

Arrest the Violence

HUMAN RIGHTS ABUSES AGAINST SEX WORKERS
IN CENTRAL AND EASTERN EUROPE AND CENTRAL ASIA



A Community-Based Research Project of



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A Community-Based Research Project of
the Sex Workers' Rights Advocacy Network in
Central and Eastern Europe and Central Asia

“Stop the violence, let us work!”

—A sex worker in Macedonia

November 2009

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¹ Information about individual SWAN members can be found in Appendix 2.

For more information about SWAN or to sign up to receive SWAN News, a bi-monthly newsletter published in English and Russian about issues affecting sex workers and their rights, go to www.swannet.org.

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Introductory Note

I read this report and couldn't come to my senses for a long time.

Violence, humiliation, robbery ... in every country, in every city... at any time... with each of us! There is no difference whether you live and work in Kyrgyzstan, Macedonia or Russia. The report reveals the workings of the legal system. I could have put my signature under each of the stories presented.

We find ourselves to be people outside the legal system. Every word of the report reflects our powerlessness and the absolute power of our states, represented by law enforcement institutions. This shouldn't and can't continue any longer.

I completely agree with the conclusions of the report. One can't fight such lawlessness and violations alone. Only together can we break out of this circle of violence. Only this way will we be able to live and work, only this way will every one of us have a future. I really hope for it.

Irina Maslova, Humanitarian Action, Russia
August 24, 2009

Foreword

The report you are about to read is groundbreaking. It is the first piece of research done under the leadership of sex workers to document human rights violations they face across Central and Eastern Europe and Central Asia.

It is also chilling. Interviews with more than 200 male, female and transgender sex workers in 11 countries document widespread violence and discrimination against them. Sex workers throughout the region report that they face verbal and physical abuse, including beatings, kidnapping, and sexual violence, by police and private citizens. Sex workers also report that police confiscated condoms as “evidence” of sex work, and subjected them to mandatory HIV testing.

When sex workers face abuse, there is no one to defend them. Not the police, who are chief among the offenders and routinely beat them, force them to have sex and to engage in degrading acts, and extort money from them. Not the general public, who join in the violence. And often not their families, who sometimes reject them when they learn of their occupation.

These are not isolated incidents. The physical, sexual, and verbal violations of sex workers’ rights are part of a pattern of abuse by police and in the community that is documented throughout the region. The violence is horrific and abusive in itself, and its impact extends beyond physical and psychological scars. Sexual violence by police and confiscation of condoms as “evidence” threatens the lives and health of sex workers in many ways, putting them at increased risk of HIV and AIDS.

Sadly, these findings are not surprising. They are supported by previous research by the Central and Eastern European Harm Reduction Network and Human Rights Watch’s own research in Ukraine, Russia and Kazakhstan.

This report serves as a reminder that male, female and transgender sex workers in too many countries have yet to be granted full human rights protections. When police rape or otherwise physically and sexually assault sex workers, whether as punishment, to intimidate or extract information, or for any other reason, they violate basic protections against torture and ill-treatment, and sex workers' rights to liberty and security of the person. When police use an individual's status as a sex worker as a tool to coerce testimony or extort money, they similarly violate basic provisions against torture and cruel, inhuman, and degrading treatment or punishment.

Many cases in this research show the extent to which laws criminalizing or penalizing sex work can fuel violence, discrimination and other human rights abuses against sex workers, particularly if police enjoy impunity for abuses against sex workers. In contrast, the examples of countries such as Poland and the Czech Republic, where police have been trained to focus on protecting sex workers more than on conducting raids or sweeps of sex work areas, and where there are markedly low levels of police abuse, offer hopeful examples of ways forward to reduce violence.

It is my sincere hope that this report will serve as a catalyst to awaken the broader human rights community to the importance of documenting and denouncing human rights abuses against sex workers, and working with sex workers to end these abuses.

Rebecca Schleifer, JD, MPH
Advocacy Director, Health and Human Rights Division
Human Rights Watch

Macedonia

Aleksandar² is a 23-year-old male sex worker who works on the street and from an apartment and who lives in fear of police and thugs³ who have repeatedly beaten him up during the past year. He says that thugs and abusive clients have also sexually assaulted him during this past year. Aleksandar says he does not feel he can report these violent crimes to the police because he fears it would put him in worse danger and that if he turned to the police they would mistreat him or arrest him. He says: “I fear for my life. Are my children going to see me alive again? I have these thoughts every day when I go to work, especially when I see the police, then I am even more afraid.”⁴

Kyrgyzstan

Aida,⁵ a 28-year-old female sex worker who works for herself on the street, reports that she does not have the necessary registration to reside legally in the city where she lives and works. Police force her to pay them off at a rate of 500 som [about US \$12] every day and compel her to pay “fines” of 150 som [about US \$3] a few times a week.⁶ Police have taken Aida into custody at the police station about 50 times during the past year and detained her for up to a day. About 35 of those times, police forced her to clean the police station. She says that every day the police threaten to beat and humiliate her. As often as once a week, police force Aida to have sex with them. Police officers also beat her on a regular basis, at least once a week. Summarizing the pattern of police abuse she has experienced, Aida

² A pseudonym. The names of sex workers interviewed for this report were omitted out of concern for their safety and confidentiality.

³ The term thugs was used by sex workers to refer to people linked with organized crime or other criminal activity, as well as to people sex workers perceived as criminals by virtue of their behavior (i.e. because they beat and extorted sex workers).

⁴ Interview with a sex worker in Macedonia during the period September to December 2007.

⁵ A pseudonym.

⁶ The minimum monthly wage in Kyrgyzstan is 1,200-1,500 som [about US \$28–35]. Often, as apparently in this case, so-called fines levied by police are in fact demands for unofficial bribes rather than formal fines issued for an infraction of the law. In many cases, sex workers reporting police extortion fail to make a distinction between official fines and informal demands for money by police.

says: “[The police] demand money, take you away if you don’t pay, and demand sex.” She says she does not feel she can report this violence to the police because she fears it would put her in worse danger, that she would be mistreated by the police or arrested, and that the authorities would reveal to others that she is a sex worker.⁷

Serbia

Aishe⁸ is a 26-year-old transgender⁹ sex worker who works for herself on the street. She is Roma and registered to live in the city in which she works, but has no identification papers. Aishe reports that during the past year police have levied fines against her about once a month. About once a month police take her into custody and detain her at the police station, sometimes for up to 20 days. In addition, police have demanded bribe payments from her several times during the past year. Aishe says she also has to pay off thugs on a weekly basis. In each case, she’s had to pay all the money she had on her at the time. She says that police intimidate her by “insulting me, beating me and throwing me out of their car.” During the past year, police have physically and sexually abused her. Aishe has also experienced sexual violence by clients and thugs and physical violence by clients, thugs, bosses and boyfriends. She says that police make it harder for her to use condoms because, “they use them as evidence against me.” She does not feel she can report violence to the police because she fears it would put her in worse danger, that she would be mistreated by police or arrested, and that other police officers would find out that she is a sex worker.¹⁰

⁷ Interview with a sex worker in Kyrgyzstan during the period September to December 2007.

⁸ A pseudonym.

⁹ The term transgender refers to people whose gender identity or expression diverges from the dominant norm in a given culture. In this report, transgender is used to refer to sex workers who identify as transgender, transsexual, or transvestite.

¹⁰ Interview with a sex worker in Serbia during the period September to December 2007.

Introduction

SWAN is the Sex Workers' Rights Advocacy Network in Central Eastern Europe and Central Asia, a network of 16 NGOs working in 15 countries that advocates for the human rights of sex workers and the recognition of sex work as work.

At a May 2006 SWAN meeting, the majority of member NGOs identified police repression and violence as the most urgent human rights issue affecting sex workers in the region. A decision was made to launch a study to begin documenting the situation. The results of the study are contained in this report.

Research revealed that police routinely physically and sexually abuse sex workers, that they use violence and threats of violence or arrest to extort money or sex from sex workers, and that they are able to commit such abuses with impunity. Police retaliation, intimidation, and violence against sex workers who complain of abuse create obstacles to sex workers' access to justice. This pattern of violence and lack of accountability results in deep distrust and fear of police among sex workers and greater danger to sex workers of violence by others in the general population, including clients and thugs.

In order to stop police abuse of sex workers and its negative consequences, governments throughout the region must begin to hold police accountable for crimes such as extortion, rape, beatings and other violence. Police should be obligated to undergo training on human rights standards and respectful treatment of sex workers and other vulnerable groups.

In addition, donor organizations and governments must turn their attention to the issue of human rights abuses against sex workers, in particular police violence, and provide adequate funding to sex worker groups that promote sex workers' rights and health.

Methodology

Representatives of SWAN NGOs who conducted the research for this report set out to capture information about sex workers' interaction with and harassment by police, their level of access to legal protection, and the physical and sexual violence committed against sex workers by state and non-state actors.

The research presented in this report was conducted from September to December 2007 by sex workers and outreach workers from 12 NGOs in 11 countries (Bulgaria, the Czech Republic, Kyrgyzstan, Latvia, Lithuania, Macedonia, Poland, Russia, Serbia, Slovakia and Ukraine).¹¹ The data in this report reflects the responses from interviews conducted with 218 adult male, female and transgender sex workers in these 11 countries. Research was also conducted in a twelfth country. The quantitative and identifying data from that part of the study has been removed, but themes arising from the qualitative data have been incorporated into the report's conclusions and recommendations.¹²

Researchers used a participatory research model that involved sex workers and NGO representatives in the development of the research questionnaire and methodology, and in choices about the inclusion or exclusion of data and presentation and interpretation of the research results. SWAN members and several experts on research of issues related to sex work reviewed the draft questionnaire. Two SWAN members piloted the questionnaire with small groups of sex workers to determine whether the questions were clear and whether the process would be useful for understanding the extent of police violence and harassment in the region. Representatives of all SWAN NGOs who participated in the research were trained in administering the questionnaire.

¹¹ Research was conducted by one NGO in each country, with the exception of Russia, where two NGOs from different regions participated in the research. As a consequence, this report reflects research results from 12 jurisdictions in 11 countries.

¹² Following statements made by sex workers in the twelfth country denouncing the police violence they routinely experience, the local SWAN member conducting the survey was repeatedly threatened, NGO staff were physically intimidated, and authorities threatened to close down the group's center and confiscate confidential medical records. Out of concern for the safety of the SWAN group members in this country and the 20 sex workers who provided responses to the SWAN questionnaire, the quantitative data from research conducted there has been omitted from this report. Notably, the data from this country paints a stark portrait of routine sexual and physical violence against sex workers by police.

The final questionnaire was semi-structured and involved closed and open-ended questions. It was produced in English and Russian and translated into six additional languages. It was administered by the country researchers in-person. Out of deference for people's time, taking into consideration that many interviews were conducted on the street just before sex workers were preparing to work, and that a number of the questions, particularly those about sexual assault, were particularly sensitive and had the potential to re-traumatize interviewees, the researchers conducting the study allowed sex workers to answer all or only part of the survey. Notably, when sex workers opted not to answer all of the questions, they typically cut the interview off when the issue of sexual assault came up. Sex workers were specifically asked about incidents of abuse that took place in 2007.¹³

Because conditions are markedly different in the two locales represented by two SWAN members in Russia—the Northwest district, including St. Petersburg, and Siberia—these locations are treated as separate “countries,” or unique data points, for the purpose of this report.

Each SWAN NGO reviewed the results and conclusions of the questionnaires administered in its country to ensure accuracy and confirm that public disclosure of the results would not put anyone in danger. Following this process, SWAN members decided to group the results for male, transgender, and Roma sex workers from different countries into one section and to generally refrain from identifying the gender of persons giving testimony.¹⁴

In addition to the questionnaire results, this report includes responses from a separate set of interviews conducted in 2007 and 2008 by Anna-Louise Crago with sex workers, NGO employees and others who work closely with sex workers. It also includes testimony provided by NGO staff and sex workers in Bulgaria, Kyrgyzstan, Serbia, Slovakia, and Ukraine in May 2009.

¹³ Incidents that sex workers report as having taken place “during the past year” should be understood to have taken place in 2007.

¹⁴ Transgender sex workers are a particularly small and visible minority on the street in many countries, so some feared being individually targeted by police for retaliation if they were easily connected to their testimony for this report.

International Law

Acts of physical and sexual assault are serious crimes under the domestic laws of the countries in which research was conducted and, when committed by agents of the state, also amount to violations of international law.

Police violence against sex workers violates sex workers' fundamental human rights under international law, including the rights to security of person and respect for the inherent dignity of the human person, guaranteed under articles 9 and 10 of the International Covenant on Civil and Political Rights (ICCPR).¹⁵

A range of acts of physical abuse, sexual violence, and psychological abuse committed by police and documented in this report constitute cruel and inhuman or degrading treatment or punishment, prohibited unambiguously by international law, including the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (the Convention against Torture) and article 7 of the ICCPR.¹⁶

Those acts of violence committed by police acting in their official capacity, with the aim of coercing, intimidating or punishing sex workers or as part of a pattern of discrimination against sex workers, because of their status as sex workers, rise to the level of torture, as defined in article 1 of the Convention against Torture.¹⁷ Police threats of violence also amount to psychological torture, likewise prohibited under the ICCPR and the Convention against Torture.¹⁸

¹⁵ Article 9 (1) of the ICCPR states: "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law." Article 10 (1) of the ICCPR states: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person."

¹⁶ Article 7 of the ICCPR states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

¹⁷ Article 1 (1) of the Convention against Torture states: "For the purposes of this Convention, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions."

¹⁸ Paragraph 5 of the Human Rights Committee's General Comment 20 regarding article 7 of the ICCPR points out that: "The prohibition in article 7 relates not only to acts that cause physical

State Policies Condoning Abuse

The human rights abuses committed by police against sex workers in the countries studied in this report cannot be dismissed as simply the acts of rogue officers, but are rightly considered manifestations of state policies that tolerate, and in some cases even encourage, violence against sex workers.

A consistent pattern of state failure to punish or otherwise hold accountable police who perpetrate violence against sex workers amounts to a policy—whether explicit or implicit—of tolerance for such abuses. In some cases, state policy appears intentionally designed to harm sex workers, as when police are instructed to use harsh measures to clear sex workers from a given area.¹⁹

In addition, anti-prostitution laws and policies that criminalize or otherwise stigmatize sex workers facilitate human rights abuses against sex workers by creating pretexts for agents of the state to control and punish sex workers.

pain but also to acts that cause mental suffering to the victim.” Human Rights Committee, General Comment 20, Article 7 (Forty-fourth session, 1992), *Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies*, HRI/GEN/1/Rev.1 at 30 (1994). This interpretation of the law was echoed by then-Special Rapporteur on Torture Sir Nigel Rodley in his report to the General Assembly in 2001. This report states: “the Special Rapporteur would like to remind Governments that the prohibition of torture relates not only to acts that cause physical pain but also to acts that cause mental suffering to the victim, such as intimidation and other forms of threats.” www.un.org/documents/ga/docs/56/a56156.pdf

¹⁹ See, for instance, the case of a 2009 police cleansing operation in Bulgaria, described in the section Physical and Sexual Violence.

Police Abuse

Physical and Sexual Violence

Policemen are physically violent and attack us if they are agitated, or if we don't want to have sex with them, or if we don't want to give them money.²⁰

—A sex worker in Macedonia

Research for this report revealed that police physically and sexually abuse sex workers. Police violence against sex workers causes physical pain and suffering and mental anguish. It can leave sex workers feeling afraid, helpless, and skeptical about their ability to demand respect for their fundamental rights. Attempts at seeking justice for human rights abuses by police can often result in further violence, intimidation or humiliation of sex workers.

In addition to committing acts of violence against sex workers, police often harass, intimidate and frighten sex workers with threats of violence. In all countries, except the Czech Republic and Poland, police frequently threatened sex workers with violence. In some cases reported by sex workers, police threats amounted to isolated incidents of bullying; in others they functioned in a more organized way to maintain the violent control that police exerted over sex workers. Threats and intimidation also discouraged sex workers from reporting police violence and other abuses to authorities.

²⁰ Interview with a sex worker in Macedonia during the period September to December 2007.

In all of the countries where research was conducted, except Poland and the Czech Republic, sex workers reported alarmingly high levels of physical or sexual violence by police officers. Some 41.7% (86/206) of respondents reported that they had been physically abused by police, while 36.5% (77/211) reported that police had sexually assaulted them.²¹

Police were the group of people most frequently reported by sex workers to be a threat to their safety in Kyrgyzstan, Ukraine, Russia (Siberia), Lithuania, Macedonia and Bulgaria.

The charts below reflect the high rate of police violence against sex workers during the previous year in most of the countries where the survey was conducted.²²

Sex Workers Who Were Physically Assaulted by Police During the Past Year²³

Macedonia	100.0%	(17/17)
Ukraine	85.0%	(17/20)
Kyrgyzstan	64.2%	(9/14)
Bulgaria	70.0%	(7/10)
Serbia	62.5%	(5/8)
Russia (Siberia)	55.0%	(11/20)
Latvia	42.9%	(9/21)
Russia (Northwest district)	30.0%	(6/20)
Lithuania	15.0%	(3/20)
Slovakia	5.0%	(1/20)

²¹ While the total number of respondents to the survey questionnaire was 218, the number of respondents cited for these questions is less than 218, because some sex workers opted not to finish the survey or not to answer specific questions. Two hundred and six sex workers responded to the question about physical violence by police and 211 answered the question about sexual assault.

²² With respect to physical violence by police, Poland and the Czech Republic were exceptions, with notably low levels of police violence reported. In the Czech Republic 4% of sex workers (1/23) reported having experienced physical violence by police. In Poland 0% (0/13) said they had experienced such incidents. In Lithuania and the Czech Republic 0% (0/20 and 0/23) of sex workers reported sexual assault by police.

²³ Here and throughout the report, incidents presented as having taken place “during the past year” should be understood to have taken place in 2007.

Sex Workers Who Were Sexually Assaulted by Police During the Past Year

Kyrgyzstan	89.5%	(17/19)
Macedonia	82.4%	(14/17)
Serbia	75.0%	(6/8)
Russia (Siberia)	55.0%	(11/20)
Ukraine	45.0%	(9/20)
Russia (Northwest district)	30.0%	(6/20)
Slovakia	30.0%	(6/20)
Latvia	23.8%	(5/21)
Bulgaria	20.0%	(2/10)
Poland	7.7%	(1/13)

In Macedonia, where reported rates of police violence are particularly high, a person who works closely with sex workers told researchers about being afraid when police showed up on the street:

*I was very scared because I know what has happened to the girls who work there by the police. Like they rape them, ask them dirty questions, beat them.*²⁴

A sex worker in Ukraine summed up relations with police, saying:

*They take fines from us and beat us up.*²⁵

A sex worker in Siberia, Russia told researchers:

*The police break your ribs.*²⁶

Other sex workers reported that police used threats of violence to control or intimidate them.

²⁴ Interview by Anna-Louise Crago with a person from Macedonia who is close to the sex worker community, Ukraine, May 2007.

²⁵ Interview with a sex worker in Ukraine during the period September to December 2007.

²⁶ Interview with a sex worker in Siberia, Russia during the period September to December 2007.

A sex worker in Siberia, Russia said of police:

*They threaten to beat us until we're black and blue.*²⁷

One sex worker in Bulgaria reported:

*They threaten me with violence upon every arrest, and every time they meet me on the street.*²⁸

Sex workers reported that they are particularly vulnerable to abuse by police at the time of arrest or detention, whether on prostitution-related charges or for other alleged infractions. In all of the countries in which research was conducted, except Poland and the Czech Republic, sex workers reported that when police arrested or detained them, the officers often also physically and sexually assaulted them.

A sex worker in Ukraine reported:

*About five years ago, I was detained at the district police station. The police beat me in the kidney area and in the ribs and on the head—they didn't beat me on the face, so that there would be no visible bruising—then they raped me, with my arms tied to the radiator. After this incident I was depressed and considered killing myself. I had internal discomfort and for a long time I refrained from any sexual activity. I didn't report it to anyone. I was afraid because this had been done by the police themselves. There was a lot of violence and humiliation.*²⁹

Another sex worker in Ukraine said police grabbed her off the street and took her to the station, where they handcuffed her and forced her to stand with her hands above her head until morning. She said:

*When I tried to lower my hands or sit down, they kicked me in the kidneys.*³⁰

An NGO worker in Ukraine reported that beatings and rape of sex workers by police officers was “absolutely typical” and “normal practice for law enforcement agents in Ukraine.”³¹

²⁷ Interview with a sex worker in Siberia, Russia during the period September to December 2007.

²⁸ Interview with a sex worker in Bulgaria during the period September to December 2007.

²⁹ Interview with a sex worker in Ukraine, May 2009.

³⁰ Interview with a sex worker in Ukraine, May 2009.

³¹ Interview with an NGO worker in Ukraine, May 2009.

Violence against sex workers was committed at locations where sex workers work as well as in places of detention. Sex workers throughout the region were vulnerable to violence when in police custody, regardless of whether or not they were formally detained or taken to the police station. Sex workers reported that police illegally detained them and drove them to deserted areas where they beat them, raped them, verbally abused them, threw them into the river or threw them from the police car.

A sex worker in Slovakia described her experience of police violence:

*Police officers drove me away from the city and demanded sex services for free.*³²

A sex worker in Ukraine described being picked up by clients who turned out to be police officers. After the sex worker and her friend had provided sex services for the two men, the officers ordered them out of the car, demanded money and, finding the sex workers had no cash on them, began to beat them.

The sex worker described the beating by police:

*When he began to beat me, he sent me flying through the bushes. I landed on my tail-bone. After that I lay in bed for a month, I could not walk. When he punched me in the breast I could hardly catch my breath and tears sprang from my eyes.*³³

The attack on this sex worker and her colleague continued. The officers forced them back into the car at gunpoint and drove them back to the corner to get their money.

As she explained:

*We were so naïve, we thought, “now we will give them the money and that will be it,” but it wasn’t like that. They took the money, but then they forced us to provide them free sex services again and give them money again. [They threatened] that if we even thought of moving they’d shoot us in the legs.*³⁴

³² Interview with a sex worker in Slovakia during the period September to December 2007.

³³ Interview with a sex worker in Ukraine, May 2009.

³⁴ Ibid.

In the Northwest district of Russia (including St. Petersburg), Siberia and Ukraine, sex workers reported that police gang-raped them. In Russia's Northwest district, four sex workers identified "subbotnik," that is, gang rape by police, as the number one threat to their safety.³⁵

A sex worker in Ukraine recounted her experience of kidnapping and rape by police:

*Every day of work in the sex business in our city is dangerous. It's not just the work with clients, but the lawlessness of police.... [One time] like every evening, I went out to the street to earn money. A foreign-made car with tinted windows pulled up alongside me and three drunk young men got out. They came up to me and started to insult me and curse at me and pull me into the car. After they dragged me into the car, they began to stick their badges in my face and punch me in the head with their fists. They drove me out to the edge of town, to a wooded area, and began to rape me and abuse me. This went on until sunrise. I finally managed to escape, barefoot and in my torn clothes. For two weeks afterward I was confined to bed, recovering from the assault. This was just one of many incidents of lawlessness by police. And it happens every day and no one speaks out against it.*³⁶

Sex workers in Bulgaria described similar incidents. One said that an officer "arrested" her, pushed in her into a car, and handcuffed her. He took her to an isolated location and then beat her on the legs with a truncheon, causing serious bruising. She said he forced her to "serve him" and then took her money and threatened to take her mobile phone. After this incident she said she was unable to work because she was afraid and covered in bruises.³⁷

Another sex worker in Bulgaria who experienced a similar attack was described as being "in shock" afterward and unable to speak much.³⁸

³⁵ Subbotnik is a Soviet era term that refers to "voluntary (but in fact obligatory) monthly civil service provided free of charge." (Central and Eastern European Harm Reduction Network, *Sex Work, HIV/AIDS and Human Rights in Central and Eastern Europe and Central Asia*, July 2005, p. 22.) In the context of sex work, the term "refers to sex workers being obliged to provide free sexual services to the police in exchange for limiting harassment or avoiding arrest. One woman is often forced to service more than one person, often without condoms." (Ibid.) The term has been used to refer to a spectrum of encounters, ranging from consensual sex with police to sex under duress to forced sex. Respondents to the questionnaire for the current study used the term to describe sexual encounters with police that were violent and non-consensual. In the current context, therefore, "subbotnik" should be understood as a reference to gang rape by police officers.

³⁶ Interview with a sex worker in Ukraine, May 2009.

³⁷ Interview with a sex worker in Bulgaria, May 2009.

³⁸ Interview with an NGO worker in Bulgaria, May 2009.

A sex worker in Serbia described her experience of sexual assault by police:

Two of my friends and I stopped by the highway. This happened at 4 am, when we were getting ready to go home. A Mercedes [with official license plates] stopped...the three [officers] got out and asked us for our IDs. My two friends gave them their IDs. I didn't want to. We argued a bit. They were drunk. When I refused to give them my ID, one of them told me to get into the car immediately. I realized what was going to happen, so I gave them my ID. While they were talking my friends ran away and they put me in the car. They took me to the woods... I had to give them oral sex, they assaulted me anally too. I was there until the morning. I cried and begged for them not to touch me, but they said that because my friends ran away I had to pay for it. When they let me go, they took me to a road, I cannot remember where. I was exhausted and pale and tired.... I went to the doctor, I wasn't ok. My stomach was hurting, my ovaries were hurting. I couldn't work. I was ill for about a month.³⁹

Police violence was found to be part of a wider pattern of police persecution of sex workers that also involves detention, harassment and extortion. Police often commit violence against sex workers in order to compel them to pay bribes, or as punishment for the failure to comply with police demands for money. In particular, in Kyrgyzstan, Ukraine, Russia (both Siberia and the Northwest district), Lithuania, Serbia and Macedonia, sex workers reported that police used physical violence, sexual assault, including rape and gang rape, and threats of further violence to enforce their demands for money and information from sex workers.

A sex worker in Siberia, Russia said:

They beat a fine for prostitution of 1500 Rubles out of me.⁴⁰

A sex worker in Slovakia said:

The police say to us, "You give us oral sex and we let you work," or, they said, if I don't provide them sex for free they would drive me away to some unknown place.⁴¹

Another sex worker in Slovakia also reported being forced to have sexual relations with a police officer:

The police officer said that if I didn't have sex with him for free, he would beat me.⁴²

³⁹ Interview with a sex worker in Serbia, May 2009. The incident reported in this interview took place in 2003.

⁴⁰ Interview with a sex worker in Siberia, Russia during the period September to December 2007.

⁴¹ Interview with a sex worker in Slovakia during the period September to December 2007.

⁴² Interview with a sex worker in Slovakia during the period September to December 2007.

An outreach worker in Bulgaria said police officers regularly threaten sex workers with arrest in order to force them to provide the officers with sex services for free. The outreach worker reported:

*Sex workers said that one of the police officers is very rude with girls and when they have sex with him he hurts them.*⁴³

Sex workers reported that police used violence as punishment against sex workers who failed to pay them the bribes they demanded.

In Ukraine, a sex worker said:

*If I don't pay the money, they threaten to beat me up, take my documents away, and force me to have sex.*⁴⁴

A sex worker in Siberia told researchers:

*If you don't pay the money, the police gang-rape you.*⁴⁵

Sex workers from a number of countries reported that police threatened them with rape or gang rape.

A sex worker in Serbia said:

*They threaten to beat me and rape me.*⁴⁶

A sex worker in Siberia, Russia said of police:

*They threaten that they will put sex workers to 'obshak,' or common use, when the whole police station gets to rape you.*⁴⁷

Another sex worker, from Russia's Northwest district, said of police:

*They threatened that they would take me to the sauna and that I would have to serve all of them.*⁴⁸

⁴³ Interview with an NGO worker in Bulgaria, May 2009.

⁴⁴ Interview with a sex worker in Ukraine during the period September to December 2007.

⁴⁵ Interview with a sex worker in Siberia, Russia during the period September to December 2007.

⁴⁶ Interview with a sex worker in Serbia during the period September to December 2007.

⁴⁷ Interview with a sex worker in Siberia, Russia during the period September to December 2007. Obshak is a slang term often used in prison and means the appropriation of any commodity or thing for collective use. In the context of sex work, it refers to the group rape of a sex worker.

⁴⁸ Interview with a sex worker in the Northwest district, Russia during the period September to December 2007.

A sex worker in Ukraine told researchers:

*They threaten to gang-rape me.*⁴⁹

Given the high levels of police violence and sexual assault that sex workers experience, such threats were often taken very seriously and tormented sex workers psychologically.

This study found that throughout the region police rape, beat and otherwise abuse sex workers with impunity. Sex workers report that they have little ability to hold police perpetrators of violence accountable for their crimes and little hope of obtaining state protection from such violence.

In some cases police appear to be committing violence against sex workers as part of a government policy to intimidate sex workers and “cleanse” them from certain areas. Police testimony suggested such a policy directive was behind violent police operations in a major city in Bulgaria. According to an NGO worker there, police had recently stepped up actions against sex workers and, without issuing any warnings of arrest, began beating them “furiously.” One police officer responsible for street security reportedly said that municipal officials had pressured him to take “stronger measures” with sex workers.⁵⁰

As detailed in this report, sex workers experience a range of abuses by police that take place in the context of raids or individual arrest and detention, including violations of due process, extortion, physical and sexual violence, and forced cleaning of the police station. In addition to these illegal abuses, sex workers also indicated that fundamental flaws in the legal system leave sex workers vulnerable to legal but aggressive police tactics that the sex workers regard as abusive.

Significantly, sex workers repeatedly cited arrest and detention itself as a form of “violence” with which police threatened them. Similarly, “being brought to the law” was frequently described as a safety threat. Even in cases when arrests were conducted in accordance with the law, sex workers identified interaction with police as a threat to their safety and well-being.

⁴⁹ Interview with a sex worker in Ukraine during the period September to December 2007.

⁵⁰ Interview with an NGO worker in Bulgaria, May 2009.

Violence Against Ethnic Minorities, Male Sex Workers, and Transgender Sex Workers

The police are violent every time they see me. They do terrible things to me. They tell everyone who is watching that I am a freak, that I am a boy who is dressed as a girl. Then they order me to undress.⁵¹

—A transgender sex worker

Members of easily identifiable ethnic minority groups, as well as male sex workers and transgender sex workers, were found to be particularly vulnerable to police violence and subject to discrimination by police both as sex workers and for their ethnic identity or gender expression.⁵²

Male sex workers appeared to be at particular risk of physical assault by police. Nine male sex workers were interviewed in five countries (Bulgaria, Latvia, Macedonia, Slovakia and Ukraine). These nine male sex workers reported lower rates of sexual violence by police than did their female peers, but cited higher rates of physical violence. While three out of nine male sex workers reported that during the past year police had sexually assaulted them, five out of nine reported that they had been physically assaulted by police during the past year.

One male sex worker said:

I live in fear. I suffer from police and thugs. They are violent and discriminate against us. I worry because we don't have rights.⁵³

Another male sex worker recounted his experience of ill-treatment by police:

It was psychological terror. They took me and my customer to the police station. He was released and they made me do push-ups and hug the toilet while they screamed and laughed at me.⁵⁴

⁵¹ Interview with a transgender sex worker during the period September to December 2007.

⁵² Information regarding the countries in which these interviews were conducted has been withheld in some cases to protect the identities of respondents, who belong to small and easily identifiable minorities in their countries.

⁵³ Interview with a sex worker during the period September to December 2007.

⁵⁴ Interview with a sex worker during the period September to December 2007.

Five transgender sex workers were interviewed in three countries (Macedonia, Serbia and Slovakia). Though the sample is small, it is worth noting that the five transgender sex workers interviewed faced higher levels of violence by police than their non-transgender peers. All of them reported that police had physically and sexually assaulted them.

Transgender sex workers also reported being the objects of public humiliation and taunting by police for their gender identity or expression. None of the transgender sex workers felt they could report violence against them to the police.

One transgender sex worker reported:

I still have nightmares about a time when the police attacked me, when I was under 18, for being transgender and a sex worker.⁵⁵

Sex workers who are also members of minority ethnic groups are at increased risk of harassment and abuse by police. Twenty-seven Roma sex workers were interviewed in Bulgaria, Macedonia, Serbia and Slovakia; four were transgender, two were male, and twenty-one were female. In Bulgaria, Macedonia and Serbia, Roma sex workers faced higher levels of physical violence by police than their non-Roma counterparts. In Macedonia, Serbia and Slovakia, Roma sex workers faced higher levels of sexual violence by police than their non-Roma counterparts. In Slovakia, Roma sex workers were more likely to report racist treatment by police.⁵⁶

One Roma sex worker in Slovakia described the compounded discrimination she faced when she turned to police to report a violent attack against her:

They gave me no respect because I am Roma, a sex worker and homeless.⁵⁷

⁵⁵ Interview with a transgender sex worker during the period September to December 2007.

⁵⁶ Roma sex workers in Slovakia were also more likely to describe attacks by skinheads as a major safety concern.

⁵⁷ Interview with a sex worker in Slovakia during the period September to December 2007.

Extortion

*In our country, the place of gangsters is taken by the police now.*⁵⁸

—A sex worker in the Northwest district of Russia

Research for this report found that police extortion of sex workers is rampant. Sex workers, often operating outside the law and with little or no social protection, are vulnerable to police demands for money, information, or forced sex.

As noted above, police extortion of sex workers is underpinned by police violence and threats of violence or arrest. In Russia, Ukraine, Kyrgyzstan, Lithuania, Serbia and Macedonia, sex workers reported a systemic pattern of police extortion that takes place during the course of police detention or harassment of sex workers and that is enforced through threats, beatings and rape.

A sex worker in the Northwest district of Russia said of police:

*They told me: “If you don’t pay the money, you go to subbotnik.”*⁵⁹

An NGO worker in Serbia reported seeing a female sex worker brutally beaten by a man:

*A few days later, the sex workers told us that the guy who was beating on the sex worker was a cop. She was late in paying him a percentage of her earnings.*⁶⁰

In Russia’s Northwest district 94.4% (17/18), in Kyrgyzstan 80% (16/20), and in Serbia 37.5% (3/8) of sex workers reported having to pay extortion money to police more than once a week. A number of sex workers in Kyrgyzstan and Russia reported having to pay police off on a daily basis, or even multiple times a day.

⁵⁸ Interview with a sex worker in the Northwest district, Russia during the period September to December 2007.

⁵⁹ Interview with a sex worker in the Northwest district, Russia during the period September to December 2007.

⁶⁰ Interview with an NGO worker in Serbia, May 2009. The incident described took place in 2007.

A sex worker in Kyrgyzstan explained the relationship between sex workers and police:

*We are their ATMs. They come and take our money all the time. When they want to buy new boots, some cognac, a present for the wife, they come and take even more money.*⁶¹

Sex workers reported that police illegally detained them and only released them if they paid a bribe. In some cases, police demanded that sex workers pay bribes in exchange for avoiding a formal fine or detention. In all countries, except the Czech Republic, Slovakia, and Poland, encounters with police frequently involved police extortion.⁶²

Sex Workers Who Experienced Police Extortion During the Past Year

Kyrgyzstan	100.0%	(20/20)
Russia (Northwest district)	90.0%	(18/20) ⁶³
Lithuania	80.0%	(16/20)
Macedonia	64.7%	(11/17)
Russia (Siberia)	60.0%	(12/20)
Serbia	44.4%	(5/8)
Latvia	42.9%	(9/21)
Ukraine	35.0%	(7/20)
Bulgaria	30.0%	(3/10)

In some cases, police persecution of sex workers occurred with such regularity that it appeared to have as its principal objective the collection of money.

As mentioned above, in many countries “fines” levied by police are indistinguishable from extortion, since they are undocumented and do not follow official guidelines regarding the permissible amount for fines. In fact, police “fines” can include demands

⁶¹ Interview with a sex worker in Kyrgyzstan, during the period September to December 2007.

⁶² Reported police extortion rates in these countries were: the Czech Republic, 4% (1/23); Poland, 0% (0/13); and Slovakia, 0% (0/20).

⁶³ Of those sex workers who worked on the street in Russia’s Northwest district, the rate of police extortion was 100% (18/18).

for an individual's valuables, such as jewelry or cell phones, and all the money a person has on him or her at the time. In Latvia, payment demanded by police often included cognac. This pattern of police extortion exists to varying degrees in all of the countries in this study, save Poland and the Czech Republic. In countries where police employ such practices and where bribes are typically referred to as "fines," the real rate of extortion of sex workers may be much higher than is reported. In Slovakia, for example, sex workers did not report being forced to pay bribes, but did report paying unofficial fines, which in fact amount to bribes.

One sex worker in Slovakia explained how police inflated fines, thus camouflaging extortion:

Policemen know which sex workers earn good money. When those sex workers go with customers, they are stopped by police immediately. They ask us for a fine. The level of fine depends on the exclusivity of the customer's car—if it is an expensive car, they ask for 5,000 SKK.⁶⁴

Another sex worker in Slovakia noted that police stop and fine people even without direct evidence of their involvement in sex work:

Police officers know me from the street and [that I am a sex worker] and this is enough for them to give me fines even if they do not catch me with a client.⁶⁵

Sex workers' heavy financial losses to police fines and bribes constitute a serious financial burden, particularly for sex workers living in poverty.

One sex worker and activist described the predicament many sex workers find themselves in:

You are standing on your spot on the street, and you are constantly raided and robbed by the police. With what you have left, you have to pay your rent, send money for your family back home, spend money on childcare, money for medical care. So, tea, bread and macaroni are all you can afford. And now the prices are rising very rapidly. Last year a small bread was less than 25 cents US, now it is a dollar.⁶⁶

⁶⁴ Slovak Koruna. 5,000 SKK is equal to about U.S. \$233. The maximum fine for prostitution allowed by law is 1,000 SKK (about U.S. \$46). Interview with a sex worker in Slovakia during the period September to December 2007.

⁶⁵ Interview with a sex worker in Slovakia during the period September to December 2007.

⁶⁶ Interview by Anna-Louise Crago with a sex worker and activist, Ukraine, May 2007.

Sex workers report high levels of abuse by spouses and partners. Financial hardship can impede sex workers' financial autonomy and restrict their ability to leave abusive situations.

Poverty can also lead to situations in which sex workers are more likely to pay daily for precarious accommodation at a much higher rate than they would be charged otherwise.⁶⁷ Financial problems can also place sex workers at risk of being thrown out of their homes, or of losing their belongings if they do not have sufficient funds to pay for housing.

The financial hardship created by repeated police extortion can put sex workers at greater risk of violence and disease. Sex workers in bad financial straits may resort to seeing an increased number of clients in order to make up income lost to police bribes. As discussed later in this report, sex workers experiencing financial hardship may also accept clients under more dangerous conditions than they would otherwise agree to.

Research showed that in Macedonia and Slovakia, in addition to extorting sex workers, police also demand bribes from sex workers' clients. Clients targeted for extortion are also at risk of police violence. This was particularly the case for clients of male or transgender sex workers.

Illegal Arrest and Detention and Violations of Due Process

The police beat you up, demand money and will detain you until you pay.⁶⁸

—A sex worker in Kyrgyzstan

Police abuse their power and official positions by illegally arresting and detaining sex workers. Throughout the region, officers employ arrest and detention as tools for the

⁶⁷ Sex workers who pay daily for accommodation in cheap motels or hotels are at risk of being thrown out at the discretion of management if they have not paid, or even without cause. In such situations, sex workers have no tenants' rights.

⁶⁸ Interview with a sex worker in Kyrgyzstan during the period September to December 2007.

extortion of sex workers, as punishment of sex workers who rebuke their demands for money or sex, and as a means of isolating and controlling sex workers in order to physically and sexually abuse them. Even in cases where there are legal grounds for the detention of sex workers, police commit serious violations of due process and routinely abuse sex workers in custody.

Sex workers reported that police subjected them to illegal detention, including detention without officially charging them with a crime. In some locations police have attempted to cover up their actions, and circumvent laws requiring that charges against detainees be brought promptly, by repeatedly moving detained sex workers from one police station to another.

In many cases so-called police detention is in fact the kidnapping of sex workers. In Bulgaria and Slovakia, sex workers reported that being “detained” by police entailed being forced into a police car and driven outside the city and left there, or being brought to an isolated location. One sex worker in Bulgaria reported the police took her and threw her in a river.

With few exceptions, sex workers in the region painted a picture of police as operating outside the law. Sex workers repeatedly referred to the common police practice of using arrest and detention on prostitution-related charges, or threats of arrest, as a way to force sex workers to pay bribes or submit to sexual violence. Sex workers said police also arrested them as punishment when sex workers refused to submit to extortion or violence.

A sex worker in Macedonia said of one officer:

He tells me if I don't give him money every day, he will arrest me for prostitution.⁶⁹

Police also subjected sex workers to arrest on fabricated charges, such as drug possession. In some cases police used detention under falsified charges to isolate and exert control over sex workers in order to gang-rape or otherwise sexually assault them.

A sex worker in Ukraine said of police:

They threatened to plant drugs on me and charge me.⁷⁰

⁶⁹ Interview with a sex worker in Macedonia during the period September to December 2007.

⁷⁰ Interview with a sex worker in Ukraine during the period September to December 2007.

Throughout the region it was reported that police use the threat of arrest on fabricated charges to extort money or sex or to compel sex workers to inform on others who are involved in sex work or who use drugs.

A sex worker in Lithuania reported:

They force me to say who uses drugs, they threaten to lock me up in prison and then they fine me.⁷¹

Another sex worker in Lithuania described how police use detention to extort money:

If I do not pay, then they bring a criminal case against me and they shut me in the KPZ.⁷²

A sex worker in Russia's Northwest district also reported the connection between detention and extortion:

You will be taken to the police station every time until you pay [them] off.⁷³

Sex workers reported that police routinely physically and sexually assaulted them in detention.

A sex worker in Ukraine reported that police single out sex workers who are drug users for particularly harsh abuse:

Police express discrimination against sex workers who are using drugs when they treat them with more aggression and disdain compared to those who don't use. They can be purposefully held in the police station for several days (especially since most do not have registration). The police taunt them when they start going into withdrawal and are not feeling well. They can be blackmailed and they can be offered drugs in exchange for information or for confessing to things they haven't done.⁷⁴

Police also "confiscated" sex workers' money and valuables, extorted information from sex workers, and threatened to publicly disclose that they engage in sex work. In some cases, police forced detained sex workers to do unpaid labor, such as cleaning or painting the police station.

⁷¹ Interview with a sex worker in Lithuania during the period September to December 2007.

⁷² Temporary detention facility. Interview with a sex worker in Lithuania during the period September to December 2007.

⁷³ Interview with a sex worker in the Northwest district, Russia during the period September to December 2007.

⁷⁴ Interview by Anna-Louise Crago with a sex worker from Ukraine, Ukraine, May 2007.

Sex Workers Who Were Forced to Clean the Police Station While in Police Custody During the Past Year

Bulgaria	80.0%	(8/10)
Kyrgyzstan	55.0%	(11/20)
Russia (Siberia)	50.0%	(10/20)
Russia (Northwest district)	45.0%	(9/20)
Macedonia	29.4%	(5/17)
Ukraine	25.0%	(5/20)
Latvia	19.0%	(4/21)

Police also abuse their official positions to harass and control sex workers. For instance, police used profiling to target sex workers for frequent identity checks and disproportionately subjected them to fines or detention for minor infractions. Such discriminatory enforcement of the law functions as a form of control and intimidation of sex workers.

One sex worker in Slovakia recalled:

*The same policemen check my ID six or more times in one hour.... They ask for my ID all the time during my everyday movements on the streets.*⁷⁵

Several sex workers in Ukraine said they had been wrongfully issued citations by police numerous times.⁷⁶

It is a particularly bitter irony that the victims of police violence are confronted with the specter of detention by the very people perpetrating crimes against them. Abusive police are able to use detention and threats of detention or arrest to reinforce their control over sex workers and ensure that sex workers are unable to hold officers accountable for the crimes they commit.

A sex worker in Macedonia described the situation, saying:

*Police say to us that if we tell anybody that they take money from us or that they take free sex, they will put us in jail.*⁷⁷

⁷⁵ Interview with a sex worker in Slovakia during the period September to December 2007.

⁷⁶ Interviews with three sex workers in Ukraine, May 2009.

⁷⁷ Interview with a sex worker in Macedonia during the period September to December 2007.

Forced Testing for HIV and STIs

Mandatory testing of sex workers sends the message that safer sex is only the responsibility of sex workers, but clients also need to take responsibility for taking care of sexual health.⁷⁸

—An NGO worker in Bulgaria

Once in police custody, sex workers are vulnerable to additional coercive measures by authorities. In Latvia, Kyrgyzstan and Ukraine sex workers reported being forced to undergo testing for HIV or sexually transmitted infections (STIs) after being detained by police.

In Latvia, 38.1% (8/21) of sex workers reported that authorities tested them for STIs against their will. Latvia requires sex workers to undergo monthly medical exams in order to be able to work legally. Those who fail to undergo the medical exam are penalized with an administrative fine; if a person has several breaches during one year, police can charge him or her with a criminal offense.

Staff of NGOs that work closely with sex workers point to the discriminatory nature of such regulations.

In Kyrgyzstan, 35% (7/20) of sex workers reported being tested for HIV or other STIs against their will after being picked up by police. An NGO staff member and sex worker in Kyrgyzstan reported that the threat of nonconsensual medical testing is a mechanism that is sometimes used by police to leverage extortion money.

In Ukraine, 25% (5/20) of sex workers reported that authorities subjected them to testing for HIV or other STIs against their will. In Bulgaria, 30% (3/10) of sex workers reported being told they would be tested for HIV by authorities, but only 1 sex worker reported actually being tested.

None of the survey respondents in Macedonia reported being subjected to mandatory testing. However, on November 20, 2008, subsequent to the completion of the survey for this report, police in Macedonia arrested more than 30 people and held them in custody overnight on charges of suspicion of “involvement in prostitution”

⁷⁸ Interview by Anna-Louise Crago with an NGO worker from Bulgaria, Ukraine, May 2007.

(a misdemeanor). On the following day, the detainees accused of being sex workers were subjected to forcible testing for HIV and hepatitis B and C. As of this writing, seven women who tested positive for hepatitis C face criminal charges by Macedonia's Ministry of Interior for allegedly "transmitting an infectious disease."⁷⁹

Mandatory HIV testing contravenes the International Guidelines on HIV/AIDS and Human Rights, issued by the Office of the United Nations High Commissioner for Human Rights and UNAIDS. These guidelines point out that mandatory testing of vulnerable groups, such as sex workers, is often discriminatory, can restrict an individual's right to privacy, and is an ineffective public health measure that can dissuade people from accessing HIV prevention and treatment services.⁸⁰ Human rights groups have also argued that mandatory HIV and STI testing of sex workers contravenes the rights to health and privacy.⁸¹

Outings and Media Shamings

They threaten to tell my relatives, colleagues at my work place, and to show my picture on TV.⁸²

—A sex worker in Kyrgyzstan

⁷⁹ To date, police and prosecutors have not disclosed evidence that would support the allegation of any transmission, as required by Macedonian law.

⁸⁰ The International Guidelines on HIV/AIDS and Human Rights (2006) state: "The right to privacy is known to have been restricted through mandatory testing and the publication of HIV status and the right to liberty of person is violated when HIV is used to justify deprivation of liberty or segregation. Although such measures may be effective in the case of diseases which are contagious by casual contact and susceptible to cure, they are ineffective with regard to HIV since HIV is not casually transmitted. In addition, such coercive measures are not the least restrictive measures possible and are often imposed discriminatorily against already vulnerable groups. Finally, and as stated above, these coercive measures drive people away from prevention and care programmes, thereby limiting the effectiveness of public health outreach." <http://www2.ohchr.org/english/issues/hiv/guidelines.htm>.

⁸¹ Open letter from the Canadian HIV/AIDS Legal Network and Human Rights Watch to the Government of Macedonia regarding the detention, compulsory medical testing and criminal prosecution of alleged sex workers, December 17, 2008. <http://www.aidslaw.ca/publications/publication-docEN.php?ref=908>.

⁸² Interview with a sex worker in Kyrgyzstan during the period September to December 2007.

Sex workers report that police abuse their official positions by making public, or threatening to make public, information about sex workers' occupation.

In Kyrgyzstan, Lithuania, Russia and Ukraine, sex workers reported being extorted by police who demanded money or sex in exchange for not revealing information about sex workers' occupation, drug use, sexual orientation, or gender identity. Police specifically threatened to make public sex workers' occupation in their home communities or to have their children taken away from them by the state. In the case of migrant sex workers, police threatened to disclose that they were sex workers to people in their home countries prior to deporting them.

A sex worker in Siberia, Russia said:

*They say that my child and parents in the village will be told about my occupation.*⁸³

Another sex worker in Siberia reported:

*They say that they will tell people about my occupation at school or at my children's kindergarten.*⁸⁴

Police routinely carried through on such threats to "out" sex workers in their communities or to relatives. Private information about sex workers and photographs of sex workers taken by police, or by media who were invited to witness the detention of sex workers, have been broadcast or published in the news. In Bulgaria 90% (9/10), in Russia (Siberia) 35% (17/20), and in Latvia 28.5% (6/21) of sex workers reported that police disclosed private information about them or made public photos gathered during the course of police raids.

Such outings sensationalized police action against sex workers and functioned as a form of public shaming and humiliation of sex workers. In addition, revelations about individuals' involvement in sex work put them at increased risk for discrimination and violence by relatives and members of the community. These outings also served to further isolate sex workers and bring them more fully under police control, increasing police officers' ability to extort and abuse them.

⁸³ Interview with a sex worker in Siberia, Russia during the period September to December 2007.

⁸⁴ Interview with a sex worker in Siberia, Russia during the period September to December 2007.

Consequences of Police Violence and Crackdowns on Sex Workers

Increased Risk of Violence by Non-State Actors

This study found that police violence fuels violence against sex workers by others from the general population.

The application of policies and laws meant to eradicate or repress prostitution further facilitates violence against sex workers. The threat of arrest, harassment, extortion and violence by police pushes many sex workers into isolated areas, such as rural highways and places far from city centers, and this in turn increases their vulnerability to violence by both police and civilian assailants, and cuts them off from vital support services.

In addition, sex workers reported that fear of the police forces them to undertake rushed negotiations with clients and forego processes for screening out aggressive, drunk or potentially violent clients.

A sex worker in Macedonia explained:

*We are not able to choose customers carefully. We do not have a legal profession so we cannot work like professionals.*⁸⁵

⁸⁵ Interview with a sex worker in Macedonia during the period September to December 2007.

In some contexts, the threat of police violence and arrest may impede sex workers' ability to work autonomously by making it necessary to work under the protection of a boss or spouse. This can leave sex workers vulnerable to violence or loss of control over their own work in cases where bosses or spouses are abusive.

Additionally, sex workers reported that their lack of access to police protection creates a climate of impunity for crimes against them and has made them easy and frequent targets of violent assailants from the general population. This is, in part, reflected in the very high levels of physical and sexual violence sex workers in all countries reported by people such as clients, bosses, partners, drunk hooligans, thugs, skinheads, and other unidentified civilian assailants (passers-by).

Sex workers in nine of the twelve locations where the survey was conducted reported that, of the non-state actors, clients were the primary perpetrators of violence against them; with the exception of Macedonia and Siberia, Russia, where thugs were cited as the most common assailants, and Poland, where boyfriends or husbands were the primary perpetrators of violence.

Thugs were reported as being among the main perpetrators of violence against sex workers in Latvia, Lithuania, Macedonia, Serbia and Ukraine. Thugs often used violence to coerce sex workers to give them money. Sex workers in Macedonia and Serbia reported particularly high rates of extortion by thugs.⁸⁶

In cases where sex workers working indoors faced high levels of sexual and physical violence by clients, they attributed this to working environments that did not have safety measures in place and the lack of cooperation from management to support sex workers' ability and right to refuse certain clients or to provide certain services.

Sex workers identified stigmatization of sex work as further fueling sexual and physical violence against them and creating conditions of impunity for the perpetrators. In particular, they cited the common "sexist attitude that 'sex workers can't say no'"—a variant on the idea that any woman who engages in sexual relations outside of marriage is "asking for" rape. Sex workers reported that such attitudes were used by attackers to justify their actions, as well as by law enforcement officials to justify their refusals to investigate crimes against sex workers.

⁸⁶ Extortion by thugs was reported by 82.4% of sex workers in Macedonia and 75% of sex workers in Serbia.

Violence by Non-State Actors Against Male and Transgender Sex Workers

As noted previously, male and transgender sex workers are frequent and particularly vulnerable targets of police violence. Research revealed that civilians from the general population also frequently attack sex workers from these groups. The majority (6/9) of male sex workers interviewed reported physical violence by people other than police during 2007. Perpetrators of violence included clients, thugs, skinheads, and a boyfriend. The majority (6/9) of male sex workers interviewed also reported sexual violence by people other than police, including clients and thugs. A number of male sex workers explicitly expressed fear of homophobic attacks or extortion.

All transgender sex workers interviewed for this report had been sexually assaulted by civilians as well as police in 2007. Perpetrators of sexual violence against transgender sex workers were thugs (5/5) and clients (4/5). During 2007, four out of five transgender respondents experienced physical violence by someone other than a police officer. Perpetrators were: thugs (4); clients (3); male bosses (2); and boyfriends/husbands (2).

Increased Risk of HIV

Police take all the condoms that we have.⁸⁷

—A sex worker in Macedonia

Police violence and harassment were found to put sex workers at increased risk of HIV infection. Sexual violence committed by police against sex workers puts sex workers at direct risk of HIV infection. Police also expose sex workers indirectly to risks by confiscating condoms to use as “evidence” of sex work, forcing sex workers to rush or skip negotiations about condom use with their clients, and financially burdening sex workers with police fines and demands for bribes, which can create situations in which sex workers sacrifice condom use for the increased income of unprotected sex. State failure to halt police crackdowns and violence puts sex workers at higher risk of sexual violence, including rape, and violent coercion to forego the use of condoms. These also pose a direct risk of HIV transmission.

⁸⁷ Interview with a sex worker in Macedonia during the period September to December 2007.

Sex workers' ability to use condoms is compromised by police persecution. Carrying condoms becomes a liability when they are used by police as evidence of prostitution.

A sex worker in Macedonia reported that police treat condoms as evidence of unlawful behavior:

The police stop me and look in my bag, and when they find many condoms they say "come with me to the police station, you are doing prostitution." And for this reason I cannot take many condoms with me.⁸⁸

When sex workers are forced to abandon carrying condoms in order to avoid arrest, they are at increased risk of HIV.

Confiscation of condoms was reported by sex workers in Macedonia and Serbia.

In addition, the financial burden of police fines and demands for bribes can restrict sex workers' choices and contribute to their decision to sacrifice condom use for increased revenue.

One sex worker in Macedonia explained:

The new cost of fines in Macedonia is between 400 and 800 Euros. It is a very high price and to afford to pay this money to the government, I must go with any client who likes me, with or without a condom.⁸⁹

The threat of police violence, arrest or extortion can also force rushed negotiations with clients and lead to unsafe sex.

Another sex worker in Macedonia said:

We must work fast so the police do not see us, because if they see us we must pay a lot of money, and police can be violent to us. The police leave us no time to be able to choose clients, so sometimes you get in a car with a client and he does not want to use condoms.⁹⁰

⁸⁸ Interview with a sex worker in Macedonia during the period September to December 2007.

⁸⁹ Interview with a sex worker in Macedonia during the period September to December 2007.

⁹⁰ Interview with a sex worker in Macedonia during the period September to December 2007.

Finally, police harassment, detention and violence can push sex workers into isolated and unsafe areas without access to HIV prevention and treatment services or outreach programs that distribute free condoms.

Homelessness, Deportation and Family Separation

Sex workers and NGO activists reported that police crackdowns, including mass raids, can trigger events that lead sex workers to become homeless or separated from their families.

Sex workers were made homeless when they could not afford to pay police extortion money and had to resort to giving up their homes. They also were made homeless when they were imprisoned for long periods, deported to another country following a police raid, or when family members learned of their occupation and threw them out.

In one case reported by an NGO activist in Ukraine, a sex worker was forced to sell her home quickly under the threat that she would be incarcerated on criminal charges if she did not pay a large bribe to police. Her home was then bought at a very low price by a police officer.⁹¹

Homelessness increases the vulnerability to violence for both sex workers and their children.

Migrant sex workers are at risk of deportation following police raids. Such uprooting can lead to family separation, loss of income and belongings, difficulty re-entering the country legally, and being thrown into precarious living conditions.

A few respondents spoke of losing custody of their children to the state following police raids. In many countries, custody of children, once lost, is extremely difficult to regain; such a process can require a great deal of time and legal assistance. Family separation also occurred when sex workers were detained for long periods of time.

⁹¹ This case was also reported in SWAN News. Sex Workers Report: Ukraine “Police are one of the main problems,” Issue 17, February–March 2008. <http://www.swannet.org/node/9070>.

Obstacles to Obtaining Justice and Safety

Police violence impedes sex workers' access to justice and legal protection. Police failure and outright refusal to act to protect sex workers who are victims of violent crime, the intimidation of victims, and corruption help create an environment in which violence against sex workers is tolerated and even condoned. As a result, abusers are rarely held accountable and violence continues unabated. Sex workers' mistrust of the justice system and fear of police further hinder their ability to access protection and hold their abusers accountable. Many sex workers cited their own previous negative experiences or those of colleagues as substantiating their fears. The risk of being arrested for sex work as a consequence of filing a complaint about abuse is a factor that further inhibits sex workers' access to justice.

Fear of Police and Distrust of the Justice System

I didn't report the violence that happened to me because they won't punish themselves!⁹²

—A sex worker in Kyrgyzstan

Police violence against and mistreatment of sex workers severely compromises sex workers' ability to report violence against them, whether committed by a police officer or a civilian.

⁹² Interview with a sex worker in Kyrgyzstan during the period September to December 2007.

Few sex workers said they felt they could report violence against them to the police. Sex workers stated that persecution and abuse by police make them unlikely to turn to law enforcement authorities for assistance when they experience violence by police officers or others, including thugs, clients, husbands or boyfriends. The lack of confidence in police as protectors, and reticence on the part of sex workers to report violence to police, further exacerbate a climate of impunity for crimes against sex workers.

Sex Workers Who Felt They Could Report Violence Against Them to the Police

Serbia	0.0%	(0/8)
Lithuania	0.0%	(0/20)
Macedonia	0.0%	(0/17)
Ukraine	15.0%	(3/20)
Latvia	19.0%	(4/21)
Russia (Siberia)	20.0%	(4/20)
Slovakia	35.0%	(7/20)
Kyrgyzstan	35.7%	(5/14)
Bulgaria	20.0%	(4/20)
Czech Republic	43.5%	(10/23)
Russia (Northwest district)	55.0%	(11/20)
Poland	61.5%	(8/13)

The most frequent reasons cited by sex workers across all countries for not reporting violence to the police were fear of police mistreatment, fear that reporting violence to the police would put them in worse danger (from police or a civilian perpetrator), and fear of arrest. Sex workers also feared that by reporting violence committed against them, they would essentially be outing themselves to police and thereby revealing themselves as vulnerable targets for future police harassment, extortion and abuse.

Many sex workers reported that they feared that they would be placed in danger if they reported violence against them. They particularly feared violence by police if they were attempting to file a report against a fellow police officer.

When sex workers did turn to police for help, they were met with dismissive and disparaging treatment, creating a dynamic of mistrust and fear.

One sex worker in Kyrgyzstan said of the police department:

*There is no use in going there. We are not treated like human beings.*⁹³

Some sex workers pointed to collusion between police and civilian perpetrators of violence, such as thugs or abusive bosses or spouses, as an obstacle to justice.

Testimony provided by a sex worker from Kyrgyzstan illustrated how police corruption can mean that a sex worker who tries to report a crime can end up at risk:

*The violent clients you report can pay off the police and then you are the one who will be charged.*⁹⁴

Generally, sex workers had little confidence in the potential to obtain access to police protection, including protection against possible retaliation by an aggressor.

When police themselves are the perpetrators of violence, sex workers are at risk of renewed police violence, are particularly skeptical about their ability to access justice, and are reluctant to turn to the police for help.

A sex worker in Slovakia explained her initial reluctance to report police corruption and abuse, saying:

*"I was afraid, he had a uniform, he could do what he wanted and there was nobody on my side who could help me."*⁹⁵

Another sex worker in Slovakia testified about the compounded difficulty of reporting violence perpetrated by police officers:

*I would not go [to the police] because of the bad experience of other sex workers and I don't believe that when they extort me to have sex with them for free they will protect me.*⁹⁶

⁹³ Interview with a sex worker in Kyrgyzstan during the period September to December 2007.

⁹⁴ Interview with a sex worker in Kyrgyzstan during the period September to December 2007.

⁹⁵ Interview with a sex worker in Slovakia, May 2009. Significantly, this sex worker later decided to report physical abuse and theft by a police officer when fellow officers asked her to come forward and bring charges against their colleague.

⁹⁶ Interview with a sex worker in Slovakia during the period September to December 2007.

A sex worker in Ukraine echoed this lack of faith in police as protectors, given their role in abuse. This sex worker had experienced unlawful detention and abuse by officers in the past. She said:

*If this is how the police themselves behave, how can you call on them [for help] and to whom can you complain?*⁹⁷

Police Refusals to Provide Protection and Access to Justice

*They told me it was my fault when I was attacked and that I provoked that man.*⁹⁸

—A sex worker in Slovakia

When sex workers turn to police for help, police often refuse to register or investigate their complaints and effectively block sex workers' access to justice and safety. Sex workers expressed a great sense of futility about reporting violence against them to the police. They said that police insulted and ignored them when they attempted to file complaints. In some cases police outright refused to intervene.

A sex worker in Siberia, Russia said:

*The police don't register my report.*⁹⁹

A sex worker in Slovakia said:

*Policemen ignore situations when I'm attacked.*¹⁰⁰

⁹⁷ Interview with a sex worker in Ukraine, May 2009. This sex worker had been detained without explanation and physically and psychologically abused by police in 2007 or 2008.

⁹⁸ Interview with a sex worker in Slovakia during the period September to December 2007.

⁹⁹ Interview with a sex worker in Siberia, Russia during the period September to December 2007.

¹⁰⁰ Interview with a sex worker in Slovakia during the period September to December 2007.

A sex worker in Serbia who was gang-raped by police officers said she encountered resistance when she tried to report the incident to an inspector at the local police station:

*They didn't believe me, they said I was lying... [now] I don't have any trust in the police. I am afraid of them and I don't believe in them. They would never be on our side. They will always be on their colleagues' side.*¹⁰¹

A sex worker in Ukraine told researchers:

*The police never punish violent clients. They aren't ever charged with anything.*¹⁰²

A sex worker in Slovakia recalled a particularly disturbing incident when a police officer witnessed violence against a sex worker, but failed to intervene to stop it:

*There is no help. Once my friend was beaten by two guys with a baseball bat and the policeman just looked at them and didn't do anything, even when we screamed at him and knocked on his car door.*¹⁰³

A sex worker in Serbia said police actually became violent when a fellow sex worker turned to them for help:

*Once [the police] beat her up in the middle of the street in front of everyone, because she asked for help. She was with a client who was drunk, and he was running after her to beat her up. The special police force was parked by the street, and she ran to them to ask for help, but nothing... this is normal here.*¹⁰⁴

It was commonly reported, in a range of countries, that police told sex workers attempting to report violence, particularly attacks by clients, that the violence they suffered was “your fault for being a prostitute.”

One sex worker in Kyrgyzstan recalled police refusals to help a friend who had been the victim of a crime:

*My friend was not helped and [was] told it was her own fault.*¹⁰⁵

¹⁰¹ Interview with a sex worker in Serbia, May 2009.

¹⁰² Interview with a sex worker in Ukraine during the period September to December 2007.

¹⁰³ Interview with a sex worker in Slovakia during the period September to December 2007. Notably this attack took place in an area that has seen at least nine murders of sex workers in recent years. Crago, A-L., *Our Lives Matter: Sex Workers Unite for Health and Rights*, Open Society Institute, New York, 2008.

¹⁰⁴ Interview with a sex worker in Serbia, May 2009.

¹⁰⁵ Interview with a sex worker in Kyrgyzstan during the period September to December 2007.

Police were particularly unlikely to investigate cases of rape of sex workers.

As one outreach worker put it:

*The police suggest it's not possible to be raped when somebody works as a sex worker.*¹⁰⁶

This attitude was manifest in the police response to an attack that took place in Slovakia. A pregnant sex worker was raped and she and another sex worker called the police to report the incident. The police came, but, according to an outreach worker familiar with the case, they were more interested in investigating whether or not the sex workers were drug users than in finding the woman's rapist:

*It was just a few minutes after this customer ran away and they had a pretty good description of him. Unfortunately, the police officers were only interested in whether they [the sex workers] use drugs.... So, instead of running around the block of flats and looking for the attacker, they simply went with the sex workers to the police station and took their blood for drug analysis. The woman who was raped was not given a medical examination [or meeting with a] psychologist or somebody. The results of the drug tests showed they were not drug users...but anyway nobody really investigated the case.*¹⁰⁷

Police Threats and Intimidation

*The police officer said to me, "When was the last time your face got smashed up?"*¹⁰⁸

—A sex worker in Russia's Northwest district

In addition to using threats to coerce sex or money from sex workers, police also use threats and intimidation to frighten and silence sex workers in order to protect themselves from being held accountable for the abuses they commit.

¹⁰⁶ Interview with an NGO worker in Slovakia, May 2009.

¹⁰⁷ Interview with an NGO worker in Slovakia, May 2009.

¹⁰⁸ Interview with a sex worker in the Northwest district, Russia during the period September to December 2007.

The cycle of recurring police violence, extortion, harassment and detention means that many sex workers work and live in a climate of fear. The situation can appear particularly bleak and fraught with danger when police threats reinforce the violent control that officers exert over sex workers and make the prospect of stopping the violence and obtaining protection or justice appear out of reach.

One sex worker in Macedonia described how police violence and threats leave sex workers feeling helpless and unable to hold their abusers accountable:

*The policeman raped me. He told me nobody would believe me if I told and that he can rape me every time he sees me.*¹⁰⁹

Abusive police appear conscious of their power to abuse sex workers with impunity.

One sex worker in Kyrgyzstan reported:

*The police officer told me, “You will slave for me your whole life.”*¹¹⁰

A series of incidents involving another sex worker in Kyrgyzstan revealed the extent to which police regard themselves as being above the law, even when a sex worker is courageous enough to report abuse to authorities. NGO workers reported the case of a sex worker they referred to as “Saltanat,”¹¹¹ who reported police extortion to national security authorities and helped them to catch the corrupt officer, who was demoted as a consequence. In retaliation, local police beat her severely and detained her. Upon her release, Saltanat filed charges against her abusers. The local police again retaliated by falsifying a case against her for alleged assault of a female pimp. When the case faltered, the police kidnapped Saltanat and took her to a wooded area on the outskirts of Kyrgyzstan’s capital, Bishkek. According to the NGO report:

*There they tear off Saltanat’s clothes, beat her unmercifully again and leave her. [One officer said], “We can do whatever we want with you. We are the law. Even if we kill you and throw into the ditch—you are a hooker, no one gives a fuck about you, no one will look for you.”*¹¹²

¹⁰⁹ Interview with a sex worker in Macedonia during the period September to December 2007.

¹¹⁰ Interview with a sex worker in Kyrgyzstan during the period September to December 2007.

¹¹¹ A pseudonym.

¹¹² Electronic communication from an NGO in Kyrgyzstan, based on long-term monitoring of the case.

A sex worker in Serbia also came up against police officers' sense of impunity when she confronted an officer who had been among a group of policemen who gang-raped her and continued to harass her:

*I asked them why they were calling me and harassing me. [I said] that I was going to report him, and he said I should. "You can't do anything to me" is what he said.*¹¹³

This sex worker also described another incident in which police abused and threatened her:

*Two police officers came and asked us for our IDs.... they took me away and beat me with batons, put a gun in my mouth.... They told me they didn't ever want to see me there again, not to report it, that if I reported it I would be fucked.*¹¹⁴

Working and living in fear affects sex workers' sense of well-being and safety in the world.

A male sex worker in Macedonia said:

*I fear for my life. Are my children going to see me alive again? I have these thoughts every day when I go to work, especially when I see the police, then I am even more afraid.*¹¹⁵

¹¹³ Interview with a sex worker in Serbia, May 2009. This incident took place in 2003.

¹¹⁴ Interview with a sex worker in Serbia, May 2009.

¹¹⁵ Interview with a sex worker in Macedonia during the period September to December 2007.

None of the countries in this study use criminal law to penalize the individual sale of sexual services. Instead, in Ukraine, Macedonia, Russia, Lithuania, and Serbia sex work is an administrative offense punishable by fine or, under certain circumstances, imprisonment. In Serbia, administrative penalty for sex work entails up to 30 days of detention. In Lithuania, repeat offenses also carry a prison term. In Ukraine, those who fail to pay administrative fines also face possible imprisonment.

In Latvia, individual prostitution is legalized with many restrictions. For example, sex work is not allowed in groups, outside of designated areas, without proof of a monthly medical exam, or where minors might be present. Failure to comply with these restrictions is an administrative offense punishable by a fine. If restrictions are violated more than once a year, it is a criminal offense punishable by arrest or a fine.

In addition to establishing penalties for sex work, laws in most countries also allow for prosecution of sex workers for offenses related to sex work. For instance, sex workers who work together in a common environment or home may face charges of pimping or brothel-keeping. Brothel-keeping is a criminal offense in Bulgaria, Russia, Ukraine, Latvia and Kyrgyzstan and is an administrative violation punishable with imprisonment if the offense is repeated in Lithuania and Serbia. The penalties for offenses related to sex work can be harsh and have serious repercussions on sex workers' lives. In Kyrgyzstan, for example, brothel-keeping is penalized by a fine or 2 to 5 years in prison and confiscation of property. It is also notable that the criminalization of brothels plays an important role in shaping the sex industry by reducing the number of legal, and potentially safer, working environments. In all countries covered in this study, except Kyrgyzstan, pimping (generally defined as profiting from someone else's sex work) is criminalized. Additionally, all countries except the Czech Republic criminalize recruiting someone to do sex work.

The Czech Republic, Poland and Slovakia are the only countries covered in this study that neither punish individual sex work nor brothel-keeping. Some municipalities in Slovakia and the Czech Republic have, however, passed by-laws against prostitution that allow for the levying of administrative fines.

Creating Positive Precedents: Poland and the Czech Republic

*The police are reliable and I can expect help from them.*¹¹⁶

—A sex worker in Poland

The high levels of violence that sex workers experience in the work place, in police custody, and at home underscore the urgent need for respectful and pro-active police protection. Access to police protection cannot be realized, however, as long as there is an adversarial relationship between law enforcement and sex workers.

SWAN's survey found that where there is an absence or infrequency of police harassment, detention, fines and extortion of sex workers and low levels of police violence, sex workers experience better access to justice and legal protection. The Czech Republic and Poland offer positive examples of successful police protection of sex workers. The experiences of police officers and sex workers in these countries can serve as a guide for authorities in other countries interested in ending abuses against sex workers and improving the quality of police work.

In the Czech Republic and Poland sex workers reported good relations with police and said there were few incidents of police violence. In particular, respondents in Poland

¹¹⁶ Interview with a sex worker in Poland during the period September to December 2007.

reported positive interactions with police and confidence in their ability to turn to them for protection and access to justice.

One sex worker from Poland said police treat sex workers with respect and that, in the city in which she works, relations with police are particularly good:

Violence against sex workers exists—rapes, assaults by clients. But in each case, sex workers know that we can call the police—and we do. We even call the police if clients want to leave without full payment! There is a clear message sent from the police to sex workers: “If you are in trouble, just call us.”¹¹⁷

Of all sex workers surveyed, sex workers in Poland felt they had the greatest ability to report crimes to police, and those in the Czech Republic had the third highest ability.

One sex worker said that respectful outreach by Polish police convinced her that the police could be trusted:

I had bad experiences with police when I worked in Odessa [a city in Ukraine]. I was afraid of Polish police too, but other girls showed me they are reliable. One police officer visits us together with a doctor and a social worker and tells us about our rights.¹¹⁸

In Poland, sex workers’ confidence that they could turn to the police for protection and access to justice was attributed in part to the lack of police persecution and fines against them for sex work. The Czech Republic and Poland had the lowest levels of police fines reported by sex workers of all surveyed countries.

Close observers of laws regulating sex work in the region point out that, although a number of countries do not use the criminal law to penalize sex work,¹¹⁹ it is significant that officials in the Czech Republic have been less zealous than their counterparts elsewhere in using administrative offenses to go after sex workers. The absence of an emphasis on punishment of sex work has resulted in a reduction in police abuse of sex workers.

¹¹⁷ Interview by Anna-Louise Crago with a sex worker from Poland, Ukraine, May 2007. This sex worker was careful to point out that the good relations between sex workers and police in her city do not necessarily exist in all cities in Poland.

¹¹⁸ Interview with a sex worker in Poland during the period September to December 2007.

¹¹⁹ See information provided in the textbox accompanying this section.

Notably, an improvement in police treatment of sex workers in the Czech Republic came about following a scandal over the murder of a local sex worker. An NGO activist working closely with sex workers said that this incident sparked senior authorities to put pressure on police to become more accessible to sex workers seeking to report violence.

Compared with the examples of Poland and the Czech Republic, sex workers' experience of police behavior in Slovakia was decidedly mixed. However, the testimonies of the following three sex workers from Slovakia illustrate the important, positive impact that respectful police protection can have on sex workers' lives and work.

One sex worker in Slovakia said:

*The police listen to me, ask for a description of dangerous customers, or take me to their car and we go together and look for that customer or his car.*¹²⁰

Another reported:

*They supported me to do a criminal prosecution and the aggressor was jailed.*¹²¹

Another said:

*If they hadn't come I would have died.*¹²²

It is clear from the experiences of sex workers in Poland, the Czech Republic and Slovakia that the absence of police persecution and extortion is a key factor in ensuring that sex workers have equal access to protection under the law and that they can obtain the assistance they need from authorities to address and stop violence perpetrated against them.

¹²⁰ Interview with a sex worker in Slovakia during the period September to December 2007.

¹²¹ Interview with a sex worker in Slovakia during the period September to December 2007.

¹²² Interview with a sex worker in Slovakia during the period September to December 2007.

Recommendations

The Governments of Bulgaria, the Czech Republic, Kyrgyzstan, Latvia, Lithuania, Macedonia, Poland, Russia, Serbia, Slovakia and Ukraine Should:

- Investigate and prosecute officers responsible for physical or sexual assault of sex workers.
- Investigate and prosecute officers responsible for extorting sex workers.
- Instruct Ministry of Internal Affairs officials to improve the quality of police work, including through specialized training, and allocate sufficient funds to realize this.
- Reverse any regulations establishing mandatory HIV or STI testing of sex workers and ensure that all health measures geared toward sex workers respect their human rights and support their control over working conditions.

Ministry of Internal Affairs Officials and Others with Responsibility for the Quality of Police Work Should:

- Signal to law enforcement officers throughout the system that police abuse of sex workers will not be tolerated.
- Conduct internal investigations of police violence and corruption and make public the findings as well as the consequences for officers found guilty of misconduct.
- Make it mandatory for police to undergo training on international human rights standards and domestic laws regulating the conduct of law enforcement officers, with an emphasis on the need for respectful, humane treatment of sex workers and members of other vulnerable groups.

- Increase salaries for police officers.
- Cooperate with NGOs working with sex workers to organize education of police about the problem of police violence against sex workers. Where appropriate, such cooperation should include arrangements for a system of police outreach to sex worker communities to educate sex workers about their right to legal protection and rebuild trust in the police.
- Establish a system to ensure police are accountable to the communities they serve.

Ministry of Justice Officials and Others with Responsibility for Legal Reform Should:

- Re-examine laws and policies relating to the criminalization or penalization of sex work in light of evidence that such measures undermine both health and human rights. In particular, where laws, policies, or policing practices negatively affect sex workers' health and rights through criminalization or other means, support sex worker-led legal and policy reform initiatives premised on sex workers' human rights and workers' rights.
- Ensure that sex worker groups are included in a meaningful way in the design of laws, policies, and programs that affect their lives.

Where Relevant, Ombudsman Offices Should:

- Investigate police violence, including sexual violence, against sex workers.
- Conduct outreach among sex workers, through cooperation with sex worker advocacy groups, to identify human rights issues affecting sex workers and formulate ways to address these abuses.

UN Agencies and Member States Should:

- Express opposition to policies that enable police to extort sex workers, subject sex workers to forcible testing for HIV or other STIs, or use physical or sexual violence against sex workers with impunity.
- Call for investigation and prosecution of corrupt and abusive police.

Donor Organizations or Governments Should:

- Fund organizations that promote sex workers' rights and health.
- Fund initiatives to create additional drop-in centers for sex workers.
- Decrease police violence by fostering partnerships between sex workers and government ministries, including each country's Ministry of Internal Affairs.
- Support human rights groups' efforts to collaborate with sex worker groups and undertake projects to document and confront violence against sex workers by state and non-state actors.

Appendix 1

The following e-cards, posters, and flyers were developed by SWAN partners as part of advocacy campaigns focused on December 17, the *International Day to End Violence Against Sex Workers*.



- **Macedonia**
Healthy Options Project
Skopje (HOPS) and
Sex Workers Initiative
Group (STAR)

*“Sex work is work!
Rights, not violence!”*



- Bulgaria
Health and Social
Development Fund

*"Violence is not part
of work."*



- Russia
Siberian Initiative
– Barnaul

*"Rights will stop
the wrongs."*



- Poland
TADA

*"Right to decide is the
right of every person."*



- Czech Republic
Rozkos bez Rizika
(Bliss Without Risk)

“Rights to equal existence.”



- Russia
Humanitarian Action

“The day to protect sex workers from violence and rudeness.”



■ Slovakia
Odysseus

*"Human rights,
not violence!"*



■ Ukraine
All-Ukrainian Association
on Harm Reduction

"December 17"

Appendix 2

SWAN Members*

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Appendix 3

SWAN Statement of Principles*

- I. We understand sex work as the unforced sale of sexual services for money or goods between consenting adults. Sex work includes street prostitution, escort services, telephone sex services, pornography, exotic dancing and others.
- II. Sex workers are human beings who have the same human rights as any other people. Sex workers should have the same rights and responsibilities as all other workers, and as every other citizen and resident.
- III. Protection of the rights of sex workers is crucial for effective harm reduction, HIV/AIDS, hepatitis B and other STIs prevention and treatment efforts at all levels—individual, community and national. To ensure protection of these rights, sex workers should be able to work legally.
- IV. Barriers preventing access to health, social, and drug treatment services need to be removed to improve the health and social well-being of sex workers.
- V. Activities related to sex work between consenting adults should be decriminalized. All national criminal laws relating to adult prostitution should be repealed. All regional and local regulations targeting sex workers to prosecute the practice of their trade should be repealed.

* Adapted from principles presented in “*Sex Work, HIV/AIDS and Human Rights in Central and Eastern Europe and Central Asia*,” the Central and Eastern European Harm Reduction Network (CEEHRN, now the Eurasian Harm Reduction Network or EHRN), July 2005, pp. 6–7. <http://www.harm-reduction.org/ehrn-publications.html?start=10>.

- VI. Sex workers and other community members should have an active role in designing commercial regulations of the sex trade.
- VII. Targeted, pragmatic, and comprehensive social programs must be developed in consultation with sex workers and implemented to improve relations between the police and sex workers as well as between sex workers in the community at large.
- VIII. Targeted, pragmatic, and comprehensive social programs must be developed and implemented with the involvement of sex workers to raise awareness about safer sex, safer drug use, and HIV/AIDS prevention, treatment and support.

Arrest the Violence examines police abuse of sex workers in Central and Eastern Europe and Central Asia. Some police officers use violence and intimidation to extort money or sex from sex workers, and they are able to commit such abuses with impunity. Sex workers who complain of abuse are subjected to retaliation and further abuse from police. This pattern of violence and lack of accountability results in deep distrust and fear of police among sex workers and puts workers at greater risk of violence by clients and thugs. Governments throughout the region must hold police accountable for crimes such as extortion, rape, beatings and other abuse.



Sex Workers' Rights Advocacy Network in
Central and Eastern Europe and Central Asia