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International
Committee on
the Rights of Sex
Workers in Europe

www.sexworkeurope.org

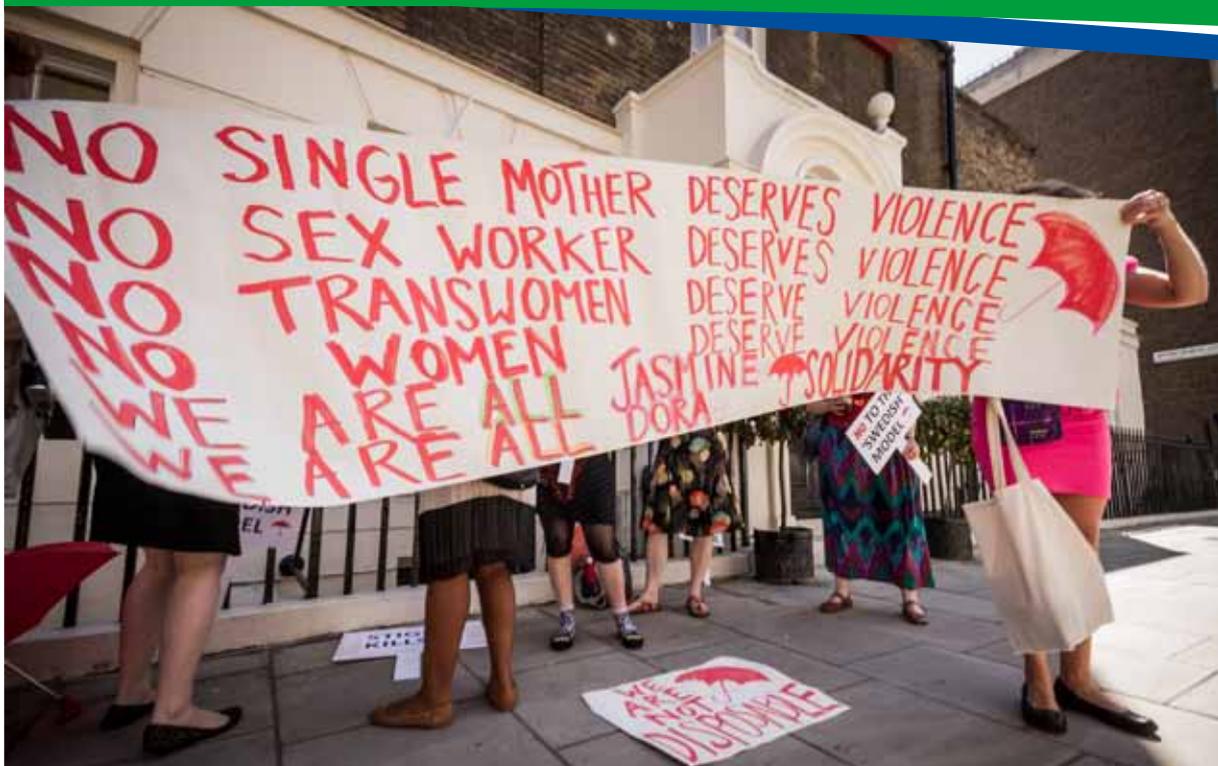


COMMUNITY
report SUMMARY



Structural violence

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



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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

Sex workers throughout Europe report being systematically subjected to 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 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.

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. 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, ethnic origin, and/or sexual orientation. This form of violence is so deeply ingrained in all fields of social reality that it becomes commonly accepted as 'the way things are', or even considered as a necessary condition of the social, political and economic order.

FRONT COVER PHOTO: Taken during the International Day to End Violence Against Sex Workers, 17th December 2013, Skopje.

COURTESY OF STAR-STAR, MACEDONIA



Structural violence and sex work

Structural violence is a multi-faceted form of power that affects all sex workers in Europe. It constitutes social attitudes towards sex workers, built into repressive regulations governing sex work, and embedded in most institutional settings. As such, structural violence creates an oppressive social environment in which sex workers are systematically denied voice and power to decide over their own fate, are policed and controlled, discriminated against and mistreated. It becomes incorporated into everyday experiences, day-to-day interactions, and sex workers' perceptions of themselves.

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

Misrepresentation and silencing

Structural violence against sex workers manifests itself through social stigma, which determines the way in which sex workers are perceived and represented in society. Stigmatising images of sex workers are a form of violence, because they serve to control sex workers, to keep them in a disadvantaged position, and to limit their autonomy. They pervade not only official and popular discourses, but also the unjust social and institutional arrangements which constitute sex workers' realities in Europe. Crucially, social images and identities ascribed to sex workers are created without their involvement and encourage their discrediting as possible partners in social debates about their situation and status in society. When sex workers try to engage in these debates, they are disqualified and denied the right to speak and represent themselves, omitted from the process of decision making, or labelled as being incapable of critical thought. These ways of portraying sex workers also make it hard for them to disclose their occupation, advocate for their rights, and self-organise. In some cases sex workers are directly deprived of the freedom to mobilise collectively for their rights and establish community organisations.



The trap of criminalisation

Structural violence against sex workers is also expressed through repressive legal frameworks governing sex work, which limit sex workers' agency and contribute to their social marginalisation both as workers and as members of society. Legal oppression of sex workers results from various regulations directly or indirectly criminalising sex work, such as laws penalising individual sex workers, and legal measures criminalising third parties, sex workers' clients and various activities related to sex work. Sex workers' work and working environments in Europe are also targeted through administrative laws on 'peace and order', municipal by-laws and repressive anti-trafficking laws. All these legal provisions contribute to sex workers' marginalisation and vulnerability, as they deprive them of control over their working conditions and undermine their economic security. Criminalisation of sex work triggers violence against sex workers on the part of the police, third parties, or people posing as clients, and creates a climate of impunity for the perpetrators. 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.

Violent institutions

Structural violence against sex workers also operates through a wide range of social and institutional practices. On this level, it manifests in judgemental or discriminatory treatment of sex workers, widespread in many institutional settings, as well as in institutional policies and procedures which contribute to further social exclusion and marginalisation of sex workers.

Access to justice

Sex workers across Europe experience structural violence when trying to access justice and demand their rights as victims of violence. This results from high levels of stigma and discriminatory treatment prevalent in law enforcement settings and the justice system. 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 their complaints are frequently not reported and police fail to investigate them. Sometimes sex workers might even find themselves being treated as offenders, rather than victims, and be forced to face severe legal cautions. Stigma is also prevalent in court rooms as it influences juridical decision making, when, for example, involvement in sex work is used to the disadvantage of sex workers. It has also been reported that sometimes those who perpetrate violence against sex workers receive inappropriately short sentences for their crimes or may even escape punishment altogether. Such flagrant injustices in the justice system prevent sex workers from reporting violence and harassment, make them distrustful towards representatives of the law, and strip them of the state protection afforded to other citizens.



Access to labour rights and welfare services

The lack of recognition of sex workers' labour rights is also considered a form of structural violence. This relegates sex workers to the margins of the legitimate labour market and significantly contributes to their precarious status as workers, by depriving them of protection through employment laws and provisions. Deprived of labour rights and entitlements, sex workers have limited ability to control their work environments and establish secure working relationships with third parties, which may result in dangerous or exploitative working conditions. Not recognised as workers, sex workers are also often stripped of welfare protection and work-related benefits which afford security to workers in the event of retirement, sickness, pregnancy or inability to work. This contributes to their financial and existential insecurity, and increases economic pressure when they need to safeguard their income. And, eventually, when denied legal and social recognition as workers, sex workers are constrained in their ability to self-represent and collectively fight for their labour rights and entitlements through unionisation.

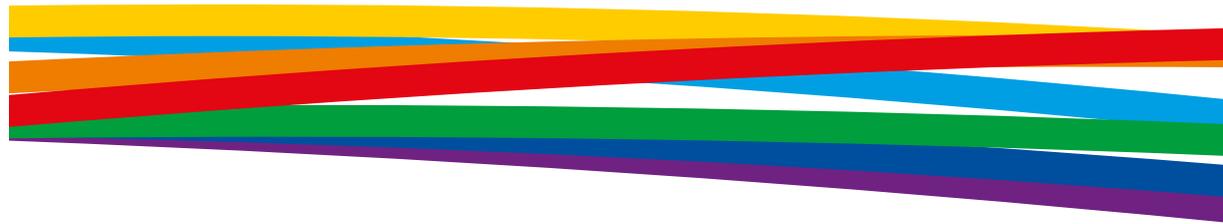
Access to health

Structural violence is also deeply embedded in medical settings and public health policies, limiting sex workers' access to health. Stigma and discrimination against sex workers is widespread in many healthcare facilities, which results in offensive treatment, breaches of sex workers' rights to privacy and confidentiality, and refusal to provide treatment. Such treatment effectively deters them

from medical settings. In many European countries sex workers' access to health is constrained by national public health policies which permit inclusion in the public healthcare system on condition of legal status, citizenship and health insurance (frequently linked to employment status). Sex workers who are not able to meet these requirements – especially migrant sex workers – are structurally excluded from the healthcare system. Some public health policies particularly target sex workers and subject them to oppressive and degrading health care interventions, such as enforced HIV/STI testing, reported in Greece, Macedonia, and Tajikistan. 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 stigma against sex workers.

Security of family life

Structural violence penetrates the most intimate and private spheres of sex workers' existence, such as home, family life and intimate relations. The fact that negative and judgemental attitudes towards sex work are so deeply rooted in society makes many sex workers hesitant to talk openly about their involvement in sex work, or share work-related experiences and concerns with family and friends. This can contribute to their social isolation, and significantly limits their opportunities for psychological and emotional support. Stigma attached to sex workers might also be transferred onto their intimate partners or children, causing them harm and leading to their own social exclusion. It may also be translated into harmful institutional practices, such as depriving sex workers of custody of their children on the grounds of their involvement in sex work.



Conclusions

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. It is also deeply rooted in social order and often taken for granted both by the general public and those who experience it. Therefore, all attempts to challenge it require collective mobilisation and action which must address multiple levels of discrimination.

Sex workers can challenge structural violence through:

Community building and collective mobilisation

Efforts to build sex worker community constitute a primary step in tackling structural violence. Community mobilisation – on local, national and international levels – plays an essential role in overcoming sex workers' isolation and marginalisation, creating solidarity and defining common needs and goals.

Challenging stigma against sex workers

The struggle against structural violence requires challenging biased representations of sex workers and making sex workers' voices heard. It can be done in cooperation with trusted journalists, through development of community-led resources on sex workers' rights, or other forms of 'public representation activism', consisting of public gatherings, artistic performances, lectures, workshops, festivals or collaboration with academia.

Advocacy for legal reform

Sex worker collectives make attempts to overcome structural violence by promoting the decriminalisation of sex work, calling for legal reform, or preventing the introduction of laws which would worsen sex workers' situation. Legal oppression of sex workers can be opposed through direct protest actions, awareness-raising media and social campaigns, parliamentary lobbying, and by drafting sex worker-friendly regulation proposals.

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. This documentation can be used to raise social awareness about levels of violence and discrimination experienced by sex workers, and could also help sex worker organisations to demand their rights by referring to international human rights mechanisms.

Supporting sex workers' access to justice

Sex workers can tackle the forces of structural violence through legal activism. This consists of encouraging and helping sex workers to assert their rights in court, and facilitating their access to justice by training and sensitising lawyers and cooperating with trusted legal professionals. Interventions focused on providing sex workers with support during court cases and trial procedures can also be coupled with actions aimed at increasing sex workers' legal literacy, e.g. through community-led workshops.



Engaging with representatives of institutions

Many sex worker organisations fight structural violence 'on the ground' through advocacy with representatives of institutions in which sex workers face discrimination: law enforcement personnel, healthcare providers, and judges. This may involve encouraging them to respect and protect the rights of sex workers and providing information on sex workers' needs, for example, through sensitisation training and awareness-raising workshops led by sex workers themselves.

Forging alliances with other oppressed communities

The fight against structural violence 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.

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. This can be done through advocacy focused around such messages as 'sex work is work', which help to combat stigma and violence against sex workers. 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.