



# Sex Workers' Rights: Mapping Policy Around the World

15 September 2015

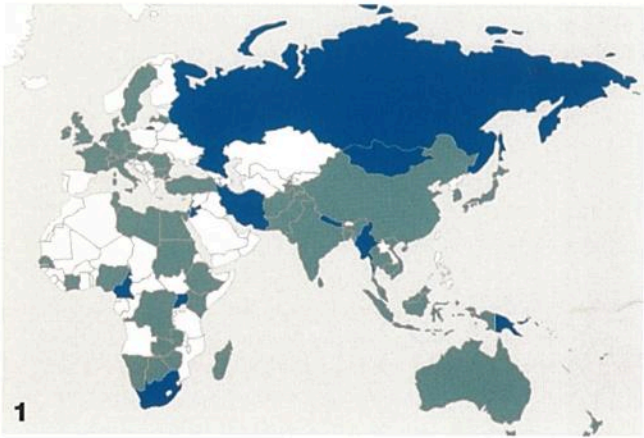
A map that brings together all the laws relating to sex work around the globe has been a long time coming.

After decades of working on sex work issues, I have for some time been frustrated at the lack of accurate and accessible information about laws and policies governing how sex is bought and sold across the world. Without this it is impossible to fully understand how these laws impact on human rights, economic outcomes, gender-based violence, public health or human trafficking. In other words, we cannot enable sex workers to live and work safely.

Unsurprisingly, without the correct information, myths abound and debates become polarised. This was illustrated by the recent reactions to Amnesty International's endorsement of decriminalising sex work. What also became clear was that although we have invented many ways to describe the various legal approaches to sex work – prohibition, regulation, toleration, decriminalisation, legalisation, depenalisation and partial decriminalisation to name a few – there is no consensus about what these terms actually mean. And more to the point – they don't appear in any legal texts.

Laws clearly affect sex workers when they are arrested or required to undergo medical examinations. But they also affect them indirectly by shaping the sex industry and its working conditions, and ultimately by forming a barrier to citizenship and the ability to claim rights. (see map 2)

So what does the Global Sex Work Law Map tell us, and how can activists, researchers and policymakers use it? The map contains country by country accounts of law and policy that directly address female sex workers and the sex industry. There is also a search function that shows groups of countries with similar features, such as where sex workers are forcibly tested for STIs and HIV, and which countries conflate trafficking and sex work by deeming consent to be irrelevant.



▲ The map highlights countries where it is illegal to sell sex and organise commercial sex in any place. Photograph: Institute of Development Studies

The map reveals several interesting trends and patterns. For example, of the 11 legal approaches set out, the one that illuminates most space across the world map is "illegal to solicit to sell sex in a public place and to organise commercial sex in any place". This means that much of the heterosexual commercial sex taking place globally is criminalised by laws against third parties such as brothel managers rather than by laws against the women who sell sex.

Perhaps most surprising is that in many countries sex work is not criminalised by law that mentions prostitution, but by less defined laws against vagrancy, loitering, immorality and debauchery. This information is crucial because it tells us that reform must go further than merely removing the law against selling sex. To end violence and extortion of sex workers and enable them to access justice, services and decent work conditions requires new, location-specific legal and regulatory frameworks as well as fresh approaches to health, economic programmes and cultural change.

The map has its limitations. It only contains the laws that affect women who sell sex – a different stream of law affects male sex workers. Sources were more reliable for some countries than others and definitions vary enormously. For example, some countries define a brothel as any place a sex worker lives or works. In other countries it is a place where sex is sold by more than one woman. In some countries laws address transwomen but in others it applies only to those designated female at birth. The map was designed so it could be refined with inputs from users.

As the dust settles after the debates set off by Amnesty's decision to support the decriminalisation of sex work it is clear that, for all the differences of opinion, there is a genuine appetite to solve problems associated with sex work and broad recognition that criminalisation fails to do that. At national and sub-national level, the challenge is to develop concrete, feasible ideas for effective laws and policies. This requires drilling down past big claims and moral arguments, past activists' slogans and sensationalist headlines, and into the details of laws and policies and how they are enforced in different cultural, political, social and economic environments. I am confident that the Sex Work Law Map will be an important tool in that process.

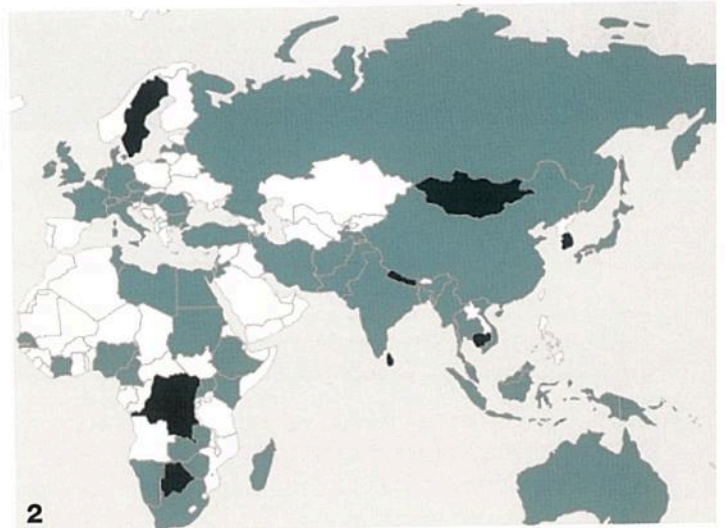
<http://www.theguardian.com/global-development-professionals-network/2015/sep/15>

*The creator of a global map of sex work law hopes the new tool will help tackle decades of myths and misinformation*

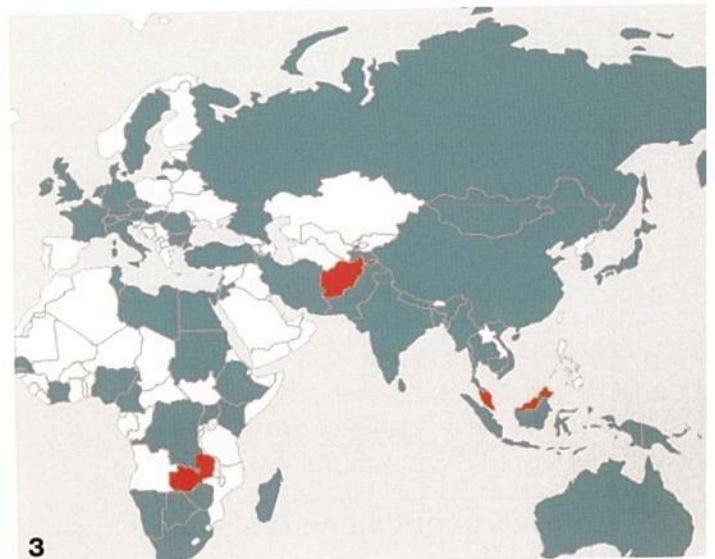
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▼ This map shows countries where laws such as public disorder, vagrancy, loitering and state-recognised religious provisions are used to prosecute women who sell sex.



▲ In the Democratic Republic of Congo, Nepal and Botswana the law conflates sex work that does not involve coercion with sexual exploitation and human trafficking.



▲ Malaysia, Zambia and Afghanistan – three countries where the law against sex work is expressed as a law against debauchery, immorality or other such term.

