

Forum:	Economic and Social Council (ECOSOC)
Issue:	Defining the Working Rights of Sex Workers
Student Officer:	Shichang (Sissi) Zhang
Position:	Deputy President

PERSONAL INTRODUCTION

Dear delegates,

My name is Sissi Zhang and I am an IB1 student at CGS. It is my utmost honor and pleasure to be serving as Deputy President of the Economic and Social Council (ECOSOC) in PSMUN 2023. Speaking of MUN, it has offered me the intriguing and wonderful experience of being a delegate, ambassador, and chair. The biggest harvest from my previous MUN experience was the powerful mindset I developed in the conferences; it changed my world outlook and my self-confidence.

ECOSOC is one of six main organs of the United Nations, it promotes universal sustainable development that is linked to three pillars: economic, social and environmental. Through following up on all major past international conferences, fueling broader awareness and implementation of the sustainable development goals, ECOSOC operates as the unifying platform for integration, action on sustainable development and follow-up, and review.¹

The topic presented in this study guide is “Defining the Working Rights of Sex Workers”. Sex workers’ rights is a complicated topic in which many perspectives are involved: law, human rights, labor rights, health and so on. Specifically, advocates and opponents of prostitution share strong statements against each other, yet, each country or region around the world presents different laws and regulations on the matters of sex work and sex workers’ rights. In this study guide, I will analyze the topic by providing you with background information such as types of sex work, risks associated with sex work, etc. In the end, one can find the suggested solutions to this issue, in which a range of factors have been considered.

Although this study guide will provide and serve as a strong foundation for your understanding and research of this topic, it should not be regarded as the only source of information. Having said that, it is strongly recommended that you do extensive research on your delegation’s policy and other related issues. If you have any inquiries, feel free to contact me through email.

¹ “Promoting Sustainable Development | Economic and Social Council.” United Nations, United Nations, <https://www.un.org/ecosoc/en/content/promoting-sustainable-development>.

With that being said, I wish you good luck with your study and research of the issue, stay healthy and see you at Platon School!

Yours truly,

Sissi Zhang

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INTRODUCTION

Sex work is the exchange of sexually-related services for monetary or material compensation. It could include direct physical contact between buyers and sellers such as in the form of prostitution, or indirect sexual services such as working as adult video performers, strippers, and webcam models. Sex work only refers to voluntary sexual interactions between consenting and legal adults, thus it's not a term that describes nonconsensual sexual transactions such as child prostitution.

The topic of sex workers' rights is complicated as it encompasses varied fields such as human rights, women's rights, and labor rights. However, it is an urgent and important issue that needs to be addressed as sex workers' voices need to be heard and their needs need to be satisfied just like people who do other types of work. Specifically, sex work is associated with many risks. Due to the lack of awareness and available protective measures, sexually transmitted infections are common among sex workers. Physical and psychological violence are other forms of risk as many sex workers experienced exploitation from dealers and clients. The impacts of pandemics also made the sex work more difficult in many ways including the lack of clients, imposed hygiene measures.

Sex workers have the right to live their lives free of discrimination, stigma, and violence. As individuals, their rights to life, health, privacy, and bodily autonomy should not be violated; as sex workers, their rights to receive fair financial treatment and work in sanitary workplaces should be emphasized. Most importantly, sex worker rights should focus on stopping discriminating against sex work as a means of ensuring equal treatment. According to the words of Article 1 of the Universal Declaration of Human Rights²: "All human beings are born free and equal in dignity and rights." Sex workers, as one of the disadvantaged groups in society, are suffering from unequal treatment, all forms of risks, and the lack of protection. The United Nations and

² "Universal Declaration of Human Rights." *United Nations*, United Nations, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

ECOSOC have the responsibility to impose commitments to protect and honor those rights as those have been a social concern widely, and sex work market has a big impact on the economy.

This conference's theme is "Pacifism and Injustice", and linking it to the issue introduced in this study guide, the indignity and the inequality towards sex workers are expressions of injustice in society. People need to always have in mind that human rights are universal and inalienable, and when there is injustice, we need to work together as a whole to dissolve it in the form of pacifism.

DEFINITION OF KEY TERMS

Sex Workers

Sex workers are adults who provide sexual related services in exchange for money or goods.³

Sex Work

Common sex work forms include prostitution, pornography, nude dancing, telephone sex, etc.⁴

Sex industry

A commercial sector that employs sex workers that provide sexual services, such as prostitution and sexual entertainment etc.⁵

Sexual abuse

A person abusing another person via sexual activity is known as sex abuse. It frequently involves employing force or taking advantage of another person.⁶

Non-consensual condom removal

It is the act of a man removing a condom during sexual contact without consent when the partner has only consented to condom-protected sex.⁷

³ "What Is Sex Work? - Prostitution - Procon.org." *Prostitution*, <https://prostitution.procon.org/questions/what-is-sex-work/>.

⁴ *Child Abuse and Neglect User Manual Series - Child Welfare*. <https://www.childwelfare.gov/pubPDFs/domesticviolence.pdf>.

⁵ "The Sex Industry Definition and Meaning: Collins English Dictionary." *The Sex Industry Definition and Meaning* | *Collins English Dictionary*, HarperCollins Publishers Ltd, <https://www.collinsdictionary.com/dictionary/english/the-sex-industry>.

⁶ "Sexual Abuse." *Wikipedia*, Wikimedia Foundation, https://en.wikipedia.org/wiki/Sexual_abuse.

⁷ "Non-Consensual Condom Removal." *Wikipedia*, Wikimedia Foundation, https://en.wikipedia.org/wiki/Non-consensual_condom_removal.

Pimps

A person who manages prostitutes and secures clients for them in exchange for a cut of their profits.⁸

Prostitution

The act or practice of having sex with someone in exchange for money.⁹

Brothel

A residence where people go to see prostitutes.¹⁰

Sex trafficking

The illegal practice of transferring or coercing individuals for the purpose of using their labor or service, frequently through forced labor or sexual exploitation.¹¹

Sexually Transmitted Infections

Sexually transmitted diseases (STDs) are also called sexually transmitted infections (STIs), sexual contact is the primary method of transmission.¹²

Psychological manipulation

Psychological manipulation is a sort of social influence that uses coercive, dishonest, or abusive methods to attempt to alter another person's behavior or perspective.¹³

Stockholm syndrome

It refers to victims coming to develop positive feelings about their captors or abusers over time of manipulation and abuse.¹⁴

Sex tourism

Sex tourism is the practice of visiting foreign nations with the goal of having relationships or engaging in sexual activities.¹⁵

⁸ "Panderer." *Legal Information Institute*, Legal Information Institute, <https://www.law.cornell.edu/wex/panderer>.

⁹ "Prostitution." *Legal Information Institute*, Legal Information Institute, <https://www.law.cornell.edu/wex/prostitution>.

¹⁰ "Brothel Definition & Meaning." *Merriam-Webster*, Merriam-Webster, <https://www.merriam-webster.com/dictionary/brothel>.

¹¹ "What Is Human Trafficking?" *What Is Human Trafficking? | Homeland Security*, <https://www.dhs.gov/blue-campaign/what-human-trafficking>.

¹² "Sexually Transmitted Diseases | STD | Venereal Disease." *MedlinePlus*, U.S. National Library of Medicine, <https://medlineplus.gov/sexuallytransmitteddiseases.html>.

¹³ "Manipulation (Psychology)." *Wikipedia*, Wikimedia Foundation, [https://en.wikipedia.org/wiki/Manipulation_\(psychology\)](https://en.wikipedia.org/wiki/Manipulation_(psychology)).

¹⁴ "Stockholm Syndrome: What It Is, Symptoms & How to Treat." *Cleveland Clinic*, <https://my.clevelandclinic.org/health/diseases/22387-stockholm-syndrome>.

¹⁵ "Sex Tourism." *Wikipedia*, Wikimedia Foundation, https://en.wikipedia.org/wiki/Sex_tourism.

BACKGROUND INFORMATION

Forms of sex work

Sex workers refer primarily to prostitution, but also encompass adult video performers, phone sex operators, webcam models, dancers in strip clubs, and others who provide sexually-related services.

Prostitution

Prostitution refers to engaging in sexual activity, in general with someone who is not a spouse or partner in exchange for immediate payment in money or other goods. The sex workers that are involved in prostitution are usually called prostitutes. Prostitution can involve heterosexual, homosexual, or transgender behavior, but historically the majority of prostitutes have been women, and the clients have been males. People's perceptions of prostitution are different based on cultures and societies, some see it as a recognized profession, while in others' eyes it is a criminalized occupation. Those who recognize it as a work state the reasons including reducing influence of organized crime, better health control, less exploitation of underaged and vulnerable and income taxes. However, factors like morally wrong, spread of diseases, contrary to religious belief, undermining marriage are used to be against legalization of prostitution. In some countries, prostitution is legal like in Germany. Germany's system of legal, organized, and taxed prostitution is among the most advanced in the world. In Germany, prostitution employment may also be processed through brothels, advertisements, and HR firms. In other countries it's limitedly legal, like in the UK. North Ireland prohibits the purchase of sex outright, but allows the sale of sex. In other countries, prostitution is completely illegal, like in China where enticing, housing, or initiating a person into prostitution are all prohibited, as are buying and selling the act of prostitution.

Street prostitution

In the case of street prostitution, the prostitute waits at street corners or walks alongside a street. Sex workers involved in street prostitution usually dress in provocative clothing to solicit clients. Even in jurisdictions that permit other forms of prostitution, street prostitution is frequently seen as illegal.¹⁶ Estimations say that only 10-20 percent¹⁷ of sex workers are working in the streets but statistics also show that 90 percent of the arrests of prostitutes are of street workers. Street prostitutes are highly vulnerable to muggings by customers and pimps, as well as to physical and sexual attacks. Typically, the customer's car, a neighboring alley, or a leased room is used for street prostitution. Many Latin American countries such as Mexico, Brazil,

¹⁶ "Paying the Price: a consultation paper on prostitution" (PDF). UK Home Office.

¹⁷ Lucas, A. "Race, Class, Gender, and Deviancy: The Criminalization of Prostitution: Semantic Scholar."

Colombia, the Dominican Republic, Venezuela and Costa Rica are among the destination countries for sex tourism and prostitution is up at all levels as a result of the rise in sex tourism, and especially in street prostitution.

Window prostitution

Window prostitution is a widespread kind of prostitution in the Netherlands and neighboring countries. The prostitute rents a window and workplace from a window operator for a set amount of time, usually per day or a portion of a day. The prostitute is also self-sufficient, as she finds her customers and negotiates the price and services to be offered. Thirty percent¹⁸ prostitutes in the Netherlands work behind windows.

Brothel

The brothel is a location where people have sexual encounters with prostitutes. Sex work in a brothel is considered safer than street prostitution. Many nations forbid prostitution and the operation of brothels, while others may accept well-known illicit brothels or laxly enforce the law. While such circumstances can occur everywhere in the world, Asia is the continent most frequently linked to these practices. Even though they are prohibited, brothels can, nevertheless, be found in places like massage parlors, saunas, and spas in some Asian countries. Only a few nations in Asia permit and control prostitution and brothel operations. Since brothels are viewed as less harmful than prostitution on the streets, some Asian countries such as Bangladesh, at least in principle, permit brothels.

Escort services

Escort agency is a firm where individuals, particularly young ladies, may be hired to go with someone for amusement purposes. Sex workers in escort services usually don't clarify the sexual activities in the advertisement, even though sexual activities are implicitly expected. The prostitute may be independent or employed by an escort service. Services may be promoted online, in local publications, or telephone boxes. In escort prostitution, the act occurs in the customer's home, a hotel room, or the escort's home.

Virtual sex

Virtual sex, which is also called cybersex, refers to sexual acts conveyed online through a computer, or phone but not physically. Its working forms include webcam modeling or pornographic modeling. Pornography is one form of virtual sex and it is the portrayal of sexual activities for the purpose of sexual arousal. Phone sex operators' work includes having sex-related conversations with clients through phone calls. Researchers from the universities of Leicester and Strathclyde¹⁹ discovered that the internet had greatly increased the amount of control sex workers and decreased the

¹⁸ "The International Encyclopedia of Sexuality: Netherlands and the Autonomous Dutch Antilles". hu-berlin.de. Archived from the original on 24 April 2012. Retrieved 3 November 2017.

¹⁹ "Beyond the Gaze." *Beyond The Gaze*, <https://www.beyond-the-gaze.com/briefings/>.

likelihood of physical assault. The study's interviewees stated that the internet enabled them to screen clients, abstain from drugs and alcohol, pick their place of employment, and offer peer support. Nearly 80% of respondents claimed that the internet has benefited their working lives.

Stripping

A stripper is a person whose work includes performing seductive dancing in a public adult entertainment venue such as a strip club. Strippers may have interactions with the audience when performing, however, touching strippers is prohibited on most occasions. Strippers sometimes work as contractors rather than full-time workers, which results in extremely uncertain salaries, no health insurance, and sometimes fees must be paid to the club to formally rent their stage.

Risks associated with sex work

Sex workers face potential risks and dangers during work. Those risks can be either structural (socio-economic factors) or individual (personal factors). Several dangers, specific information, and their effects on sex workers are presented below.

Sexually Transmitted Infections (STIs)

One major risk of sex work is sexually transmitted infections (STIs). STIs are diseases that are passed from one person to another person through sexual contact, including vaginal, oral, or anal sex. In some cases, such as herpes and HPV, diseases are spread by skin-to-skin contact. The majority of STIs affect both sexes, but for many, women may experience more severe health issues as a result.

Sex workers are a risky population for getting STIs because their work involves sex and skin-touching. Although the use of protective measures such as a condom during sexual intercourse is regulated in their work, there are occasions when the clients refuse the service with a condom. These demands usually come with coercion, threats, or even rape. Non-consensual condom removal can be another factor that causes STIs. In some cases, sex workers are voluntarily involved in sexual activities without protective measures for different reasons. In the study of Cambodia's increasing HIV rate, there is evidence indicating that the increased HIV rate was partly because of women promoting and selling beers and also selling sex as a means of supplementing their salary. According to this study's findings, the use of condoms is also less common among those indirect sex workers, who can be paid more for having sex without them. Also, the local responsible jurisdictions are prone to leave this phenomenon continuing without reporting because they need the income.

According to surveys of female sex workers in the USA, 10 to 35%²⁰ never use condoms during commercial intercourse, and 35 to 55 percent have engaged in unprotected

²⁰ E.g., Hong-Jing, 2004; Jeal and Salisbury, 2004; Peralta et al., 1992; Rhode Island Family Life Center, 2009; Strathdee et al., 2008.

commercial sex. Sex work is also very common among transgender people, especially young trans women. International estimates place the prevalence of HIV among trans women sex workers at 27.3%.²¹

Public health care

It is worth noting that having access to regular primary care for sex workers must be equal to that of non-sex workers. Public health centers are supposed to provide sex workers with healthcare on physical or/and mental issues and treat them just like workers from other occupations. However, facts have shown that many sex workers do not receive respectful and fair treatment from public health care. Many cases have reported that there is stigma against sex workers. According to a UNFPA survey, approximately 1 in 4 sex workers have experienced health care denial due to their line of work. Unsurprisingly, more than 60% of sex workers have someone accompany them to the doctor's office due to their extreme mistrust and dread of healthcare professionals. In the case of one transgender sex worker working in North Macedonia, she endured a horrible rape from her clients during work but she was not willing to seek help from public health center because of her witness of the discrimination from health care center to one sex worker friend. In that case, doctors refused to address her friend's concerns and performed HIV tests without her permission.

The public health sector has targeted the group of sex workers as one that is at a high risk of contracting HIV. This idea is used to plan how to market health resources to sex workers, but research shows that it increases stigma and discrimination against sex workers, further delegitimizes prostitution as a legitimate source of income, promoting the stereotype that working in the sex industry increases the risk of developing certain diseases. On one hand, they are more likely to contract HIV, but they get considerably less attention by the healthcare system, which is contradictory. Due to negative stigma, sex workers are less likely to seek medical attention or qualify for medical attention.

Another barrier for sex workers seeking access to health care services includes that sex workers are unable or unwilling to reveal their job on required medical documentation, disqualifying them from receiving medical care. In 2010, UNAIDS conducted research on the availability of preventative services for sex workers globally and found that 51%²² people lacked access.

The term "sex worker" was created to dispel the stigma associated with female prostitutes in the healthcare sector, which links them to filthy and diseased

²¹ Gahagan, Jacqueline (2013). Women and HIV Protection in Canada: Implications for Research, Policy, and Practice. p. 158. ISBN 9780889614864.

²² National Center for Biotechnology Information; U.S. National Library of Medicine (December 2012). NSWP GLOBAL SEX WORKER CONSULTATION. World Health Organization.

recognitions. Initiatives in public health care that emphasize HIV prevention among sex workers and depict them as a vulnerable group obscures their rights and the legality of sex work as a legitimate vocation.

In conclusion, governments need to implement new measures to ensure that sex workers receive adequate care from the healthcare system. It is supposed to provide services such as STDs tests, therapists for psychological issues like PTSD, giving out condoms, raising awareness on the protective measures, in order to protect sex workers from existing health problems and potential dangers.



Figure 1: This was the first poster advocating safe sex produced by the New Zealand Prostitutes' Collective in the late 1980s, with funding from the Department of Health. Although the aim of this poster is to promote safe sex practice, some audiences found the image and the text presented in the poster sarcastic and disrespectful.²³

Physical violence

Worldwide, sex workers have a 45 to 75% risk of being sexually assaulted at least once during their careers and a 32 to 55%²⁴ chance of being sexually assaulted in one year. A systematic analysis of the literature on violence against sex workers found links

²³ New Zealand Ministry for Culture and Heritage Te Manatu Taonga. "NZPC Publications: Safe Sex Poster." Te Ara Encyclopedia of New Zealand – Te Ara Encyclopedia of New Zealand, Ministry for Culture and Heritage Te Manatu Taonga, <https://teara.govt.nz/en/ephemera/29376/nzpc-publications-safe-sex-poster>.

²⁴ Deering, Kathleen N, et al. "A Systematic Review of the Correlates of Violence against Sex Workers." American Journal of Public Health, U.S. National Library of Medicine, <http://www.ncbi.nlm.nih.gov/pubmed/24625169>.

between increased violence against sex workers and criminalization, policing, population mobility, work environments, general economic conditions, and gender inequality. Particularly, taking data extracted from research²⁵ conducted in the USA, participants in Phoenix, Arizona's prostitution diversion programs report being raped by clients 37% of the time and pimps 7.1% of the time. In New York, almost 80% of street-based sex workers encountered violence. According to the research, those who were homeless, young people who had previously been arrested for prostitution, migrant sex workers, drug-using sex workers, and street-based sex workers were particularly vulnerable to assault.

Despite having such evident numerical evidence in front of everyone, the issue of physical violence towards sex workers still exists, even on a large scale. One major reason behind the “unsolvable issue” is the fact that sex workers frequently aren't protected enough by rape shield laws, and many times, juries, police, and judges have prejudices against sex workers. Police are notorious for intimidating, violating, and arresting sex workers. However, it might be challenging for sex workers to report crimes against them, such as assault or violation, since police officers are a part of the judicial system and prostitution is illegal in most nations. It is quite contradictory and this fact leaves many sex workers helpless.

In many regions and countries where laws on sex worker's rights haven't been developed fully such as in Bangladesh, South Africa, Bolivia, sex workers reported that they frequently face harassment, abuse, and assault, and even rape from police. For example, in South Africa, police frequently dismiss or mock victims who come forward in rape cases involving sex workers. In countries which are more developed and have a more comprehensive legal system, however, a system of protecting sex workers' rights still is deficient to cover all needs. For example, it is ineligible to receive the full amount of rape victim compensation in the United Kingdom if the sex worker is with a minor conviction, such as public solicitation.

In conclusion, sex workers need to be protected from physical violence during work, thus, an effective reporting system and a responsible administrative center are needed. But when it comes to the judicial system's corruption including police brutality and legal frameworks' in deficiency, this issue has to be faced intentionally under UN and ECOSOC with the help of the general assembly to reassess the system from legal, social, economic and humanitarian aspects.

Psychological pressure

Some pimps expose their sex workers to psychological manipulation by utilizing a combination of brutality and kindness. In these relationships, sex workers may experience Stockholm syndrome and refuse to fight against their abusers. Such sex

²⁵ “PMC Article Previewer.” National Center for Biotechnology Information, U.S. National Library of Medicine, <https://www.ncbi.nlm.nih.gov/pmc/tools/article-previewer-intro/>.

workers "are typically emotionally and financially dependent upon their abusers, according to New York County District Attorney Cyrus Vance, Jr.²⁶

The inaction and disregard of authoritative institutions such as the healthcare center and juridical system on sex workers matters make the victimizers more tolerable.

Marginalization and stigmatization are also causing mental issues for many sex workers. Sex workers may receive unequal treatment such as assaults from random people, non-payment from a client, dismissal from a teaching position, cyber violence, or rape because of the nature of sex work. Sex workers of all kinds could feel stigmatized and isolated, even in countries where sex work is legal, and this inhibits them from pursuing a legal response to discrimination.

Heavy use of drugs

Many sex workers are addicted to illegal drugs, they use drugs such as heroin and crack cocaine regularly. Drug use among sex workers might begin for a variety of reasons, including life experiences, past trauma, or family background. Addiction-causing problematic substance use is fueled by trauma, abuse, and a need for a physical or mental escape. Financial difficulties, which are not always related to drug use, may push other women or men into the sex trade, and others may start drinking or using drugs as a result of sex work.

Prostitution can keep some people bound in drug use, and addiction can keep others trapped in prostitution. It can be difficult for people to escape the vicious cycle, particularly if they are pressured into doing one or the other by clients, pimps, or peers. To keep prostitutes under their control, pimps frequently employ drugs. Pimps frequently target those who are more likely to become addicted to drugs to turn them into drug addicts. People who are targeted in this fashion might struggle with money, mental health, or family issues, or they might already be drug addicts. Once they become dependent, they will keep buying drugs from the pimp, who will, then, warn them that he can no longer support their addiction without payment.

A person who is addicted will seek out means of funding and satisfying their addiction, and in many cases their dependency to drugs affects their judgment, making them more likely to become sex workers. As a result, their addiction keeps them tied to this business. Drug usage and sex work coexist on a personal level, additionally, they cross over into larger organized crime systems. Similar to the illegal drug trade, prostitution has long been a lucrative industry on the black market. Because of the high amount of drug use in the sex work industry, while continuing to be closely tied to one another, drug production and sex trafficking became even more on a global scale.

²⁶ "New York County District Attorney." Wikipedia, Wikimedia Foundation, https://en.wikipedia.org/wiki/New_York_County_District_Attorney.

Sex workers who are addicts to drugs usually give out negative impressions to the public due to their negatively affected mental and physical state. The side effects of drugs also include deteriorating one's spirit and willpower. The lack of facilities and services to help those addicts out is an exciting problem in society. There should be establishment of such drug rehabilitation services which are cut out for sex workers to bring them back to normal life. Also, taking into consideration family background and life experiences as important factors that cause the drugs taking, there should be mental health services included in rehabilitation centers to combat assault, post-traumatic stress disorder (PTSD) and other psychological issues.

Sex trafficking

Victims of sex trafficking are those who have been coerced, threatened, or otherwise forced against their will into the sex industry. Sex trafficking is related to sexual exploitation, forced labor or services, and slavery. It is practically hard to determine the precise number of individuals who are now engaged in modern slavery. One study²⁷ estimates that the total number of modern slaveries is close to 50 million, with 28.3 million of those being victims of sexual slavery.

Causes of sex trafficking include political instability, poverty, gender inequality, addictions, mental health problems, gang involvement and so on. Specifically, traffickers especially target underprivileged and marginalized groups to present vulnerable people with fictitious possibilities to improve their situation. These people are more willing to take bigger risks in order to support their families and themselves.

The sex workers who are enforced into this business by sex trafficking are frequently threatened with harm to their families, so they usually work without pay or are told to work for false debts. There is a gray area between sex trafficking and voluntary prostitution, which refers to people who decide to become prostitutes to make money but end up under the control and threat of a pimp. Others, however, may appear to be "voluntary prostitutes" on the surface but are repaying a debt to the brothel.

To find and help sex trafficking victims, a variety of public health programs are being carried out. Healthcare professionals can use the National Human Trafficking Resource Center's guidelines to help identify sex trafficking victims. They offer broad criteria to spot human trafficking such as inconsistent or scripted histories, refusal to disclose illnesses or injuries and so on. Additionally, once a victim is suspected or identified, this network has developed a framework for sex trafficking standards in hospital settings. The protocol's objective is to give personnel dealing with the patient detailed guidance on what to do after identifying a possible trafficking victim. At some point

²⁷ An Introduction to Legally Prohibiting Hazardous Work for Children.

https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_ipecc_pub_30296.pdf.

during or after their period of exploitation and labor, 87.8% of trafficking victims had spoken with a healthcare provider.²⁸

Social workers are also keen to aid in the recovery of sex trafficking survivors. Through assessing their current environment, justice systems, legal, and medical services' impact on them, building trust with victims, planning future for them, social workers assist individuals in exploring options for finding jobs in the future, acquiring legal status, and reuniting with family.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

Netherlands

In the Netherlands, prostitution is both permitted and controlled. It's legal to run a brothel in the Netherlands. According to the Netherlands' government, prostitution is legal in the Netherlands providing there is consenting adult sex involved. Although there are still abuses such as forced prostitution, exploitation of minors, and unsafe working conditions within the Netherlands sex market, the government wants to alter the laws governing sex industry enterprises to better protect prostitutes and enhance their lives. Additionally, the government wants to make it illegal to hire a prostitute under the age of 21. When one prostitute in the Netherlands has any concerns regarding harmful working conditions, one could get in touch with the Netherlands Labour Authority or get advice from the Community Health Services (GGD) in the regional area. When one sex worker is being sex trafficked and seeks help, there are agencies approved by the government that help victims of forced prostitution. Various organizations support victims with refuge, medical care, and psychological assistance. The procedures for reporting sex trafficking in the Netherlands are friendly and applicable for even people who are living or working in the Netherlands illegally. First, those who report it to the police have a three-month reflection period, during which they can stay in the Netherlands legally with shelter, social security benefits, and medical care. During this period, they think about whether to participate in the criminal prosecution of the offender. If one decides to cooperate, they will be given a temporary residence permit. There is also a system for anonymous reporting. When a criminal complaint is under extreme and dangerous circumstances, police will receive the anonymous report and launch a targeted investigation.

People's Republic of China

Prostitution is forbidden in mainland China according to the law. Despite government efforts, prostitution has grown to the point where it now constitutes an industry, one that employs a sizable workforce and generates a sizable amount of revenues. Sex

²⁸ "SOAR to Health and Wellness Act". Energy and Commerce Committee.

trafficking is one major problem existing in the industry. Children, adults, migrants, people with disabilities, members of racial and religious groups, foreigners, and overseas Chinese are common victims of sex trafficking in China. In order to force victims to engage in commercial sex, offenders may charge exorbitant travel costs, seize victims' passports, confine them, or threaten them physically and financially.

Chinese governments have built anti-sex trafficking mechanisms. The “National Plan of Action on Combating Trafficking in Women and Children”²⁹ calls upon a number of cooperative policies on prosecution, prevention, and victim protection that have been released by the Ministries of Public Security, Civil Affairs, Supreme People's Court, and All China Women's Federation. To increase public awareness, numerous documentaries and animations have been created and aired. TV, print, and online outlets have all been used to spread anti-sex trafficking messages.

Regarding the reporting system, a list of pertinent departments, agencies, and hotlines can be found on government websites. A few of the most well-liked apps in China also assist in locating the missing through localized notifications. Numerous specialized apps have also started to develop in the nation's app stores for registering family members, both young and old, or reporting suspected child trafficking. Victims or witnesses can contact the police at any time of the day or night using the free countrywide dial 110 police contacting system.

Japan

Despite the Prostitution Prevention Law³⁰ of 1956's prohibition against prostitution, no penalty is given for sexual services. Sex businesses can be allowed as long as no vaginal intercourse occurs; regulation appears to fall under the same regulations that govern other entertainment enterprises, such as nightclubs. The Businesses Affecting Public Morals Regulation Law of 1948³¹ regulates businesses that provide other sexual services and makes them legal. Businesses like "soap loads" and massage parlors are governed and permitted to operate without infringing the law.

During the period of covid-19 pandemic, upon the demands of the Japanese advocacy organization Sex Work and Sexual Health (SWASH)³², the Japanese government proposed to those who lawfully work in the sex industry some regulations. Those regulations allow sex work agencies and companies to pay employees who must stay at home to care for children when schools are closed. And when a financial subsidy is

²⁹ [www.notip.org.cn. https://www.notip.org.cn/UserImages/00000549.pdf.](https://www.notip.org.cn/UserImages/00000549.pdf)

³⁰ Prostitutes against the Prostitution - JSTOR. [https://www.jstor.org/stable/42772190.](https://www.jstor.org/stable/42772190)

³¹ “Businesses Affecting Public Morals Regulation Act.” Wikipedia, Wikimedia Foundation, [https://en.wikipedia.org/wiki/Businesses_Affecting_Public_Morals_Regulation_Act.](https://en.wikipedia.org/wiki/Businesses_Affecting_Public_Morals_Regulation_Act)

³² Swash - Sex Worker and Sexual Health - Global Network of Sex Work Projects. [https://www.nswp.org/members/asia-and-the-pacific/swash-sex-worker-and-sexual-health.](https://www.nswp.org/members/asia-and-the-pacific/swash-sex-worker-and-sexual-health)

provided for people who have lost their jobs as a result of the coronavirus, sexual workers are eligible to apply as well.

However, some sex workers in Japan pointed out that one problem was that the application process for subsidies requires applicants to provide proof of their income, which can be difficult for sex workers whose pay is frequently irregular and under the table. Due to the nature of their employment and their fear of consequences, many sex workers fail to disclose their occupation or their revenue on their tax returns. Even if their sex work is legal, many people are reluctant to publicly identify themselves as sex workers due to a persistent sense of shame and stigma.

India

Although soliciting, owning, or running a brothel, prostitution in hotels, child prostitution, and pimping are banned, prostitution itself is allowed in India. One of the greatest commercial sex industries in the world is thought to exist in India. It has become a major international center for sex tourism, drawing visitors from developed nations. India has one of the fastest-growing and multibillion-dollar sex industries in the world. In 1997, there were reportedly two million³³ female sex workers in the nation. Over 3 million³⁴ women were working as sex workers in India in 2007, according to the Ministry of Women and Child Development, with 35.47 percent of them starting their careers before turning 18 years old.

On prostitution itself, the law is ambiguous. The Immoral Traffic (Suppression) Act of 1956 is the main statute governing the legal status of sex workers (SITA)³⁵. This regulation allows for the private practice of prostitution but prohibits the open solicitation of clients. A woman may utilize her body in exchange for financial gain as long as it is done willingly and alone (male prostitution is not recognized by any legislation in India). Contrary to other professions, sex workers are not protected by standard labor laws, but they do have the same rights as other citizens, including the ability to seek rescue and rehabilitation if they so choose.

By helping to provide free information and organize street campaigns, government organizations like MDACS (Maharashtra District AIDS Control Society)³⁶ have played a very significant role in raising awareness about HIV/AIDS. In addition, the Durbar Mahila Sumanwua Committee, a sex industry union with 65,000 members, is situated

³³ "India Court Raises Question of Legalising Prostitution." BBC News, BBC, http://news.bbc.co.uk/2/hi/south_asia/8405154.stm.

³⁴ "Ministry of Women and Child Development." Wikipedia, Wikimedia Foundation, https://en.wikipedia.org/wiki/Ministry_of_Women_and_Child_Development.

³⁵ -, Diva Rai, et al. "All You Need to Know about the Immoral Traffic (Prevention) Act, 1956." IPleaders, <https://blog.ipleaders.in/need-know-immoral-traffic-prevention-act-1956/>.

³⁶ Untitled, <https://mdacs.org.in/>.

in Sonagachi, Kolkata. They support sex workers' rights to a fair wage and oppose human trafficking.

Global Network of Sex Work Projects (NSWP)³⁷

The Global Network of Sex Work Projects (NSWP) connects regional networks that fight for the rights of all sex workers. Its goal is to support the voice of sex workers internationally. The six membership areas are Africa, Asia and the Pacific, Europe, Latin America, North America, and the Caribbean. Organizations in local, national, or regional sex worker-led networks in those areas are connected. NSWP's work encompasses different domains including NSWP publications which provide resources such as briefing papers, policy briefs, sex worker reports, case studies, and so on. Other domains contain organizing events and conferences and researching sex work to support sex workers' rights.

World Health Organization (WHO)³⁸

According to WHO, sexually transmitted diseases (STIs) and blood-borne illnesses are more common among sexual workers. According to 2019 estimates from the Joint United Nations Programme on HIV/AIDS, the average HIV prevalence among sex workers was 36%. WHO offers assistance to nations to overcome these obstacles, protects the rights of sex workers, and puts in place a complete set of HIV and other STI services using community-led strategies.

WHO's interventions are divided into two types: health interventions and structural interventions. In the first case, health preventions include offering condom and pre-exposure prophylaxis, providing HIV testing services, harm reduction programs such as needle and syringe programs, opioid substitution therapy, naloxone. Structural interventions include supporting regulations, guidelines, and funding, as well as the decriminalization of sex work through establishing health services and oppressing violence.

International Labour Organization (ILO)³⁹

International Labour Organization (ILO) is a United Nations agency. ILO's goals are to promote workers' rights, stimulate job opportunities, improve social protection, and foster discourse on workplace concerns.

According to the International Labour Organization (ILO), sex workers assist between five and eight additional individuals with their earnings. Sex workers contribute to the economy. ILO has made progress toward its aim of "decent work," in part because of

³⁷ Who We Are | Global Network of Sex Work Projects. <https://www.nswp.org/who-we-are>.

³⁸ "About Who." World Health Organization, World Health Organization, <https://www.who.int/about/>.

³⁹ "About the Ilo." About The, <https://www.ilo.org/global/about-the-ilo/lang--en/index.htm>.

the Decent Work Agenda. The idea of "decent work" refers to opportunities for work that is getting paid fairly, carrying security at work and social protection for families, bringing better chances for social integration and personal growth, having freedom to voice one's opinions, organizing and taking part in decisions that have an impact on one's life, and having equality of opportunity and treatment for all genders. ILO documents affirm and elaborate on the recognition of sex work as labor, they emphasize excellent work practices in workplace HIV interventions, especially for sex workers and other critical groups.

The 2010 ILO Recommendation 200⁴⁰ tackles HIV and AIDS and the workplace. Recommendation 200 lays out guidelines and standards for employees' rights to occupational health and safety, to be free from stigma and discrimination linked to HIV, and to have access to HIV testing, prevention, treatment, care, and support. The regulation discusses the duties placed on employers and the government to create laws and programs that uphold these rights.

TIMELINE OF EVENTS

DATE	DESCRIPTION OF EVENT
1948	The launch of Businesses Affecting Public Morals Regulation Law in Japan
1950	The introduction to the Immoral Traffic Act in India
1998	The establishment ILO Declaration on Fundamental Principles and Rights at Work
December 12, 2007	China National Plan of Action on Combating Trafficking in Women and Children
2010	ILO Recommendation 200
2013	The publication of the NSWP Consensus Statement on Sex Work, Human Rights, and the Law

⁴⁰ "R200 - HIV and AIDS Recommendation, 2010 (No. 200)." *Recommendation R200 - HIV and AIDS Recommendation*, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A12100%3A0%3A%3ANO%3A%3AP12100_INSTRUMENT_ID%3A2551501.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

ILO Declaration on Fundamental Principles and Rights at Work

It was adopted in 1998 and amended in 2022 to represent governments, employers' groups, and workers' organizations expressing their commitment to upholding fundamental human values, which are essential to our social and economic well-being.

It underlines the responsibilities and commitments entailed in International Labour Organization (ILO) membership, including 5 areas: right to collective bargaining and freedom of association, the abolition of all types of obligatory or forced labor, elimination of child labor, pausing discrimination in any employment and profession, creation of a secure and wholesome workplace.⁴¹

Despite this development, it does not hold a big impact as sex workers contend that ILO should do more practical work to recognize sex work as work, such as send a message to the international community and national governments that sex work is in fact work.

NSWP Consensus Statement on Sex Work, Human Rights, and the Law

The NSWP consensus statement was published in 2013, it listed eight essential rights as being key priorities for activity and campaigning by sex worker-led organizations from throughout the world. It was a fresh instrument for the global advocacy of sex workers and the statement was made on behalf of NSWP members and the sex workers they represent, including sex workers of all genders, classes, races, ethnicities, health statuses, ages, citizenships, educational levels, and a variety of other characteristics.⁴²

It condenses for the first time the universal demands of the movement for the rights of sex workers into a consensus. These eight rights would go a long way toward protecting the health, labor, and human rights of sex workers if they were completely realized. The eight rights the NSWP demands include the right to organize and associate, the right to legal protection; isolation from prejudice and violence, the right to privacy, the right of health care, the right to relocate and immigrate, the freedom to choose one's job and the right to work.

Through the implementation of the consensus, people's perceptions of sex work as labor were changed by effectively campaigning with the UN. Based on this statement,

⁴¹ "ILO Declaration on Fundamental Principles and Rights at Work (Declaration)." Declaration on Fundamental Principles and Rights at Work (DECLARATION), <https://www.ilo.org/declaration/lang--en/index.htm>.

⁴² NSWP Consensus Statement on Sex Work, Human Rights, and the Law. <https://nswp.org/resource/nswp-publications/nswp-consensus-statement-sex-work-human-rights-and-the-law>.

many other actions were taken and through them, more sex workers' voices were heard and sex workers rights were preserved.

European Network for the Promotion of Rights and Health among Migrant Sex Workers (TAMPEP)

TAMPEP is a network run by migrant sex workers that concentrates on networking and advocacy with the goal of utilizing the network's partnerships and lengthy history to get migrant sex workers' voices heard more widely. It aims to enhance the rights and health of migratory sex workers throughout Europe.⁴³

The TAMPEP network aims at supporting local and federal advocacy through position papers and other political engagement strategies, participating in European-level political events and conferences, forming ties with representatives of those who labor in the unregulated market, especially with vulnerable groups, building alliances with networks and organizations that support the rights of immigrants, joining forces and forming networks with organizations that fight human trafficking.

The significant changes within the new structures of the European sex industry are one way that the impact of the internationalization of prostitution may be felt in Europe. TAMPEP's projects serve as a well-established and active "observational body" that keeps a close watch on the situation of migrant and mobile sex workers in Europe.

The Red Umbrella Project

The Red Umbrella Project is a nonprofit organization with headquarters in New York that fights for the rights of sex workers and works to give them a voice. The following events are organized by The Red Umbrella Project aiming at improving sex workers' mental states. Through these events, sex workers could gather together under organization and reveal their inner feelings with peers and the public and it helped them to mitigate pressure and anxiety. At the same time, people's impression on sex workers might alter positively.⁴⁴

The Red Umbrella Diaries

A monthly storytelling event called The Red Umbrella Diaries was founded in New York City with the goal of eradicating the stigma associated with sex work, making it less alienating, and demonstrating how it can be both exploitative and uplifting at the same time. This event later was made into a documentary and seven sex workers who worked in the streets of New York City shared their experiences in the documentary

⁴³ "Migration & Sex Work & Health & Diversity." TAMPEP, <https://tampep.eu/>.

⁴⁴ Sex Work Migration Health Sex Work | Migration - Global Network of Sex ... https://www.nswp.org/sites/nswp.org/files/Sexworkmigrationhealth_final%20tampep.pdf.

about exchanging money for sex. In 2010, The Village Voice rated The Red Umbrella Diaries as "The Best Way to Meet Sex Workers".

Memoir writing workshop

Red Umbrella Project started providing memoir writing workshops in New York City in 2012. The peer-facilitated seminars provided sex workers with a secure setting in which to develop their writing abilities, share their experiences with others, and receive feedback from their peers. The courses were available to anybody with experience in the sex trade. In addition to having the opportunity to present their writing on stage as part of the Page to Stage class, workshop participants have the option of having their work published in the Red Umbrella Project's literary journal.

POSSIBLE SOLUTIONS

Ensuring the health of sex workers

Ensuring the hygiene of sex workers working place is important for the safety of both sex workers and clients. This can be achieved by creating a new framework asking the sex trade venues to obtain safety certificates before getting the operation permission. The sanitary situation of the working environment needs to be assessed regularly or randomly by authoritative institutions under the supervision of WHO to ensure safety. The assessment criteria can be divided into: cleanness, safety, comfort.

Furthermore, public health centers have the responsibility to inform sex workers about STI protective measures, health problems without prevention of STIs, and exceptional cases such as non-consensual condom removal, so the sex workers acknowledge the importance of using protective and sanitary measures during sexual services and be aware of underlying unsafe factors. Except for that, physical and health examinations are expected to be conducted regularly, free of charge, in local health centers under the supervision of WHO.

Due to the authority and professionalism, health centers should be one of the initiatives to advocate the concept that sex work is work through their messages to the public. It is vital to destigmatize sex workers in the medical field. Medical staff in health centers are expected to carry equal respect and understanding towards sex work as other occupations and when sex workers seek help, medical staff in public health centers need to treat them equally in terms of attitude and treatment.

Building a strong and effective report system

It is vital to create a report system for sex workers, through which they can seek help from professionals when facing exploitation, manipulation, dangers, human trafficking, or other emergencies.

The reporting system needs to present inclusivity. It needs to consider the distribution of regional sex workers based on their genders, classes, races, ethnicities, health statuses, ages, citizenships, educational levels, and a variety of other characteristics, and provides services that the local sex workers will most possibly need. For example, for regions where migrant sex workers are a lot, the system should be in multiple languages. It is important to ensure sex workers' accessibility to it. This can be achieved through cooperation with the healthcare system. While informing sex workers about healthy measures, medical centers are also responsible to introduce the report system and their usage to them.

To achieve full efficiency of the report system, special rapporteurs on local laws and sex workers' rights are needed. Professional respondents should, then, be able to give clear and effective instructions to the victim(s) and report the case to the related authorities in a timely fashion. Furthermore, there should also be an anonymous report system for those who are under extreme circumstances. The system will be run and administered by the local government, but the supervisory role would be taken by authorized organs under the UN.

Additionally, governments and NGOs can help sex workers to solve their worries by providing specialists in varied areas. For physical violence and financial manipulation issues, victims can be supported by lawyers specialized in sex workers' rights matters to take legal procedures such as suing clients, pimps, or brothel owners who violate them physically.

Prevention of heavy drug use between sex workers

Drug use and being manipulated have a correlative relation, together forming a vicious cycle that indulges sex workers into debt, slavery, and other dangers. It is important to inform sex workers about the harm of drugs to their mental and physical health, drug manipulation, and the black market of drugs and sex work. Through workshops and seminars organized by NGOs and local governments under the supervision of the United Nations Office on Drugs and Crime (UNODC), they can be informed that using drugs makes them more vulnerable to manipulation, physical violence, and mental instability.

Furthermore, the creation of a group of psychotherapists accustomed to helping sex workers' mental health problems is a need. For many sex workers, taking drugs is a way to relieve pressure caused by potential dangers in this industry such as abuse and rape incidents. As an alternative to relieve stress and anxiety, sex workers can be advised to contact psychotherapists accustomed to helping sex workers with mental health problems.

The roles of the supervisory committee of the ILO

ECOSOC might collaborate with the International Labour Organization (ILO) to determine the roles of the supervisory committee on the issue of sex workers' rights. Their roles may include supervising the conduction and completion of specific events or programs launched by ECOSOC and ensuring the implementation of labor laws which protects sex workers from being exploited financially. Common issues such as minimum wage, legal financial trade, tax payment and so on can be focused on. Regarding the black market, it could be controlled adequately by supervising tax payment, passing all transactions through electronic systems and supervising the receipts.

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