

## UN WOMEN

### NOTE ON SEX WORK, SEXUAL EXPLOITATION AND TRAFFICKING

- The views of UN Women on the subject are grounded in the relevant human rights principles<sup>1</sup> and provisions, intergovernmental normative frameworks and the best available scientific and epidemiological evidence. UN Women is attentive to the important input of civil society across the wide spectrum of opinion that pertains to the subject.
- The issues of sex work, sexual exploitation and trafficking are complex issues which have significant legal, social and health consequences. Due to such complexity, it is important that we do not conflate these three issues which deserve to be considered in their own right. We cannot consider sex work the same way we consider trafficking or sexual exploitation which are human rights abuses and crimes.
- The conflation of consensual sex work and sex trafficking leads to inappropriate responses that fail to assist sex workers and victims of trafficking in realizing their rights. Furthermore, failing to distinguish between these groups infringes on sex workers' right to health and self-determination and can impede efforts to prevent and prosecute trafficking.
- Sex workers<sup>2</sup> are right holders like all other women and men and should be recognized as such.
- We understand the concerns of different sections of civil society that in many cases sex work is not always a choice and we acknowledge that it is often bound up with poverty, vulnerability and discrimination and can lead to violence against women.
- We recognize the importance of simultaneously addressing structural and root causes for women to engage in sex work, including poverty and discrimination.
- It is important that we recognize the rights of sex workers by striving to ensure safety in and through the workplace, so that they can be free from exploitation, violence and coercion.
- We recognize the right of all sex workers to choose their work or leave it and to have access to other employment opportunities. We encourage and applaud efforts to provide sex workers with economic alternatives to sex work.

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<sup>1</sup> *The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) addresses the issue from the perspective of **exploitation of prostitution**; the CEDAW Committee in its concluding observations to States Parties to CEDAW also addresses the issue from the perspective of **exploitation of prostitution and forced prostitution**.*

<sup>2</sup> *Sex workers are considered the adults who receive money or goods in exchange for sexual services (UNAIDS Guidance Note on HIV and Sex Work, 2009, and UNFPA Guidance Note on HIV/AIDS, Gender and Sex Work).*

- Sex workers are particularly vulnerable to the HIV infection and this vulnerability is increased by attitudes of stigma and discrimination in many countries, where those engaging in sex work are marginalized and often face abuse and violence.
- UNAIDS, of which UN Women is a co-sponsor, supports the decriminalization of sex work in order to ensure the access of sex workers to all services, including HIV care and treatment. UN Women also supports the regulation of sex work in order to protect sex workers from abuse and violence.
- Where any form of coercion, violence and exploitation is involved in sex work, this should be subject to criminal law. Sex workers should be able to bring cases of such exploitation, coercion and violence to the police, and to be provided with protection and redress.
- We strongly condemn and work towards the prevention and elimination of any form of coercion, violence, sexual exploitation and trafficking in persons in any shape or form. Trafficking is a human rights violation and there should be no compromise in efforts to address it.

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