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International
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the Rights of Sex
Workers in Europe

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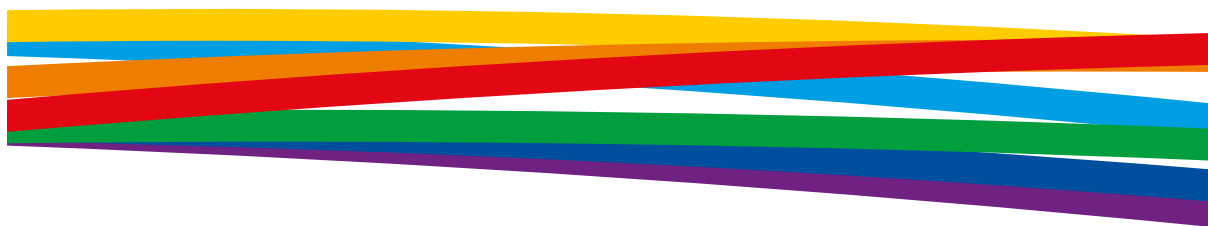


COMMUNITY
report



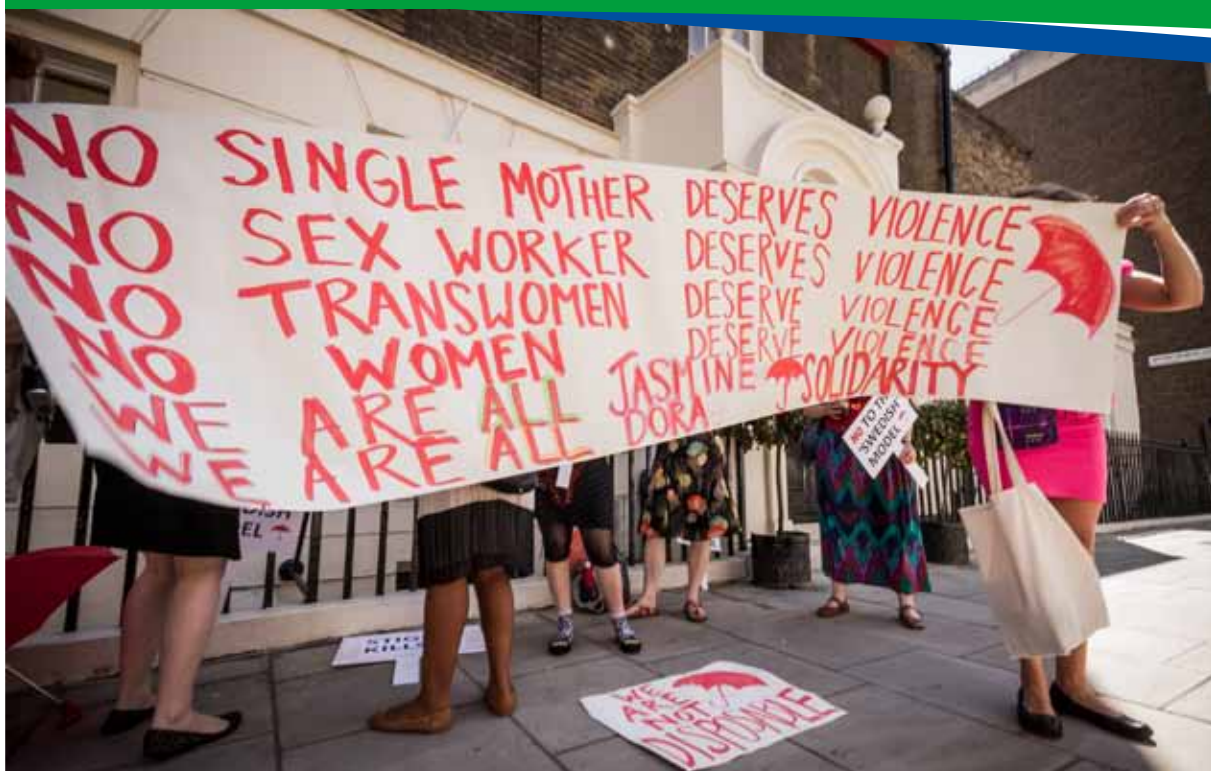
Structural violence

**Social and institutional oppression
experienced by sex workers in Europe**



Contents

Introduction	1
Structural violence and sex work	2
Manifold faces of structural violence	3
MISREPRESENTATION AND SILENCING	3
THE TRAP OF CRIMINALISATION	5
VIOLENT INSTITUTIONS	7
Conclusions	10
References	15



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London, Swedish Embassy, 17th of July 2013, International Day of Protests in memoriam of Dora and Jasmine. <https://jasmineanddora.wordpress.com/>

Introduction

When we think about violence experienced by sex workers in Europe, usually what come to mind first are numerous examples of violent acts, such as rapes, beatings, threats, physical or emotional abuse, insults, or extortions – acts which imply the use of physical or psychological force and lead to pain, deprivation of sex workers’ needs, and even death. Many sex workers throughout Europe report that they are systematically subjected to such forms of direct or behavioural violence inflicted by different actors, including the police, clients, people posing as clients, third parties, co-workers, intimate partners and family members. However, sex workers’ suffering and vulnerability across Europe is also caused by a much more subtle – though in no way less damaging in its consequences – form of violence inscribed in the very social structures in which sex workers live and work. This form of violence is often described as structural violence.

The term ‘structural violence’ does not refer to direct and intentional use of power, whether physical or emotional, by particular subjects aiming to hurt other persons or violate their needs. Instead, it concerns situations in which some individuals or populations are harmed and their needs are impaired due to the oppressive and unjust social conditions in which they live. Structural violence is a form of violence resulting from and perpetuated by broader social arrangements, such as historically rooted social structures and relationships, political organisation, and the logic of the economic system. All these arrangements are based on unequal distribution of power among different categories of persons, and favour some over others. Hence, for example, we can talk about the instances of structural violence when some people are deprived of resources or marginalised because of the inferior position they have been given in society on the grounds of their gender (as in the case of sexism



or transphobia), ethnic origin (as in the case of racism), sexual orientation (as in the case of homophobia), class position (as in the case of economic exploitation), or all of them at once.

Structural violence creates and stabilises deeply hierarchical and harmful social systems, limiting life chances and constraining the agency of those who are less socially valued. And although it manifests itself in all fields of social reality, including discriminatory laws, exploitative economic conditions, repressive institutional practices, and biased cultural beliefs, and leaves indelible traces on individual lives, structural violence – unlike direct violence – often remains invisible and unquestioned. What makes this ‘invisibility’ and ‘unquestionability’ possible is the fact that structural violence is usually so deeply ingrained in the fabric of social and everyday life that it becomes commonly accepted as ‘the way things are’, or even considered a necessary condition of the social, political and economic order as we know it. The anti-immigrant sentiments and policies we are witnessing across Europe today, or the commonly applied mechanisms of capitalism which lead to the economic disempowerment and precariousness of successive groups of workers, are good examples of this.

Structural violence and sex work

Sex workers’ realities in Europe (and globally) are also being moulded by brutal forces of structural violence. In fact, sex work – as a livelihood and a form of labour – has always been entangled in a complex web of power relations. While calling into question the social organisation of sexuality and sexual expression, contravening well established gender roles and hierarchies, and problematising the rules of (capitalist) economic exchange, sex work has been repeatedly considered a menace to the social order and legitimate social norms. This has a significant impact on social images of those engaged in sexual labour. Often described as whorephobic, socially constructed representations of sex workers manifest and consolidate themselves in oppressive social arrangements and unjust relations of power, which push sex workers to the margins of society. The social marginalisation of sex workers further fuels whorephobic sentiments. This is how the vicious circle of structural violence is perpetuated.

It is also important to remember that quite often structural violence against sex workers may overlap with other axes of oppression prevalent in society. Whether based on one’s gender, ethnicity, legal status, sexual orientation, or any other social characteristics, these different forms of structural violence can interact to reaffirm each other. Thus, depending on the social and cultural context, some sub-communities of sex workers, like male and transgender sex workers, migrant sex workers, sex workers living with HIV, or sex workers who use drugs, are particularly vulnerable to multiple forms of exclusion and discrimination. Furthermore, structural violence affecting members of various marginalised populations may significantly limit their life chances, leaving sex work as one of their very few viable alternatives.



Manifold faces of structural violence

Structural violence is a multi-faceted form of power that affects all sex workers without exception. It constitutes social attitudes towards sex workers, built into repressive regulations governing sex work, and – through various social and institutional practices – embedded in the social spaces of streets, health centres, universities, court rooms, prisons and homes. As such, structural violence creates an oppressive social environment in which sex workers are systematically denied voice and power to decide over their own fates, are policed and controlled, discriminated against and mistreated. It becomes incorporated into everyday experiences, day-to-day interactions, and the self-perceptions of those engaged in sex work.

In the following paragraphs we will look into different ways in which structural violence contributes to sex workers' vulnerability and suffering across the European region.

Misrepresentation and silencing

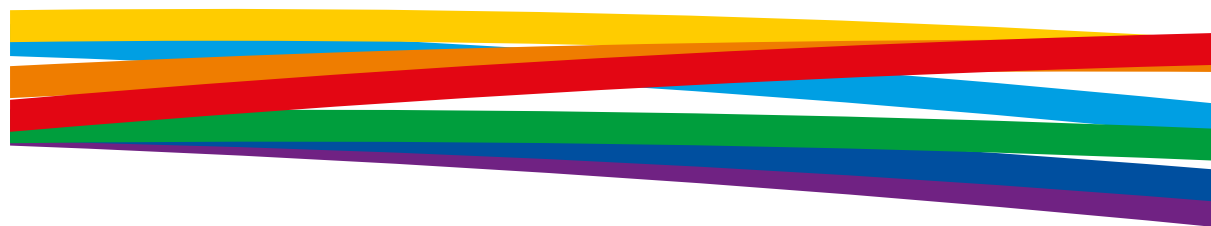
The ultimate reason for, and primary manifestation of, structural violence against sex workers is social stigma – a degrading etiquette or identity attached to sex workers in order to symbolically separate them from the rest of society. Such stigma allows society to delineate and protect social order by condemning those who are in some way different and therefore seen as threatening to established power relations and institutions. For this reason, over the centuries sex workers have been systematically portrayed as evil or corrupted, and 'othered' as morally, socially and economically distant. Already since the Middle Ages sex workers have been described as sinners (as those who engaged in sex outside of marriage) offending religious and family values and challenging public

morality. Throughout the modern era sex workers have been depicted as 'pools of contagion' and a threat to public health, for they were blamed for the spread of sexually transmitted diseases and – since the 1980s – HIV/AIDS. They have been also repeatedly depicted as anti-social because they deviated from stereotypical female roles and the gender order, given their considerable sexual and economic independence. On the other hand, post-war feminists considerably shifted discourses around sex work, arguing that sex workers are not offenders but victims of the patriarchal system, coerced into economic and sexual dependency on men, with their social value reduced to sexual attractiveness.

These different social images are present in public discourse and social media, and inform everyday attitudes towards sex workers. It is crucial to note that they are created with no regard to what sex workers feel and think about themselves. In this way sex workers are caught in a vicious (social) circle: since they are deemed 'unfit' members of society, or, at best, passive victims of male violence, they are excluded from the process of developing these images. This, in turn, leads to the construction of distorted and oppressive 'identities' which are not only derogatory, but also ignore some categories of sex workers – for example, male and transgender sex workers who do not fit into the dominant heteronormative image of sex workers as female¹.

Such images and identities ascribed to sex workers encourage their discrediting as potential partners in social debates about their situation and status in society. When they try to engage in these debates, they are disqualified and denied their right to speak and represent themselves. Thus, decisions about sex work laws, policies and interventions (such as those concerning HIV programming for sex workers) are made on behalf of sex workers or behind their backs. For example, in July this year, community-led organisation SCOT-PEP was effectively excluded from a meeting which aimed at discussing the

1 NSWP 2013a, 2013b.



introduction of legislation criminalising clients in Scotland². Similarly, Northern Ireland recently introduced a law criminalising clients, and the lawmakers completely ignored research carried out by scholars at Queen's University which showed that 98% of sex workers were against criminalising the purchase of sexual services³. These are just a few examples which reflect the dominant trends in disregarding sex workers' voices and opinions.

Sometimes the situation is even worse, when sex workers are not only omitted in the process of decision making, but are also effectively libelled. This includes STRASS members being called "pimps dressed as prostitutes or prostitutes' allies" by French politician Henriette Zoughebi when they held a conference on sex work in the Senate in 2009 (Ms Zoughebi was sued by STRASS and consequently convicted of defamation in 2011)⁴. Similarly, MEP Mary Honeyball tried to discredit ICRSE and other organisations, who openly objected to her resolution to the European Parliament recommending the criminalisation of clients, by describing them as "organisations comprised of pimps"⁵. A further example comes from Sweden, where sex workers willing to oppose the dominant narrative about sex workers as victims of male oppression are discredited and infantilised, and state institutions depict them as self-destructive or self-deceiving, and thus in need of rescue. In this way, sex workers are being denied mental capacity to decide what is actually good for them, critical thought and informed decision making.

These ways of portraying sex workers make it hard for them to disclose their occupation, self-organise and advocate for their rights. Many sex workers may be discouraged from joining sex worker-led organisations that openly declare themselves as community organisations, because they could be publicly recognised as sex workers and run the risk of humiliation, scapegoating and social punishment. In more severe cases, sex workers are directly deprived of the freedom to mobilise collectively for their rights and establish community organisations. For instance, the only sex worker-led collective in the Russian Federation, the Silver Rose, is still not recognised as a legal entity by the Russian state. The Ministry of Justice denied its registration, claiming that in its charter the organisation refers to a vague category of sex work, not listed in any classification of occupations in Russia. It also accused Silver Rose of violating Article 29 of the Constitution of the Russian Federation, which prohibits "campaigning and propaganda inciting social, racial, national and or religious hatred and enmity"⁶.

These stigmatising images (of the sex worker as a threat or a victim) are a form of violence, because they serve to control sex workers, to keep them in a disadvantaged position, and to limit their autonomy – whether sexual, professional, economic, or political. They pervade not only official and popular discourses, but also unjust social and institutional arrangements which constitute sex workers' realities in Europe.

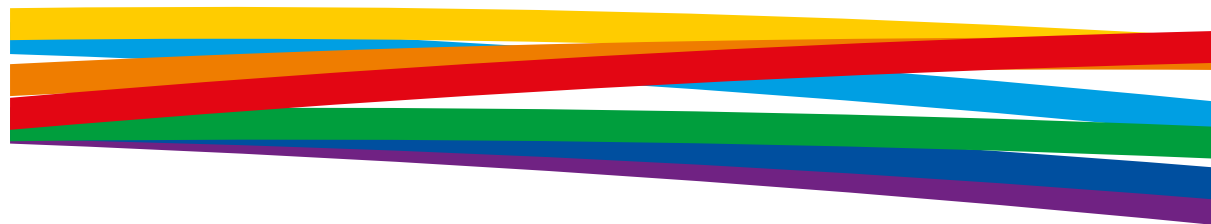
2 <http://www.thecourier.co.uk/news/scotland/sex-workers-slam-msp-over-meeting-1.495815>

3 See Huschke et al. 2014.

4 <http://cybersolidaires.typepad.com/ameriques/2011/05/une-premiere-victoire-judiciaire-pour-le-strass.html>

5 <http://researchprojectkorea.files.wordpress.com/2014/02/email-from-mary-honeyball-to-alde-24-02-2014.pdf>

6 <http://swannet.org/node/2268>



The trap of criminalisation

Repressive laws governing sex work are probably the most striking manifestations of both the stigma attached to sex workers and structural violence against them. However distinct they may seem at first glance, different sex work policies implemented across the European region have similar origins and consequences. Not only are they deeply rooted in stereotypical images of sex workers – presenting them as immoral or anti-social, and therefore deserving punishment, or, conversely, as powerless and in need of rescue – but they also contribute to sex workers' social marginalisation, both as workers and as members of society.

Derogatory images of sex workers are directly reflected in those legal approaches which penalise individual sex workers through criminal or administrative law. For example, in Romania, Russia, Serbia and Ukraine, where selling sexual services is illegal, sex workers are treated as criminals – kept under surveillance, targeted by the police, subjected to fines, and/or incarcerated. Similarly, in those legal systems which seek to abolish sex work by punishing third parties and activities related to sex work, rather than sex workers themselves, sex workers' work and working environments are effectively criminalised through regulations banning soliciting, procurement, brothel keeping, and/or advertising. In consequence, although selling sex is not a crime, those engaged in it are systematically subjected to policing and repressions in the name of their own 'good'. It has been reported, for example, that in such countries as France, Kyrgyzstan, or the United Kingdom, these legal measures not only drive sex workers underground, forcing them to work in isolation and in exploitative conditions, but also make them vulnerable to prosecution under third-party laws if they work together for safety.

Sex workers' situation is also precarious in those European countries which favour the so called 'end demand' model, complementing legislation that criminalises third parties with the ban on the purchase of sexual services: Sweden, Norway and, since October 2014, Northern Ireland. Although – at least theoretically – aiming at protecting sex workers by reinforcing gender equality, this legal framework in fact victimises sex workers, as it compels them to work in clandestine settings, exposes them to violence and harassment, and puts them at risk of losing housing if it comes out that they are selling sex in their apartments⁷.

Stereotypes and prejudices against sex workers also affect those legal approaches which might seem to benefit sex workers by granting them recognition as workers and basic social rights. For instance, in Austria, Hungary, and Latvia, where sex work is legalised, sex workers must systematically undergo STI/HIV examinations to be granted permission to work. Such mandatory health checks are often considered an oppressive form of exercising control over sex workers, as they reinforce the stigma of sex workers as 'core transmitters' and promote the idea that they are entirely responsible for disseminating sexually transmitted diseases⁸. It has also been reported that in most European countries sex workers are being targeted by 'public peace and order' laws and municipal by-laws aiming at eradicating sex work from public spaces (in the name of the 'public good' or – most probably – as a consequence of gentrification processes). Sex workers are also being forcibly removed from city centres and other traditional outdoor sex work settings through zoning ordinances (such as those introduced in Hungary) or decrees which allow them to work only in indoor venues (as in Greece, Turkey, numerous cities in Germany and the Netherlands).

⁷ See, for example, ICRSE 2013; NSWP 2013c.

⁸ Sex-Worker Forum of Vienna 2013; SZEXE 2013.



This significantly restricts sex workers' freedom of movement and ability to decide on their work setting, and forces further underground those sex workers who are unable or unwilling to work indoors.

Similarly, the anti-trafficking measures implemented in Europe are increasingly being used against sex workers, especially migrants. Whether fuelled by anti-immigrant sentiments or the conflation of sex work and trafficking, anti-trafficking provisions have adverse impacts on sex workers' working conditions: constant police raids on sex work venues undermine their safety, deprive them of earning opportunities, and force them to relocate if their work settings are closed as a result of such 'rescue actions' – as happened in Soho, London, in 2013⁹. For many migrant sex workers – 'in principle' considered as victims of trafficking – police raids may also be followed by detention, legal inquiry and even deportation, all of which are justified as 'protective measures'. Similarly, undocumented migrant sex workers are also being targeted by repressive migration laws, such as provisions penalising or criminalising illegal immigration; in Italy, for example, illegal immigration was considered a criminal offence until May 2014¹⁰. Other sub-communities of sex workers, such as male and trans sex workers, or sex workers who use drugs, are further oppressed when laws criminalising and penalising drug use, same-sex relationships or cross-dressing are in place.

Structural violence built into regulations and policies governing sex work has severe implications for sex workers across Europe. It relegates them to the margins of society and turns them into actual or 'potential' criminals constantly awaiting arrest, detention, prosecution, or other forms of punishment. When working in fear of legal

oppression, sex workers are deprived of full control over their work environments and devoid of means of protection, whether in the form of condoms, which may be confiscated by the police as evidence of their involvement in sex work, or friends, who might be sentenced under third-party laws. Forced to pay excessive fines and – in many parts of Eastern Europe and Central Asia – subjected to police extortion, sex workers often face severe economic insecurity and precariousness and have limited 'bargaining power' when it comes to negotiations with clients.

Furthermore, criminalisation of sex work, whether direct or indirect, creates an environment in which violence against sex workers is common or even tolerated. It is reported that in many European countries, repressive legal measures against sex workers trigger high levels of police-driven violence and harassment against them. During police raids and sweeps, sex workers are not only detained and arrested (not always on legal grounds), but also intimidated, humiliated, and subjected to extortion and physical and sexual violence¹¹. Such institutionalised oppression on the part of police, law enforcement agencies and other state actors creates a climate of impunity for other perpetrators and exposes sex workers to further violence from other parties, such as people posing as clients, passers-by, or the general public. Attributed with quasi-criminal status and socially excluded, sex workers are also 'easy targets' for managers and administrators of sex work venues, which may result in exploitative and coercive working conditions. When violence is widespread and accepted, sex workers do not feel protected by the law; this deters them from filing complaints, reporting violence or seeking help in the event of abuse.

9 For more information, see <http://prostitutescollective.net/tag/soho/>

10 <http://www.africa-news.eu/immigration-news/italy/6092-measure-abolishing-crime-of-illegal-immigration-is-now-law.html>

11 SWAN 2009.



Violent institutions

Structural violence against sex workers also operates through a wide range of social and institutional practices. On this level, structural violence manifests in judgemental or discriminatory treatment against sex workers, widespread in many institutional settings. As such, it is subtle, if not invisible, for it produces and reproduces itself through everyday interactions between sex workers and state officials, service providers, healthcare personnel, and legal professionals. Furthermore, discrimination appearing in different social settings may become institutionalised, taking root in the ideologies and policies of particular institutions. In such cases structural violence takes the form of harmful provisions, discriminatory public policies and institutional procedures which contribute to the further social exclusion and marginalisation of sex workers.

ACCESS TO JUSTICE

As has been shown above, sex workers across Europe are tightly entangled in a web of punitive laws and regulations which severely constrain their autonomy and contribute to their social marginalisation. Structural violence, however, does not manifest itself only through legal oppression deriving from harmful legislation governing sex work. It is also deeply embedded in day-to-day practices and the decisions of those who are responsible for implementation of the law and pursuit of justice: police officers, representatives of law enforcement agencies, legal experts, and judges. Sex workers' experiences in many European countries prove that these decisions and practices are more often than not informed by prejudices and biased opinions about sex workers, and significantly compromise their access to justice and equal treatment before the law.

Such discriminatory approaches are already apparent when sex workers attempt to access the justice system with their grievances or in search of help. When they report acts of violence, coercion or extortion, their complaints are frequently not reported and police fail to investigate them (suggesting, for example, that rapes or beatings are merely 'unpleasant side effects' of sex workers' work). Sometimes sex workers may even find themselves being treated as offenders, rather than victims, and may be forced to face severe legal repercussions. This happened, for example, to Macedonian sex workers who upon reporting assault were arrested and fined for involvement in sex work; one of them also faced criminal charges for 'pimping'¹². Stigma is also prevalent in court rooms as it influences juridical decision-making. Hence, involvement in sex work is used to the disadvantage of sex workers and as 'proof' of their corruption, anti-social attitude, or – simply – bad intentions, as in the case of a German sex worker who was given five years of 'preventive detention' on top of her three-year sentence for exposing three clients to HIV infection¹³. It has also been reported that sometimes those who perpetrate violence against sex workers receive inappropriately short sentences for their crimes, or may even avoid punishment altogether¹⁴.

Such flagrant injustices in the justice system deter sex workers from reporting violence and harassment, and make them distrustful towards representatives of the law. Most importantly, however, they limit sex workers' ability to exercise and demand their rights, and strip them of the state protection afforded to other citizens.

12 Coalition 'Sexual and Health Rights of Marginalised Communities' 2012.

13 <http://www.hivjustice.net/news/germany-female-sex-worker-with-hiv-found-guilty-again-of-perceived-hiv-exposure-locked-up-for-at-least-nine-years-under-preventive-detention-law>

14 <http://www.theguardian.com/society/2012/jan/16/change-law-prostitutes-crime-violent>



ACCESS TO LABOUR RIGHTS AND WELFARE SERVICES

Although sex workers' struggles for the recognition of sex work as a form of work date back to the 1970s, in most European countries sex work is still not considered a valid form of labour or an occupation. This is not only an evident violation of sex workers' rights – such as the right to work and the right to free choice of employment – but also relegates them to the margins of the legitimate labour market, since they are forced to operate outside of the formal economy (in situations where sex work is illegal) or earn their living in the informal sector (where sex work is not regulated by labour legislation). Such structural arrangements are violent since they significantly contribute to sex workers' vulnerability and precariousness as workers, by depriving them of the protection of employment laws and provisions.

First of all, lack of recognition of sex workers' labour rights limits sex workers' ability to control their work environments, and constrains their autonomy vis-à-vis third parties. This may result in dangerous or exploitative working conditions for sex workers, and occurrences of violence and other coercive practices on the part of clients or bosses. Also, when occupational health and safety measures are not in place, sex workers may be forced to work in hazardous settings, where they do not have access to condoms, prevention education, sanitary amenities, or help in the event of abuse. Sex workers across Europe, however, are deprived not only of the right to secure working conditions and a fair employment relationship. They are also very often stripped of welfare protection and work-related social and financial benefits which would afford them security in the event of retirement, sickness, pregnancy or inability to work. Thus, many sex workers in Europe do not have access to entitlements such as sick or parental leave, accident compensations, pension benefits, or disability

allowance, not to mention paid holiday leave¹⁵. This contributes to their financial and existential insecurity, and increases economic pressure when they need to safeguard their income.

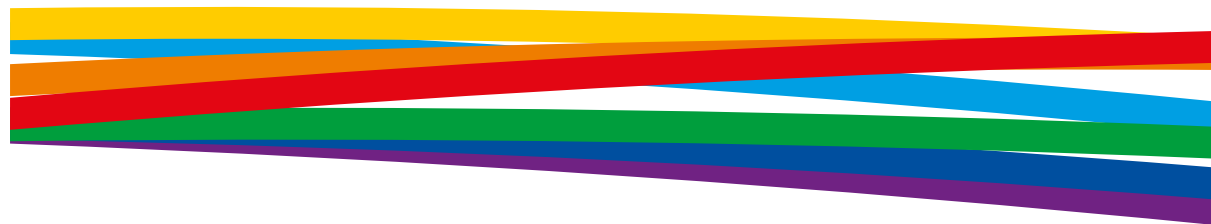
Finally, when denied legal and social recognition as workers, sex workers have limited ability to collectively fight for their labour rights and entitlements, for example through unionisation. Here, the discriminating agents are not only lawmakers and state administration, but also established unions which are not willing to represent sex workers' interests and accept them as potential union activists. Additionally, several European trade unions – such as the Irish Congress of Trade Unions, Union General de Trabajadores from Spain, or UNISON from the UK – openly opposed sex workers' demands for recognition within the labour movement during the abolitionist conference 'Prostitution and trafficking in human beings in the world: an exploitation of the most vulnerable groups' which took place in France in November 2014¹⁶.

ACCESS TO HEALTH

Structural violence is also deeply embedded in medical settings and public health policies directly or indirectly targeting sex workers. Sex worker organisations in Europe report continuously that sex workers of all genders are repeatedly subjected to discrimination by medical personnel unsensitised to sex workers' rights and their sexual and occupational health needs. Informed by stereotypes and moralistic views on sex work, attitudes of healthcare staff result in offensive or patronising treatment, breaches in sex workers' rights to privacy and confidentiality, or – in the most radical cases – refusal to examine, hospitalise or provide treatment to sex workers in need. Such treatment discourages sex workers from revealing their involvement in sex work to healthcare staff or entirely deters them from medical settings.

15 See, for example, Tais Plus 2008.

16 <http://www.womenlobby.org/news/events/article/international-abolitionist?lang=en>



Sex workers' access to health is also severely limited due to national public health policies in place, most of which permit inclusion in the public healthcare system on condition of legal status, possession of residence permit and health insurance (which is frequently linked to employment status). Sex workers who are not able to meet these requirements are structurally excluded from the healthcare system and denied help. Such arrangements are particularly harmful for those sex workers who work in countries where sex work is not a legitimate job and basis for medical insurance¹⁷, as well as for the vast majority of migrant sex workers who are unable to legalise their stay in a host country or obtain residence permits precisely because they work in sex work¹⁸. Similar problems are also faced by internal migrant sex workers¹⁹ in Eastern Europe, Central Asia and some parts of the Balkans. Their capacity to access medical services is hindered by legal regulations granting citizens admission to public healthcare on the basis of their official residency in a particular province or city of the country, which is – again – linked to their employment status. Since sex work is illegal, they are unable to register and access health services.

Some public health policies particularly target sex workers and subject them to oppressive and degrading healthcare interventions. This includes not only mandatory HIV/STI testing coupled with registration procedures, but also non-consensual medical examinations initiated by law enforcement authorities during raids or detention. Such abusive testing procedures have been reported in countries such as Greece, Kyrgyzstan and Ukraine²⁰. A similar

incident also took place in Macedonia in 2008, when 30 sex workers were arrested and subjected to non-consensual testing, and those who were diagnosed with HCV faced criminal charges for allegedly transmitting an infectious disease²¹. Also in Tajikistan in 2014 hundreds of sex workers were forced to undergo medical testing after arrests triggered by a governmental campaign aimed at ensuring 'public morality'²². These coercive measures are driven by the idea that sex workers are entirely responsible for the spread of STIs and HIV, and further reinforce the stigmatisation of sex workers as 'vectors of disease'.

SECURITY OF FAMILY LIFE

Structural violence against sex workers does not occur only in police stations, court rooms, workplaces and healthcare settings. It also penetrates the most intimate and private spheres of sex workers' existence, such as home, family life and intimate relations. This is most evident when sex workers fear encountering stigma from their friends and relatives if they reveal their occupation. The fact that negative and judgemental attitudes towards sex work are so deeply rooted and widespread in society makes many sex workers hesitant to talk openly about their involvement in sex work, or share work-related experiences and concerns with others. Forced to live a double life, and constantly afraid of being 'outed', they experience much tension, distress and emotional suffering²³. This can contribute to their social isolation and, in turn, significantly limit their opportunities for psychological and emotional support.

17 BORDERNETwork 2012; TAMPEP 2009.

18 TAMPEP 2009.

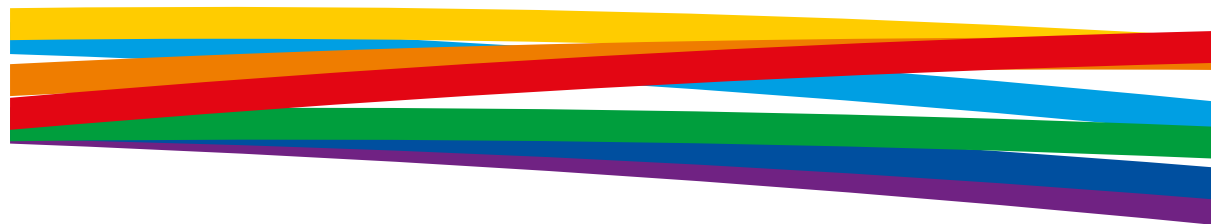
19 Internal migrants are those who migrate from one civil division of their home country to another.

20 SWAN 2009.

21 SWAN 2009; UNDP 2011.

22 <http://www.amnesty.org/en/for-media/press-releases/police-seize-sex-workers-and-men-believed-be-gay-tajikistan-s-new-morality-0>

23 See, for example, Vanwesenbeeck 2005.



Stigma attached to sex workers may also be transferred onto those closest to them – their intimate partners, spouses or children – causing them harm and leading to their own social exclusion. Such a situation was, for example, reported in Kyrgyzstan: when a sex worker's engagement in sex work was revealed publicly, her child was systematically persecuted by other pupils, teachers and the school administration, and, eventually, forced to leave the school²⁴. Similarly, under legal systems which criminalise a wide range of activities related to sex work, sex workers' relatives and friends may be – sometimes very arbitrarily – charged for procurement, brothel keeping, or living off the earnings of a sex worker.

Prejudice against sex workers is also translated into oppressive policies and harmful institutional practices which directly affect sex workers' family lives. Some of the most outrageous examples are probably cases of the state depriving sex workers of legal custody of their children solely because of their engagement in sex work. This happened, for example, to Petite Jasmine, a member of the Swedish sex worker collective Rose Alliance, and a recognised sex workers' rights activist. After local social workers learned that she was a sex worker, her children were removed from her custody and placed in the care of her ex-husband, who had a history of abusive behaviour. During an investigation conducted by social services, Jasmine's parental skills were questioned. As a sex worker she was deemed an unfit mother and self-destructive person. Jasmine continued to fight for her parental rights through four court cases and each time she had to confront a judge's argument that she failed to see that what she was doing was a form of self-harm. Eventually she was granted partial custody over her children, but when she arrived to meet them, her husband brutally murdered her in front of the social worker²⁵. The tragedy of Jasmine shows clearly that social stigma justifies and legitimises systemic discrimination against sex workers, and can cost them their children or even their lives.

Conclusions

However vague or abstract it may seem at first glance, the category of structural violence is important, because it enables us to see that sex workers' suffering and vulnerability across Europe result not only from direct acts of violence and harassment. It effectively shifts our attention to large-scale social forces and institutional arrangements which deprive sex workers of essential rights and entitlements. Thus, as we attempted to show in this paper, structural violence against sex workers is pervasive and inescapable, as it manifests in derogatory representations of sex workers, devaluation of their voices, oppressive policing, and persistent discrimination in many spheres of social life. It pushes sex workers to the margins of society and constantly reproduces their precarious position precisely because they are sex workers.

Structural violence is deeply rooted in social order and often taken for granted both by the general public and those who experience it. Therefore, it is not easy to challenge, and cannot be opposed by individual actors. It requires collective mobilisation and action which have to address multiple levels of discrimination. Below, we highlight some of the strategies that could help sex workers to overcome the fierce forces of structural oppression.

COMMUNITY BUILDING AND COLLECTIVE MOBILISATION

Efforts to build sex worker community constitute a primary step in tackling structural violence. Community mobilisation plays an essential role in overcoming sex workers' isolation and marginalisation, creating solidarity and defining common needs and goals. Sex worker-led organisations and collectives constitute unique

24 Tais Plus 2008.

25 <http://titsandsass.com/the-bloody-state-gave-him-the-power-a-swedish-sex-workers-murder;>
see also <http://jasmineanddora.wordpress.com/media/press-releases/press-release-from-icrse>



platforms of communication, as they provide sex workers with the opportunity to share their experiences and concerns, and in this way assemble isolated episodes of structural violence into a broader picture. Community empowerment should entail recognition of and respect for the diversity of sex workers' realities, lives and identities, and inclusion of all sex workers into the common struggle against structural violence. It can also consist of forging alliances with other sex worker organisations, collectives and regional advocacy networks, such as ICRSE or SWAN. Such alliances enable the exchange of experience, knowledge and expertise between activists operating in different social and legal contexts, and strengthen the sex workers' movement in Europe.

CHALLENGING STIGMA AGAINST SEX WORKERS

Social stigma is a key underlying factor of social exclusion, oppression and human rights violations experienced by sex workers. Therefore, the struggle against structural violence requires challenging biased representations of sex workers and making sex workers' voices heard. Some sex worker-led organisations in Europe, such as Rose Alliance in Sweden, address whorephobic stigma through cooperation with trusted journalists willing to discuss sex workers' problems in a non-discriminatory manner. Some, in turn, develop their own resources aimed at the general public, such as S-WORK, an electronic magazine which looks at sex work-related issues from sex workers' perspective, published by STAR-STAR from Macedonia²⁶. Many sex worker collectives across Europe engage in 'public representation activism' by organising public gatherings, artistic performances, lectures,

workshops and festivals. For example, Sex Worker Open University has already coordinated several festivals promoting sex workers' rights, such as the London Sex Worker Film Festival²⁷ or Sex Workers' Rights Festival in Glasgow²⁸, and offers Public Education Workshops on sex work which aim at challenging stigma against sex workers²⁹. Others, such as SCOT-PEP in Scotland, engage in debates and collaboration with academics interested in sex work-related research, or organise academic conferences offering more theoretical debate on sex work, such as the conference 'La prostitucion a debate – por les derechos de los prostitutas' led by Colectivo Hetaira in Spain in 2007 (the conference was followed by a publication 'EY ahora, les trabajadoras de sexo' released in 2010)³⁰.

ADVOCACY FOR LEGAL REFORM

Sex worker collectives make attempts to overcome structural violence by promoting the decriminalisation of sex work, calling for legal reform, and preventing the introduction of laws which would worsen sex workers' situation. They oppose legal oppression of sex workers through direct protest actions, awareness-raising media and social campaigns, parliamentary lobbying, and drafting sex worker-friendly regulation proposals. Although this struggle is probably one of the most challenging, some European and Central Asian sex worker organisations have managed to achieve their goals. Thus, for example, in 2012 Kyrgyzstani sex worker collective Tais Plus managed to block governmental attempts to penalise sex workers in Kyrgyzstan by launching a nationwide campaign and gaining support from such partners as Human Rights Watch and UNFPA³¹. Also, owing to its fierce campaign, including numerous street protests, direct actions, and alliance building, and active

26 <http://starsexwork.org>

27 <http://www.sexworkeropenuniversity.com/blog/the-second-ever-london-sex-worker-film-festival-because-sex-workers-should-still-not-be-dead-to-be-on-film>

28 https://glasgowsexworker.files.wordpress.com/2013/03/programme_prf04-final-swou.pdf

29 <http://www.sexworkeropenuniversity.com/activities.html>

30 *Autres Regards* 2012.

31 NSWP 2013c.



participation in parliamentary hearings held in 2014, STRASS managed to convince the French Senate Select Committee to reject a proposal to criminalise sex workers' clients³². Similarly, through intense protests and cogent petitions German sex worker organisations (along with their allies) have challenged the proposition of law reform – 'Prostitutes' Protection Law' – which sought to introduce such oppressive measures as forced registration of sex workers.

AWARENESS RAISING AROUND DISCRIMINATION AND VIOLENCE AGAINST SEX WORKERS

Another strategy to tackle structural violence consists of systematic documentation of human rights violations experienced by sex workers: acts of direct violence; arbitrary arrests and detention; instances of mandatory HIV/STI testing, and refusals to provide healthcare. This documentation, when provided in written form – such as the groundbreaking report 'Arrest the Violence' published by SWAN in 2009³³ – can be used to raise social awareness about the levels of violence and discrimination experienced by sex workers. It can also help sex worker organisations to demand their rights by referring to international human rights mechanisms, for instance by drafting shadow reports to CEDAW³⁴ Committee (as carried out by SZEEXE, Association of Hungarian Sex Workers³⁵) or reporting to CESCR³⁶ (as carried out by the Sex Worker Forum from Vienna, Austria³⁷). Moreover, many sex worker collectives throughout Europe

engage in international awareness-raising campaigns by organising demonstrations, flash mobs and marches on 1 May – International Workers Day³⁸ – or 17 December – the International Day to End Violence against Sex Workers³⁹.

SUPPORTING SEX WORKERS' ACCESS TO JUSTICE

Documentation of human rights violations is crucial also because it enables sex worker organisations to gather detailed information on patterns of violence and discrimination experienced by sex workers. This, in turn, helps to tackle the forces of structural violence by developing meaningful legal interventions and providing sex workers with adequate support during court cases and trial procedures. Thus, numerous sex worker collectives in Europe engage in legal activism by encouraging and helping sex workers to assert their rights in court, and by facilitating their access to justice by training and sensitising lawyers and cooperating with trusted legal professionals. Some also focus their actions on increasing sex workers' legal literacy. For example, Russian sex worker collective Silver Rose developed a series of workshops focusing on current legislation around sex work, registration and drug use, and providing sex workers with effective strategies for legal self-defence in cases of police harassment and detention⁴⁰. Additionally, the English Collective of Prostitutes has developed 'Know your rights' sheets in several languages to provide migrant sex workers with information on their rights and legal issues related to sex work in the UK⁴¹.

32 <http://prostitutescollective.net/2014/07/23/congratulations-sex-workers-france>

33 SWAN 2009.

34 Convention on the Elimination of All Forms of Discrimination against Women.

35 SZEEXE 2013.

36 United Nations Committee on Economic, Social and Cultural Rights.

37 Sex-Worker Forum of Vienna 2013.

38 <http://www.sexworkeurope.org/campaigns/may-day-international-workers-day>

39 <http://www.sexworkeurope.org/campaigns/17-december-history>

40 NSW 2013c.

41 <http://prostitutescollective.net/know-your-rights>



ENGAGING WITH REPRESENTATIVES OF INSTITUTIONS

Many sex worker organisations fight against structural violence ‘on the ground’ through advocacy aimed at representatives of institutions in which sex workers face discrimination: law enforcement personnel, healthcare providers, or judges. This may involve encouraging them to respect and protect the rights of sex workers and providing information on sex workers’ needs. Several collectives in the region challenge discrimination against sex workers in institutional settings by organising sensitisation trainings led by sex workers themselves. For example, Tais Plus provided a series of workshops on human rights and sex work to police officers in Kyrgyzstan, thus challenging their perceptions of sex workers and raising awareness of the grievances they experience. Similarly, STAR-STAR members conducted trainings for health workers, sensitising them to the health needs and concerns of male and transgender sex workers. When the workshops were completed, STAR-STAR was able to create an online register of ‘Friendly Health Centres’, listing settings where male and transgender sex workers can access HIV-related services without fear of mistreatment⁴².

FORGING ALLIANCES WITH OTHER OPPRESSED COMMUNITIES

The fight against structural violence is a political struggle, because it aims at exposing and abolishing the very power structures which constitute the social order and deprive some people of rights and resources. As such, it requires joining forces with other (often overlapping) marginalised communities in struggling against intersecting axes of oppression. This is why many sex worker collectives in Europe try to define common ground and build alliances with various social movements advocating

for the rights of the oppressed: LGBTQ movements, women’s movements, networks of people who use drugs, (undocumented) migrants’ movements, etc. One such example is STRASS’ involvement in the development of ‘Coalition 8th March for all’, bringing together women facing social exclusion and vulnerable to exploitation: sex workers, trans women, women with disabilities, migrant women, and Muslim women. As such, it links campaigns such as the decriminalisation of sex work with anti-racist, anti-transphobic and anti-xenophobic demands. Similarly, ICRSE regularly attends and facilitates workshops at events on trans rights organised by Transgender Europe (TGEU), and conferences on LGBT rights organised by the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA-Europe), as well as taking part in a seminar on criminalisation of HIV organised by European AIDS Treatment Group (EATG)⁴³.

ENGAGING WITH WORKERS’ MOVEMENTS AND TRADE UNIONS

Sex worker organisations can also tackle structural violence by promoting social and legal recognition of sex workers’ labour rights as a way to combat stigma and violence against sex workers. This can be done through advocacy focused around messages such as ‘sex work is work’, as in the case of the international campaign ‘Different jobs. Equal rights’, launched by the INDOORS project⁴⁴ and coordinated by numerous sex worker collectives and their allies. Additionally, many sex worker organisations in Europe enhance sex workers’ labour rights by engaging in debates around exploitation and precarisation of work in late capitalism, and forging alliances with other workers’ movements. Others, in turn, promote sex workers’ unionisation and cooperation with existing trade unions. Thus, for example, in Germany and the Netherlands, where sex work is legal, sex workers are joined

42 <http://starsexwork.files.com/2013/2012/registar-02.pdf>

43 <http://vimeo.com/album/2122809>

44 <http://www.indoors-project.eu>



and represented within the structures of major labour unions operating in their country (Ver.di and FNV, respectively)⁴⁵. Some also undertook attempts to create autonomous sex worker labour unions to campaign for better working conditions or recognition of sex workers' labour rights, such as the Red Thread union established in Holland in 2002, or the French union of sex workers, STRASS, formed in 2009.

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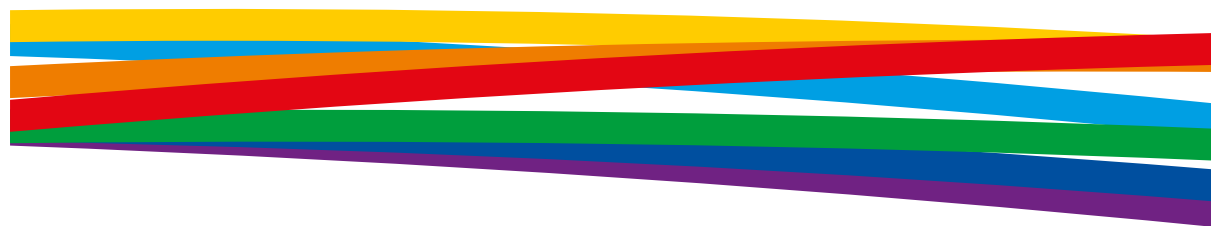
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45 Gall 2012.



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