and undermines their effective, creative, and life-saving anti-trafficking work. The OSF report, for example, affirmed “the importance of the rights-based approach, which remains antithetical to a traditional law enforcement ideology.”<sup>55</sup>



## 4.3 Conflating Sex Work and Trafficking

SWRDs in several countries reported that the conflation of sex work and trafficking impacts the efficacy of their work in several ways, including by creating barriers to entering spaces where sex is sold, and by erasing “the real concerns sex workers have about our working conditions.”<sup>56</sup>

The conflation of terms creates dangerous barriers to entry for conducting human rights work in brothels and other spaces with managers or guards. In the experience of defenders from Myanmar, Thailand, El Salvador and Tunisia, both managers and sex workers have internalized the conflation of sex work and trafficking, in part due to engagement with anti-trafficking organisations, who have far more funding than grassroots SWRDs, who use the language of ‘rights’ to refer only to rescue or end demand models. Therefore, many managers and sex workers with whom SWRDs interact assume all SWRDs are only interested in ‘rescuing’ sex workers.

In Myanmar, Thailand and El Salvador, SWRDs all reported having to provide managers with food or health materials in order to gain access to these spaces. When SWRDs expressed a desire for advocacy trainings, they spoke not only of conducting advocacy with local governments and international bodies, but also with managers whom they have to spend time convincing that their human rights work is more nuanced than the approach promulgated by some international anti-trafficking and anti sex work organisations.

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““Most massage parlours and brothels don’t allow us in to provide legal services and health education from the start because they think we’re there to make to the girls run away. So we have to give them presents and food. If I can’t afford those, I have to give them the condoms which are meant for the girls. I want to learn more advocacy skills to get in the door without a bribe.” - **Ma Ei, SWRD, Mandalay, Myanmar**

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Renowned Thai sex worker rights organisation Empower published several analyses of the impacts of Thai anti-trafficking legislation on sex workers organizing for human rights. Thailand’s Suppression of Human Trafficking Act (BE 2551, 2008) prominently features the word “prostitution” in the text of the law. SWRDs from Empower told Front Line Defenders that this language conflates sex work and trafficking and obfuscates legitimate labour rights struggles occurring within sex

work. The problem is not, in the opinion of the defenders, with the word prostitution per se, but with the way it is used to mean both sex work and trafficking without clarification. In the 2012 report *Hit and Run: Sex Worker’s Research on Anti trafficking in Thailand*, Empower writes:

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““ Highlighting the word ‘prostitution’ implies that prostitution in and of itself is the crux of the problem, rather than whether women are forced or exploited within prostitution. The confusion between sex work and trafficking remains a barrier to effective responses and identification of trafficked persons. It also hinders efforts to tackle the real concerns sex workers have about our working conditions, as we risk that the response to workers complaints will be increased raid and rescues not improved labour standards. Labelling all migrant sex workers as victims of trafficking effectively makes it impossible for sex workers to take a pro-active role in addressing human trafficking in our industry. We are all at risk of arrest detention and for the migrants among us, deportation so cannot be as effective as we could be.”<sup>57</sup>

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For this report, Front Line Defenders researched the risks and threats facing HRDs from sex worker communities – not the impact of particular laws on the realization of human rights for those communities more broadly. SWRDs report that where conditions are poor, criminalisation further exacerbates exploitation, which is compounded by a lack of labour protections and opportunities for safe migration, stigma, discrimination, and marginalization. In several countries in which Front Line Defenders conducted research, defenders report that the conflation of sex work with exploitation, and the conflation of exploitative work conditions in the sex industry with trafficking, leads to vague legislation that erases these differences, alienates sex workers from material resources and prevents them from organising for better work conditions or asserting their labour rights.<sup>58</sup>

## 4.4 SWRDs Who Do Anti-Trafficking Work and Do Not Identify as Anti-Trafficking Advocates

Many SWRDs consider the provision of services to survivors of trafficking to be core to their activism and humanitarian work, but make the decision not to identify as anti-trafficking activists for many reasons. including security, the sustainability of the work, and solidarity with survivors themselves. The reasons SWRDs who support people with an experience of trafficking choose not to identify their work as 'anti-trafficking' include:

- the extreme risks associated with publicly identifying their work as opposing human trafficking, which positions them in direct, open conflict with armed criminal organisations, gangs, and smuggling networks, and jeopardizes the safety of the defenders, their families, the communities, workers, and survivors they support, and the future of the work they do;
- the immediate physical risks to sex workers and trafficking survivors in establishments where they do outreach work, including from managers, who have denied food, water, and freedom of movement as punishment of sex workers known to be in communication with 'anti-trafficking' organisations;
- the fact that they believe identifying as 'anti-trafficking' would immediately position SWRDs as inherently interested in "saving" sex workers from their places of establishment, and destroy the hard-earned access to controlled spaces of work that they have negotiated;
- a desire to distance themselves from the violent deployment of 'anti-trafficking' rhetoric by non-sex workers and those with no personal experience of trafficking to silence, exploit, marginalise, victimise, and demonize survivors and sex worker communities;
- a desire to draw a clear distinction between their work, done in solidarity with and alongside their communities, and the approach of many Western women's rights and anti-trafficking organisations, which have been described by HRDs as imperialist, neo-colonial, racist, patriarchal and classist, and which they perceive often has violent, damaging, criminalizing consequences for the sex workers and survivors it purports to 'save.'







## 4.5 Navigating Risk, Supporting Survivors: Talking to Colectiva Venus in El Salvador

Emma, Yanira, and Reina are female sex workers (FSWs) and SWRDs with Colectiva Venus in El Salvador.<sup>59</sup> Colectiva Venus is a network of SWRDs and community members working in two regions of El Salvador: Aguilares, San Salvador department, and Chalchuapa, Santa Ana department, both of which are far from major cities and lack basic health and legal resources for sex workers.

Colectiva Venus provides trainings and workshops for sex workers, both in support groups and at their places of employment, covering topics including sexual health, human rights, access to justice, navigating the judicial system (which they teach themselves by studying the law together when they have money to rent a private meeting space), and violence prevention. They conduct these trainings both inside and outside of sex work establishments, many of which they gain access to through

long-term trust-building with managers and creative approaches to mitigating barriers to entry, such as utilizing health frameworks and language. Colectiva Venus has more than 30 members throughout the two regions, and a network of peer leaders who coordinate attendance rosters for human rights workshops in the sex worker community, maintain communication with members, and develop security protocols for outreach work at sex work establishments in Aguilares.

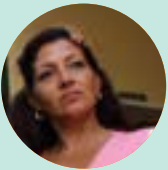
In a joint interview (March 2019), Emma, Yanira, and Reina – three of Colectiva Venus’ six peer leaders – explained how they navigate controlled spaces of sex work when they suspect some of the women present have been trafficked. (Edited for clarity.)



*Reina:* This year we started doing mediations with establishment owners, institutions, sex workers, and ourselves, to try to resolve some of these acts of violence that women report to us when we meet with them at work.



*Yanira:* This is one of the reasons we are very careful and why we don't discuss human trafficking at all when we first meet with managers. We may strongly believe this business is doing human trafficking, but we don't want to endanger the women by openly discussing it.



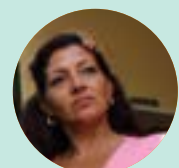
*Emma:* You can easily tell who is a human trafficking victim by the fear, how they react, their whole body language gives off that there is something wrong with their conditions. Trafficking is a lot about conditions, not just how you got there. We have been trained to recognize violent conditions among sex workers and once we arrived at [a certain location in San Salvador] it was very obvious to me [that some women present had been trafficked]. It was confirmed when they started describing the number of things the owner would put them through that they were seen as trade goods, not humans. We are not something you can sell or exploit, we are people.



*Reina:* Also though, no matter of how they came to this house they have a right to hear what we're there to teach the other girls – about their right to report gender violence and how to navigate the many parts of the justice system. We're not going to exclude people from these human rights services based on how they arrived.



*Yanira:* Yes, but still our approach needs to be different when we suspect trafficking. We are very aware that our presence is never welcomed, however there are degrees of how unwelcome we are. Some places give us five minutes so we look around as much as we can and learn as much about conditions as possible. There are other places like this one, and another in Santa Ana, that was a guest house for MSM sex workers where we weren't allowed entrance at all. Whenever we're not allowed in we don't push a second time. Because we understand this is a clear indicator of risk, and we have a responsibility both to those SW and to ourselves. A lot of SW establishment owners are gang members or affiliated with gangs, would be very easy for them to hire someone to kill us. If this is the case we wait until the SW in that establishment have a day off and we approach them individually outside the premises.



*Emma:* We have to be really careful. You can't just yell 'trafficking' as soon as you walk in the door. The girls, and our group, could be killed. The women tell us what steps they want us to take. We are connected to them, and we are connected to justice mechanisms because of our human rights work. We're the connection, but we have to be careful.

## Recommended Resources

- United Nations Development Program, 2012, "Sex work and the law in Asia and the Pacific: Laws, HIV and human rights in the context of sex work". <https://www.undp.org/content/dam/undp/library/hiv/aids/English/HIV-2012-SexWorkAndLaw.pdf>
- Global Alliance Against Traffic in Women. Sex Workers Organising for Change: Self-representation, community mobilisation and working conditions. <https://gaatw.org/publications/SWorganising/SWorganising-complete-web.pdf>
- South Asian Association for Regional Cooperation, 2002, "SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution," Article 1.22
- Kempadoo, Kamala. "The War on Humans: Anti-trafficking in the Caribbean." *Social and Economic Studies* 65, no. 4 (2016)
- Our Lives Matter: Sex Workers Unite for Health and Rights. Open Society Foundation. <https://www.opensocietyfoundations.org/sites/default/files/Our%2520Lives%2520Matter%2520%2520Sex%2520Workers%2520Unite%2520for%2520Health%2520and%2520Rights.pdf>
- Sex Work and Trafficking A Donor/Activist Dialogue on Rights and Funding. December 2008. [https://www.redumbrellafund.org/wp-content/uploads/2014/07/Donor\\_Dialogue\\_Final\\_REPORT\\_December2008.pdf](https://www.redumbrellafund.org/wp-content/uploads/2014/07/Donor_Dialogue_Final_REPORT_December2008.pdf)
- Sex Trafficking and Sex Work: Definitions, Debates and Dynamics — A Review of Literature. Annie George, U Vindya and Sawmya Ray. *Economic and Political Weekly*. [https://www.jstor.org/stable/25664387?seq=1#page\\_scan\\_tab\\_contents](https://www.jstor.org/stable/25664387?seq=1#page_scan_tab_contents)
- Empower Foundation. Hit & Run: Sex Worker's Research on Anti trafficking in Thailand. February 2012. <https://www.nswp.org/sites/nswp.org/files/Hit%20and%20Run%20%20RATSW%20Eng%20online.pdf>
- APROASE A.C. and Tamaulipas Diversidad Trans., 2018, "Shadow Report to the CEDAW Committee on the situation of female sex workers in Mexico"
- Global Network of Sex Work Projects. The Impact of Anti-trafficking Legislation and Initiatives on Sex Workers. January 2019. [https://www.nswp.org/sites/nswp.org/files/impact\\_of\\_anti-trafficking\\_laws\\_pb\\_nswp\\_-\\_2018.pdf](https://www.nswp.org/sites/nswp.org/files/impact_of_anti-trafficking_laws_pb_nswp_-_2018.pdf)





## 5.0 Physical Presentation, Stereotypes & HRD Security

“The more that police and other people think we look like sex workers, the more threats we face. There is obviously no singular way a sex worker looks, but it doesn’t matter. Whatever stereotype people have for sex workers, whatever they think a sex worker looks like ... the more I resemble this thing they have in mind, the more likely I am to be attacked.”

- Transgender WHRD, La Union, El Salvador

All SWRDs interviewed say their physical presentation influences the risks they face. Defenders in all countries in which research was conducted report experiencing more severe and frequent threats in accordance with how their bodies are read. SWRDs report that if they appear to embody certain physical stereotypes that people in their town associate with sex work, it has tangible impacts on their safety. The subjective, contextual, and localized ideas about “what a sex worker looks like” have objective, tactile consequences for HRD security.

In all countries in which research was conducted, defenders report that being “seen” or “read” as a sex worker increases the likelihood of harassment from police, as well as the likelihood that a defender will be physically attacked while conducting emergency response work, because they are seen to be another sex worker on the street, vulnerable to attack. (See Section 3.6)

What it means to be “read” as sex worker varies drastically based on context. For example, the United States, transgender Black women face horrific rates of killings, physical attack, warrantless arrests, and police violence. Correspondingly, Black transgender SWRDs face risks that white and cisgender SWRDs do not.

In Myanmar, Front Line Defenders held a group discussion that included cisgender female sex workers (FSW) and transgender women sex workers, all of whom were HRDs. Several FSWs said they receive less discrimination than their transgender colleagues when they go to police stations to do human rights advocacy.

In Myanmar, there exists a sort of plausible deniability for cisgender WHRDs about their profession that does not exist for transgender WHRDs. The group explained that police assume that all transgender women are sex workers. As a result, transgender SWRDs who go to police stations to advocate for their communities are immediately discriminated against because of both their gender and their assumed profession. Cisgender SWRDs are not

“Police don’t automatically assume that any cisgender human rights activist is also a sex worker. They think I might just be there to help, not because I am ‘one of them.’ I am a sex worker, of course, but sometimes I can get more done as an advocate if the police don’t know.”

- Cisgender woman SWRD, Yangon

“I have only been with AMA for two months, and already I have been sexually harassed and groped when I went to the police station – as an AMA advocate – to respond to an emergency call after other trans sex workers were assaulted and detained.”

- Htut, Transgender SWRD and Outreach Worker, AMA Myanmar

immediately assumed to be sex workers, and therefore do not immediately experience these two types of discrimination when they arrive at stations to do advocacy.

Both groups agreed that transgender WHRDs are more regularly sexually harassed and assaulted during their advocacy work at police stations, particularly when advocating for the rights of transgender detainees.

Gender expression affects how police treat SWRDs. As a result, defenders’ gender expressions can also affect how much primacy they give to the decriminalisation of sex work as a protection strategy.

In a group discussion among transgender SWRDs in eastern El Salvador, some of the defenders described themselves as looking like “women all the time” – they wear feminine clothing, make-up, and use she/her pronouns consistently, not just at night or while selling sex. They differentiated themselves from other transgender defenders, who only physically present feminine while selling sex.<sup>60</sup>

One of the transgender SWRDs who consistently presents feminine explained that she is harassed by police during the day (when she is not selling sex), almost as often as she is at night (while selling sex) because her trans-feminine presentation is read as a signifier of sex work. The societal associations between sex work and trans-feminine identities are so strong that visibly transgender women are automatically assumed to be selling sex. Conversely, her more masculine presenting transgender women friends and colleagues, (who describe their daytime appearance as “basically we look like gay men”) are not assumed to be sex workers outside of the hours during which they actually sell sex.

As a result, the two groups disagreed about the extent to which decriminalizing sex work would affect their security. For those consistently assumed to be sex workers, criminalization harms their security at all hours of the day, not just while actively selling sex.

One defender explained:

“I look like a transgender woman all day long. Not just at night. So my body isn’t just illegal for a few hours at night. It’s illegal all day long. Of course [the women who present more masculine during the day] don’t think getting rid of this law is as important as I do. It only affects them for a few hours at night. It affects me every second.”

**- Transgender Woman and SWRD, La Union, El Salvador**



## 6.0 Recommendations

### 6.1 Governments, police and state security agencies

- Implement an immediate moratorium on arrests and judicial harassment of sex worker rights defenders conducting emergency response, health outreach, gender justice trainings, and other peaceful, non-violent human rights work;
- In consultation with sex worker rights defenders, establish an independent complaints and investigation mechanism with authority and capacity to investigate attacks against sex worker rights defenders, with guarantees that the identities of complainants will be kept confidential to prevent reprisals against SWRDs;
- Publicly commit to strict enforcement of the prohibition of police demands for sexual acts from human rights defenders;
- Publicly commit to strict enforcement of the prohibition of torture and sexual violence perpetrated against sex workers rights defenders in police custody, threats of which are used to coerce sex worker rights defenders to provide sexual acts in exchange for the release of peers;
- Cease arbitrary arrests and detentions, police brutality, and coercing sex workers in police custody to sign “admissions of guilt” paperwork without fully explaining the content;
- Cease targeted, discriminatory raids and arrests at the offices, shelters, and community centres sex worker rights organisations;
- Ensure SWRDs who report attacks and threats to local police are not further physically, verbally, or sexually assaulted by police officers, and are able to file complete incident reports without fear of retaliation or abuse;
- Develop partnerships between police and sex worker-led organisations, and conduct police trainings led collaboratively by sex worker rights defenders;
- Cease using possession of condoms and other health materials as evidence to arrest or bring charges against sex worker rights defenders;
- Ensure that all sex workers in police detention and custody can access medications, and allow access for sex worker rights defenders distributing specialized medical care and medications to detainees.

### 6.2 Departments and Ministries of Health and National AIDS commissions

- Ensure sex worker rights defenders, including non-capital based sex worker rights defenders, are invited and supported to attend dialogues, policy meetings, and strategy sessions related to national AIDS strategies and health plans;
- Allocate financial and other resources to ensure sex worker rights defenders are able to attend and engage fully with these processes;
- Acknowledge and actively work against stigma and discrimination of sex worker rights defenders in health policy spaces, including through the establishment and financial backing of whistleblower and anti-discrimination reporting mechanisms;
- In consultation with defenders, publicly name departmental and ministry-level support and appreciation for the contributions and perspectives of sex worker rights defenders in designing effective AIDS policies;
- Examine and take concrete measures to rectify the exclusion of sex worker communities from state support during COVID-19, including the distribution of food and medical supplies; include and prioritize the analysis and recommendations of HRDs from these communities during reform efforts.



## 6.1 Recommendations to the United States<sup>61</sup>

- Ensure that local sex worker rights defenders defending the rights of communities most impacted by the AIDS epidemic have access to US AIDS funding (via the President’s Emergency Plan for AIDS Relief) by removing the discriminatory clause which prevents HRDs who will not publicly oppose sex work from receiving PEPFAR funds;<sup>62 63 64</sup>
- Repeal and reform discriminatory visa regulations that prohibit sex workers from obtaining visas from the United States, including the prohibition on anyone who has “engaged in prostitution within 10 years of the date of application for a visa, admission, or adjustment of status,” which prohibit sex worker rights defenders from attending critical international health and human rights conferences such as AIDS2020, and which force defenders to hide their sex worker and sex worker rights defender identities.<sup>65</sup>

## 6.4 European Union and its Member States

- In line with the EU’s Guidelines on Human Rights Defenders, ensure visible support for sex worker rights defenders acknowledging the critical work they carry out in defending the basic human rights of communities that are among the most marginalised;
- At the country level, meet with sex worker rights defenders and take into account their specific needs as indicated by the HRDs themselves, including but not limited to government advocacy, supporting access to state institutions and providing emergency or project funding for protection needs such as secure transportation, medical and judicial fees and secure meeting spaces;
- Ensure emergency funding – including for core activities – for sex worker rights defenders carrying out COVID-19 response work, especially in countries where sex worker rights defenders and communities are targeted by hate speech and defamation campaigns by government officials or influential public personalities blaming them for the spread of COVID-19;
- Ensure non-discriminatory access for SWRDs to EU human rights funding streams including with regards to HRD protection;
- Engage with sex worker rights defenders, organisations, and communities in the design, implementation, and evaluation of funding allocated to them.

## 6.5 Donors

- Ensure that funding for local human rights organisations includes budget lines for HRD security, and explicitly ask local organisations what their risks and protection needs are to make clear that HRD security is a priority;
- For health funders, proactively engage HRDs in the design and implementation of health programming they will carry out, including security elements such as transportation, visibility, uniforms, imagery, and travel routes, with an understanding that health programming is often carried out by local HRDs negotiating multiple at-risk identities, and their donor funded work may put them at risk in other spheres;
- Where security permits, offer physical spaces for HRDs to gather for meetings, community building, wellness, and trainings;
- Offer support for capacity building and private networking between grantees, to enable HRDs to directly share strategies for movement building and protection across organisations, collectives, and movements;
- Support HRDs’ general operating costs to ensure defenders are not forced to choose between conducting emergency response work and paying their own salaries;
- Support programs and services for HRD well-being and psychosocial care, and explicitly ask local organisations what their psychosocial needs are to make clear that HRD well-being is a priority in donor funded programming;
- Provide flexible and sustainable funding that strengthens sex worker rights defenders’ abilities to advocate for their rights, build networks of solidarity with state and non-state actors, and safely coordinate emergency response.

# Footnotes

1. For the purposes of this report, Front Line Defenders understands sex workers to be adults who regularly or occasionally receive money or goods in exchange for consensual sexual services. In establishing any working definition of sex work, sex worker, or sex worker rights defender, Front Line Defenders respects that many terms related to the sex trade are the subject of ongoing critique by SWRDs themselves. Such shifts in language must be respected and, where appropriate and in consultation with defenders, adopted by the international community. For more on SWRDs' human rights work in defence of those who have been forced, coerced, or remain in sex work unwillingly, see Chapter 4.
2. On four fact-finding missions in Tanzania, Kyrgyzstan, Myanmar and El Salvador, researchers visited at least four regions per country and interviewed between 25 and 35 SWRDs in each. Front Line Defenders also interviewed an additional 20 to 40 sex worker community members in each country, to differentiate between risks faced by sex workers who are visible HRDs, and sex workers who do not identify as activists, community leaders, outreach workers, peer educators, or advocates. Additional shorter consultations with SWRDs were held in Tunisia, the United States, the United Kingdom, Ireland, Thailand, Malawi, the Dominican Republic and Indonesia. Remote consultations were held with defenders in Mexico, Argentina, Malawi, Zimbabwe, Eswatini, Ecuador, and Peru.
3. The collective protection strategies and tactics of sex workers have been well documented by communities themselves. They appear in this report in the particular framework of human rights defenders, to contextualize the subsequent chapter on risks and threats facing HRDs as a direct result of their work. Additionally, SWRDs consulted for this report explicitly requested that Front Line Defenders document and structure the report in this way, to push back on the frequent devaluation of their human rights work.
4. Defenders in all countries in which Front Line Defenders conducted research reported being told that a wide variety of attacks they experience are "just because you're a sex worker," in a manner that delegitimised the attack as a retaliation for their activism. Often these comments included derogatory language and slurs in the place of the phrase "sex worker."
5. Front Line Defenders documents and publishes Urgent Appeals about human rights defenders targeted by defamation campaigns and other efforts to delegitimize their work. <https://www.frontlinedefenders.org/en/violation/defamation>
6. This report constitute the largest and most comprehensive work Front Line Defenders has undertaken with SWRDs, but it is not the first. Front Line Defenders has previously supported, documented and given visibility to the work and risks of SWRD in Urgent Appeals, Statements, Universal Periodic Review submissions, opinion pieces by staff researchers, Cypher digital magazine, national and international campaigns, public events and in collaboration with media networks such as the Guardian, NPR and RTE. Front Line Defenders has worked in solidarity with SWRDs via its various protection programmes including security grants, digital protection, Rest and Respite, Risk Assessment and Protection Planning, regional protection coordinators, and the Dublin Platform for Human Rights Defenders.
7. The term "prostitution" is widely regarded by SWRDs as a derogatory term with connotations of criminality and immorality, unless it is used and reclaimed by sex workers themselves. The term is used in this report only when referring to specific laws or policies which include the word "prostitution."
8. <https://www.frontlinedefenders.org/en/statement-report/defenders-beyond-borders-migrant-rights-defenders-under-attack-central-america>
9. Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime. United Nations, Office of the High Commissioner for Human Rights (OHCHR). See: <https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx>
10. United Nations Convention against Transnational organised Crime and the Protocols Thereto. United Nations Office on Drugs and Crime (UNODC). <https://www.unodc.org/unodc/en/organised-crime/intro/UNTOC.html>
11. Universal Declaration of Human Rights. United Nations (UN). <https://www.un.org/en/universal-declaration-human-rights/>
12. Committee on the Elimination of Discrimination against Women (CEDAW). General recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration. 6 November 2020.
13. <https://www.frontlinedefenders.org/en/statement-report/front-line-defenders-calls-end-threats-attacks-against-sex-worker-rights-defenders>
14. <https://www.frontlinedefenders.org/en/statement-report/lgbtiq-and-sex-worker-rights-defenders-risk-during-covid-19>
15. [https://www.frontlinedefenders.org/sites/default/files/front\\_line\\_defenders\\_covid-19.pdf](https://www.frontlinedefenders.org/sites/default/files/front_line_defenders_covid-19.pdf)
16. <https://www.ohchr.org/en/issues/srhrdefenders/pages/declaration.aspx>
17. <https://undocs.org/A/RES/53/144>
18. Aye Myanmar Association (AMA) is a countrywide network of sex workers, working in three regions and one state in Myanmar. The mandate and mission of AMA is to mobilise the sex worker community, build the capacity of sex workers, to reduce stigma and discrimination against sex workers, and support the sex worker community in Myanmar. See: [www.amamyanmar.org](http://www.amamyanmar.org)
19. <https://www.frontlinedefenders.org/en/statement-report/tanzania-targeting-lgbt-defenders>
20. <https://iwpr.net/global-voices/forced-health-checks-sex-workers-kyrgyzstan>

21. Tais Plus is a sex worker rights organisation working in Bishkek, surrounding suburbs, and nationally via networks of other defenders. Defenders report that Tais Plus works with 1000-1500 sex workers annually, and an average of 250 sex workers participate each year in the organisation's thematic workshops on health and human rights.
22. The Shah-Aiym network is comprised of SWRDs, sex workers and allies in four countries including Kyrgyzstan.
23. <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>
24. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
25. Legal approaches to sex work are expansive and varied. The EU-funded project "Addressing Demand in Anti-Trafficking Efforts and Policies (DemandAT)" produced a policy brief for the European Commission categorizing types of legal regimes: "repressive, restrictive and integrative, or a combination of these." See: [http://demandat.eu/sites/default/files/DemandAT\\_PolicyBrief\\_Preventing%20Vulnerability.pdf](http://demandat.eu/sites/default/files/DemandAT_PolicyBrief_Preventing%20Vulnerability.pdf)
26. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
27. Stella. Language Matters: Let's Talk About Sex Work. <https://www.nswp.org/sites/nswp.org/files/StellaInfoSheetLanguageMatters.pdf>
28. For more on the impact of criminalisation on HRD organizing, see Section 3.1.
29. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>
30. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>
31. Group interview with SWRDs from AMA Myanmar. Yangon, Myanmar. 17 November 2018.
32. Group interview with SWRDs from AMA Myanmar. Yangon, Myanmar. 17 November 2018.
33. [https://kaktus.media/doc/340008\\_i\\_o\\_glavny\\_gyvdstolicy\\_poobeshal\\_zanedelu\\_ochistit\\_bishkek\\_ot\\_prostitytok.html](https://kaktus.media/doc/340008_i_o_glavny_gyvdstolicy_poobeshal_zanedelu_ochistit_bishkek_ot_prostitytok.html)
34. Shahnaz Ismalova joined Tais Plus in 2000 and has since: established an emergency drop-in centre; trained Outreach Workers to respond to raids, arrests, forced medical testing, and attacks; and organised several national-level dialogues advocating for an end to medical tests forcibly performed on detained sex workers by police.
35. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>
36. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
37. <https://www.ohchr.org/en/issues/srhrdefenders/pages/declaration.aspx>
38. <https://undocs.org/A/RES/53/144>
39. In all countries and languages in which Front Line Defenders conducted research, HRDs report being told that arrests, sexual assaults, and physical attacks they experience are "just because you're a sex worker," in a manner that denied the attacks are related to their activism. These comments mostly use derogatory slurs in place of "sex worker."
40. Section 139 of the Penal Code: "Any person who (1) procures or attempts to procure any girl or woman under the age of twenty-one years to have unlawful carnal connection either in Tanganyika or elsewhere, with any other person or persons; or (2) procures or attempts to procure any woman or girl to become, either in Tanganyika or elsewhere, a common prostitute ... is guilty of a misdemeanour."
41. [https://www.nswp.org/sites/nswp.org/files/pb\\_impact\\_of\\_end\\_demand\\_on\\_women\\_sws\\_nswp\\_-\\_2018.pdf](https://www.nswp.org/sites/nswp.org/files/pb_impact_of_end_demand_on_women_sws_nswp_-_2018.pdf)
42. Testimonies of SWRDs in Kyrgyzstan who have been targeted by these "entrapment" exercises have been withheld for the security of the defenders. These testimonies were documented by Front Line Defenders in September 2018 on research missions in Bishkek, Osh, Karakol, and Jalal Abad.
43. [https://unaids-test.unaids.org/sites/default/files/unaids/contentassets/documents/unaidspublication/2009/JC2306\\_UNAIDS-guidance-note-HIV-sex-work\\_en.pdf](https://unaids-test.unaids.org/sites/default/files/unaids/contentassets/documents/unaidspublication/2009/JC2306_UNAIDS-guidance-note-HIV-sex-work_en.pdf)
44. [https://unaids-test.unaids.org/sites/default/files/unaids/contentassets/documents/unaidspublication/2009/JC2306\\_UNAIDS-guidance-note-HIV-sex-work\\_en.pdf](https://unaids-test.unaids.org/sites/default/files/unaids/contentassets/documents/unaidspublication/2009/JC2306_UNAIDS-guidance-note-HIV-sex-work_en.pdf)
45. Name change to protect identity of defender.
46. SWRDs, especially paralegals, received threats in retaliation for providing legal assistance to sex workers accused of petty crimes by the general public. In smaller, more rural towns in Tanzania and Myanmar, members of the public frequently accuse sex workers of crimes such as dressing indecently or petty theft, and threaten the HRDs who help sex workers defend themselves in these cases.
47. PrEP (pre-exposure prophylaxis) is medicine people take to prevent contracting HIV. Many SWRDs interviewed for this report, particularly those from and working with MSM (men who have sex with men) communities, work on PrEP education and distribution for sex workers and queer people who have been systematically excluded from mainstream health services.
48. "Sex work and the law in Asia and the Pacific: Laws, HIV and human rights in the context of sex work." UNDP Asia-Pacific Regional Centre and UNFPA Asia Pacific Regional Office, in partnership with UNAIDS, Asia Pacific Network of Sex Workers. 2012. <https://www.undp.org/content/dam/undp/library/hivaids/English/HIV-2012-SexWorkAndLaw.pdf>
49. United Nations Convention against Transnational organised Crime and the Protocols Thereto. United Nations Office on Drugs and Crime (UNODC). <https://www.unodc.org/unodc/en/organised-crime/intro/UNTOC.html>



50. Stella. Language Matters: Let's Talk About Sex Work. <https://www.nswp.org/sites/nswp.org/files/StellaInfoSheetLanguageMatters.pdf>
51. Stella. Language Matters: Let's Talk About Sex Work. <https://www.nswp.org/sites/nswp.org/files/StellaInfoSheetLanguageMatters.pdf>
52. Global Alliance Against Traffic in Women. Sex Workers Organising for Change: Self-representation, community mobilisation and working conditions. <https://gaatw.org/publications/SWorganising/SWorganising-complete-web.pdf>
53. Open Society Foundation. Our Lives Matter: Sex Workers Unite for Health and Rights. <https://www.opensocietyfoundations.org/publications/our-lives-matter-sex-workers-unite-health-and-rights>
54. Open Society Foundation. Our Lives Matter: Sex Workers Unite for Health and Rights. <https://www.opensocietyfoundations.org/sites/default/files/Our%2520Lives%2520Matter%2520%2520Sex%2520Workers%2520Unite%2520for%2520Health%2520and%2520Rights.pdf>
55. Open Society Foundation. Our Lives Matter: Sex Workers Unite for Health and Rights. <https://www.opensocietyfoundations.org/sites/default/files/Our%2520Lives%2520Matter%2520%2520Sex%2520Workers%2520Unite%2520for%2520Health%2520and%2520Rights.pdf>
56. <https://www.freedomunited.org/speak-free/taking-the-trafficking-out-of-sex-work/>
57. Empower Foundation. Hit and Run: Sex Worker's Research on Anti trafficking in Thailand. 2012. <https://www.nswp.org/sites/nswp.org/files/Hit%20and%20Run%20%20RATSW%20Eng%20online.pdf>
58. A 2019 report from the Global Network of Sex Worker Projects examined the impact of anti-trafficking legislation on SWRDs, organisations, collectives, and communities, and found that state violence perpetrated in the name of anti-trafficking hindered SWRDs work as labour rights organisers and advocates. Global Network of Sex Work Projects. The Impact of Anti-trafficking Legislation and Initiatives on Sex Workers. January 2019. [https://www.nswp.org/sites/nswp.org/files/impact\\_of\\_anti-trafficking\\_laws\\_pb\\_nswp\\_-\\_2018.pdf](https://www.nswp.org/sites/nswp.org/files/impact_of_anti-trafficking_laws_pb_nswp_-_2018.pdf)
59. <https://www.frontlinedefenders.org/en/profile/janira-salazar>
60. A wide range of factors influence a transgender person's gender expression, and the desire or need to present differently at different times of day. Factors could include family pressure, police violence, economic circumstance, criminalisation, discrimination at work, or gender fluidity. For transgender human rights defenders, decisions about gender presentation have additional security considerations, as in the case of Ines. (See Section 1.1)
61. The United States was not a focus country of this research. However, SWRDs in the four focus countries, as well in additional international consultations, report that the anti-sex work laws and policies of the US (namely related to online censorship and discriminatory visa requirements) affect the security of SWRDs outside the borders of the US. As such, the recommendations to the US in this section are specifically those which affect the security of defenders internationally. Domestic recommendations for the US (related to policing, deportation, racism, censorship, and other HRD security issues) should be sought directly from SWRDs in the US.
62. <https://www.state.gov/wp-content/uploads/2020/12/PEPFAR-COP21-Guidance-Final.pdf>
63. <https://www.nswp.org/sites/nswp.org/files/PEPFAR%20%26%20SW.pdf>
64. <https://pubmed.ncbi.nlm.nih.gov/21413636/>
65. <https://fam.state.gov/fam/09FAM/09FAM030203.html>

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