

**"Sex workers are human: they are mothers, sisters and professionals we don't even think about. Whenever sex workers are raped, whenever sex workers are beaten, we need justice for that, regardless of what policies say."**

- Leeroy, Zimbabwe

# Equal Rights, Human Rights

Protecting the rights of sex workers:  
Evidence on human rights violations

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Photo: Madelene Cronje

BONELA



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PATHFINDER





Sex workers, like all other members of our communities, deserve equal protection of their human rights under the law, and society as a whole. This should be basic practice. And yet, studies show that sex workers continually have their human rights violated. Deep-rooted inequity, stigma, discrimination and violence are pervasive, resulting in sex workers experiencing greater risk of HIV infection- 30 times higher than the general population. The criminalisation of voluntary and consensual exchange of sexual services between adults deters the filing of reports to document violence and exploits to law enforcement. Not only does this consequently perpetuate a climate of impunity for abusive clients, police officers, health care workers and communities, but it also hinders sex workers' access to life saving HIV prevention and treatment. The protection of basic human rights is a minimal demand.

## Capturing evidence

This is the second year that the Hands Off programme presents data on human rights violations perpetrated against sex workers in the past twelve months. A total of **2009 human rights violations** were captured in Botswana, Mozambique, South Africa and Zimbabwe between December 2021 and November 2022. Peers are often the first contacted when sex workers experience violence. That is why sex workers are trained to become first responders. These first responders document the cases of human rights violations using confidential and secured tools online. Capturing evidence of human rights abuses is essential to protect the human rights of sex workers. It provides insight into the practice of rights protection and also informs policy change.

## Representing the larger sex work community

The geographical spread of this report is limited to Hands Off implementation sites, which means that the number of actual human rights violations against sex workers is underreported. The findings in this fact sheet are therefore representative of larger 'invisible' issues faced and identify patterns and trends in the larger sex worker community within the four participating countries.

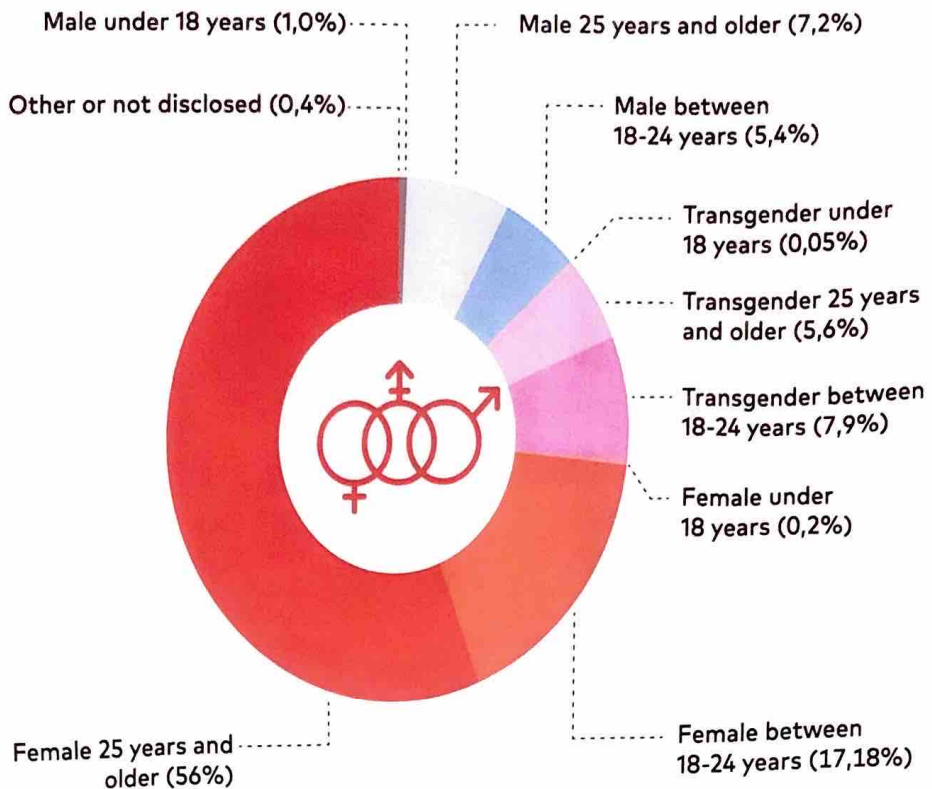
## Intersecting inequalities

It is more important than ever that sex workers' human rights are safeguarded. Globally, the anti-rights movement has grown in influence and impact, increasingly undermining sex workers rights and reversing the precarious progress made towards decriminalisation of sex work. In Botswana, religious groups have openly stated not accepting a constitution recognising sex workers. In Zimbabwe, extreme conservative groups continue to speak out against sex work.

Stigma and discrimination against sex workers continues to be persistent in the region. Whilst Hands Off implementing partners have observed a slow public acceptance towards female sex workers, the same is not true for their male counterparts. This is reflected in an increase in reported violations against male sex workers. Another increase is seen in violations reported by young female sex workers (18-24 years). In Mozambique, young female sex workers for example report an increase in violence by clients and severe incidents, including attempted murder and robbery.

In Southern Africa more people turn into sex work to provide for income as cost of living rises. Data suggest that increased competition among sex workers for clientele has led to rising levels of peer violence. In South Africa, pimps benefit from this by extorting more money from new sex workers with the promise of safety. In Mozambique, the social instability in Cabo Delgado has forced sex workers to migrate from extremely violent areas to safer zones. Reports suggest an increase in peer violence as 'newcomers' are not accepted.

## Evidence on human rights violations



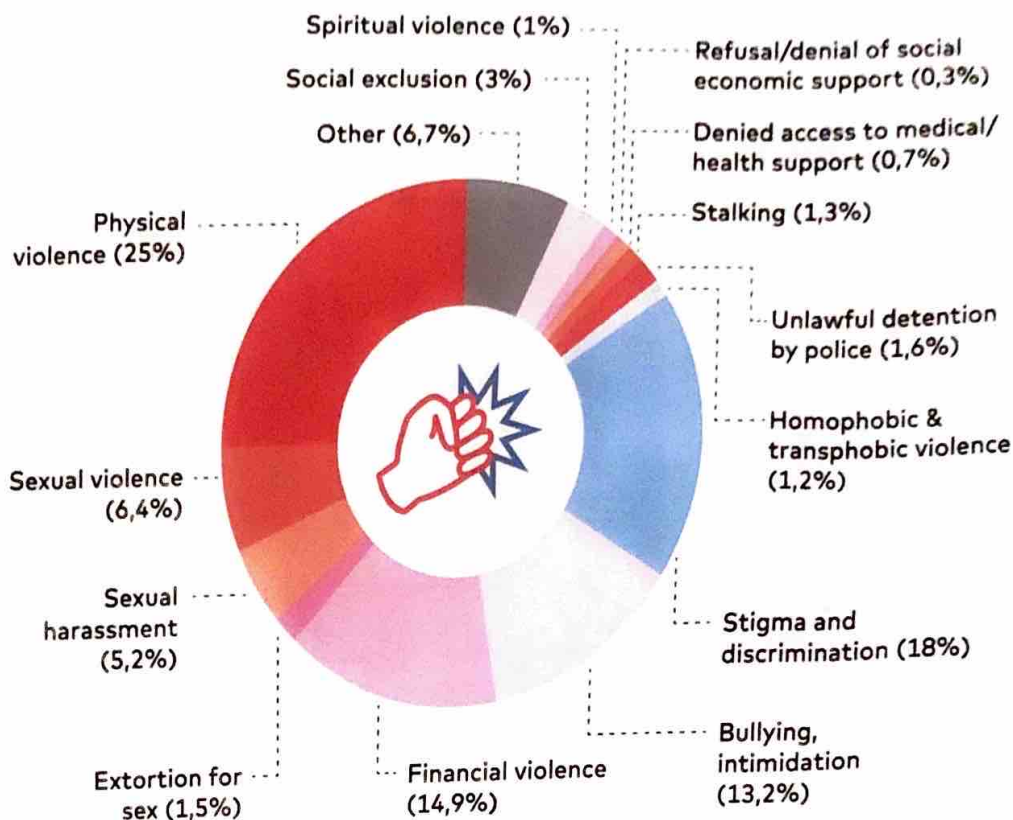
### Gender and age groups

Human beings are behind each of the total **2009 violations against sex workers** captured in this fact sheet. It is paramount to keep this in mind while considering the meaning of these numbers. Female sex workers are still the largest reporting demographic (73.4%). A worrisome steady increase has been documented in youth below the age of 25 becoming active in sex

work and experiencing violence (30.9%). This number includes minors, youth below the age of 18, selling sex (0,4%). An equally unsettling development this year is the increase in violations reported by male (12,7%) and transgender sex workers (13,4%). Numbers amongst both gender groups more than doubled compared to last year.



## Evidence on human rights violations

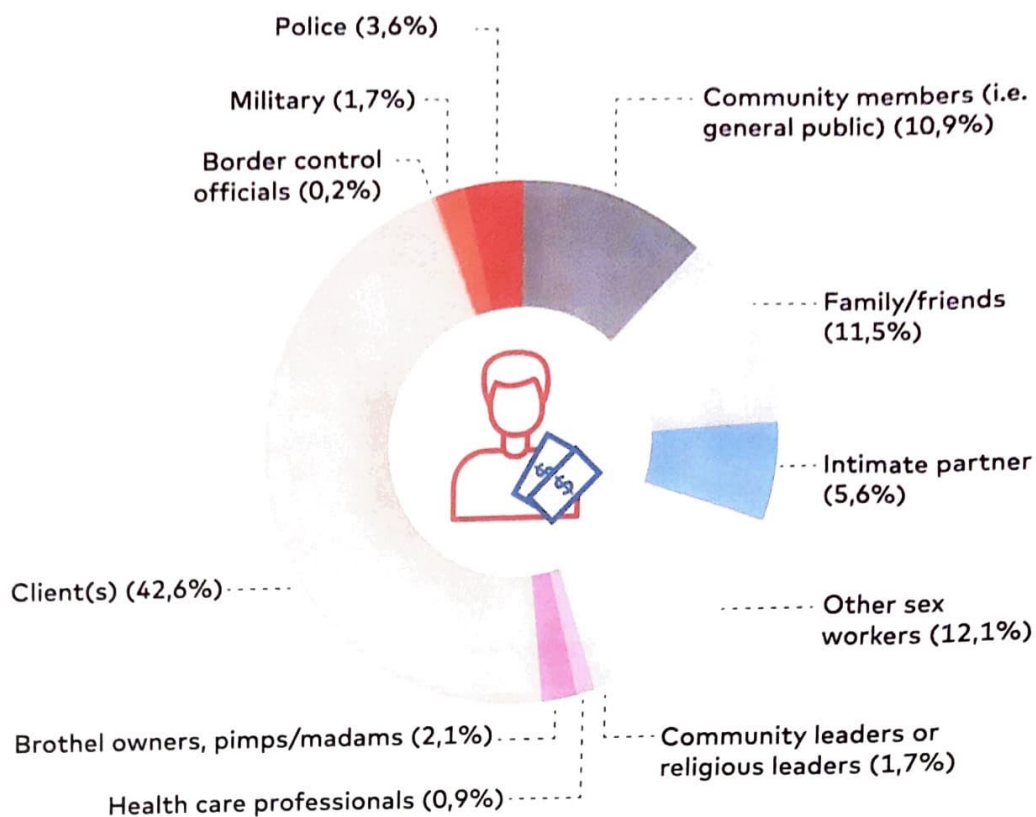


### Types of violations<sup>1</sup>

**Physical violence, and stigma and discrimination, continue being the two leading forms of violations** reported by sex workers (25% and 18%, respectively). Sexual violence is reported by 6,4% of sex workers, 14,9% experienced financial violence. Sex workers also report violations such as illegal abortion, being kidnapped, being involuntarily drugged and belongings being destroyed, burnt or stolen. Most violations occurred during work (50,5%),

at home (25,1%) and in public space (11,3%). Other examples provided were in places of worship, at school or at the client's home. In the region, 160 cases of homicide were reported, directly related to sex work and 2 suicides as a result of violence that was experienced. Only 40,5% of all violations were reported to law enforcement. Since there is a direct correlation between being exposed to violence and HIV infection, this is cause for concern.

## Evidence on human rights violations



## Perpetrators

**Clients continue to be the leading offenders of human rights violations** against sex workers (42,6%). Other notable perpetrating groups are fellow sex workers (12,1%), family and friends (11,5%), and community members (10,9%). These numbers may be a symptom of the recent waves of inflation-fueled poverty and migration that has forced an unprecedented increase of sex workers into the market, creating competition and territorialism within

the community at large. Almost two-third of the violations are male-perpetrated violence (62,3%), clearly showing that gendered power dynamics remain a root cause for violence. We welcome the reduction in violations perpetrated by police officers (3,6%). It is expected that efforts by law enforcement under the Hands Off programme to protect human rights of sex workers and other key populations are bearing initial fruits.





**607 sex workers accessed psychosocial support after reporting human rights violations**

## Support to survivors of violence

Hands Off implementing partners provide crucial support to survivors of violence. Most sex workers who reported a violation accessed a combination of services. The biggest part (28,9%) received psychosocial support.

An important component of the Hands Off programme is offering sex workers access to justice, which is usually unavailable to them. A quarter of sex workers (25,0%) received legal support from a lawyer or a paralegal. First responders accompany sex workers to report a case, negotiate with police to release a sex worker after unlawful arrest and refer violence survivor to needed services. Support was also provided by Crisis Response Team members, religious leaders and police officers, who were responsible for 20,7% of the care.

**Physical violence** includes beating, brutality, punching and the use of objects and weapons such as guns, knives and pepper spray.

**Sexual violence** includes sexual assault, rape, unwanted sexual services, unwanted sex without condom.

**Sexual harassment** is defined as unwanted sexual looks, gestures, sexual comments.

**Extortion for sex** includes sex in exchange for release from police custody, sex in exchange of drugs and alcohol, or bribery.

**Financial violence** includes extortion for money, refusing to pay or stealing money.

**Bullying and intimidation** are seen as scaring someone into doing something, using threats.

**Stigma and discrimination** include calling names, stereotyping, profiling, negative and unfair treatment, discrimination at health facilities.

## Decriminalise sex work!

To meet their human rights commitments and improve the lives of sex workers, Botswana, Mozambique, South Africa and Zimbabwe should address structural violence against sex workers by decriminalising sex work.

Full decriminalisation will increase:

- access to justice and ability to refer to police in cases of violence
- access to safe work locations, economic security and social protection
- ability to practice safer sex and to access health services

## Let sex workers lead

Sex worker-led initiatives have proven to be most effective in the reduction of HIV and violence. Community empowerment reduces the risk of new HIV infection among sex workers by 32%. That's why it is important to fund sex worker-led initiatives.

If violence against sex workers is addressed, new HIV infections can be reduced by 25%.

**Homophobic and transphobic violence** is defined as violence specifically perpetrated because of sexuality or gender identity - LGBTIQ)

**Unlawful detention by police** involves keeping a sex worker captive despite having no legal basis for doing so

**Stalking** is defined as following, watching or harassing another person.

**Denied access to medical/health support** includes preventing access to medication (such as ARVs), prevention services and medical treatment.

**Refusal/denial of socio-economic support**, includes preventing access to relief packages and access to loans, housing, etc.

**Spiritual violence** includes preventing sex workers from visiting a place of worship or attending religious events, using religion to justify violence and exclusion from faith community.

**Social exclusion** is seen as exclusion by immediate family members, greater community including friends and other sex workers

**The Hands Off model has been effective in reducing violence against sex workers. For more information about the Hands Off programme, visit [www.aidsfonds.org/hands-off](http://www.aidsfonds.org/hands-off)**