



## AMNESTY INTERNATIONAL'S SUBMISSION TO THE HOUSE OF COMMONS STANDING COMMITTEE ON JUSTICE AND HUMAN RIGHTS: REVIEW OF THE PROTECTION OF COMMUNITIES AND EXPLOITED PERSONS ACT (PCEPA)

25 FEBRUARY 2022

### I. Amnesty International

[Amnesty International](#) (Amnesty) is a global movement of more than 10 million people campaigning for a world where human rights are enjoyed by all. Amnesty conducts research and leads efforts to advance international human rights at both the international and national levels, and is recognized as an accurate, unbiased, and credible source of research and analysis of human rights conditions around the world.

[Amnesty International Canadian Section \(English Speaking\)](#) (Amnesty Canada) is one of the two membership bodies and registered not-for-profits representing Amnesty International members and supporters in Canada. The other is [Amnistie Internationale \(Section Canadienne Francophone\)](#).

### II. Overview

This brief sets out the reasons for which Amnesty Canada welcomes the review of the *Protection of Communities and Exploited Persons Act* (PCEPA) and calls for its repeal. Amnesty's [extensive research](#) shows that sex workers are often subject to horrific human rights abuses, due in part to the criminalization of sex work, which further endangers and marginalizes sex workers by impeding their ability to seek protection from violence and access legal and social services.<sup>1</sup> Amnesty Canada respectfully urges Canada to consider the harmful ways in which PCEPA impacts sex workers in its legislatively-mandated review, and calls upon the government to ensure new legislation centres the lived experiences and realities of sex workers and decriminalizes sex work and associated activities.

### III. Amnesty's Expertise on Sex Workers' Rights

Amnesty has an [extensive policy on sex work](#)<sup>2</sup> and an [accompanying explanatory note](#)<sup>3</sup>, which are the culmination of extensive worldwide consultations and engagement with sex workers, a considered review of substantive evidence and international human rights standards, and first-hand research carried out over more than two years. This research has focused on, *inter alia*, the impact of criminalization of the purchase of sex and legislation criminalizing other aspects of sex work on sex workers' human rights.

---

<sup>1</sup> Amnesty International, "[Amnesty International publishes policy and research on protection of sex workers' rights](#)" (26 May 2016) [*Amnesty Publishes Policy*].

<sup>2</sup> Amnesty International, "[Amnesty International policy on state obligations to respect, protect and fulfil the human rights of sex workers](#)" POL 30/4062/2016 (26 May 2016) [*Amnesty Sex Work Policy*].

<sup>3</sup> Amnesty International, "[Explanatory note on Amnesty International's policy on state obligations to respect, protect and fulfil the human rights of sex workers](#)" POL 30/4063/2016 (26 May 2016) [*Explanatory Note*].

Amnesty's research includes four geographically specific reports on [Norway](#)<sup>4</sup>, [Argentina](#)<sup>5</sup>, [Hong Kong](#)<sup>6</sup> and [Papua New Guinea](#)<sup>7</sup>, which were published with Amnesty's policy in 2016, and two subsequent reports on sex workers' rights in the [Dominican Republic](#)<sup>8</sup> and [Ireland](#)<sup>9</sup> published in 2019 and 2021. Amnesty has also documented human rights abuses of sex workers in [Uganda](#), [Greece](#), [Nigeria](#), [Honduras](#), [Brazil](#), and [Tunisia](#).<sup>10</sup> These research findings are based on in-depth interviews with sex workers and include testimony that speaks to the daily issues they face.

Since 2019, Amnesty Canada has also made numerous submissions to parliamentary committees and human rights bodies regarding sex workers' rights, including:

- In May 2021, Amnesty Canada made a [submission](#) to the United Nations Human Rights Committee regarding several key concerns in relation to the implementation of the *International Covenant on Civil and Political Rights* (ICCPR), including protecting the human rights of sex workers.<sup>11</sup>
- In October 2020, Amnesty Canada submitted a [brief](#) to the House of Commons Standing Committee on the Status of Women which illustrated how the COVID-19 pandemic has exacerbated existing gender inequalities, including negatively impacting the rights of sex workers.<sup>12</sup>
- In October 2019, Amnesty Canada made a [submission](#) to the United Nations Committee on the Elimination of Discrimination Against Women, setting out concerns about Canada's implementation of the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW), including how the criminalization of sex work creates barriers to the realization of sex workers' rights in Canada.<sup>13</sup>

<sup>4</sup> Amnesty International, "[Norway: The human cost of 'crushing' the market: Criminalization of sex work in Norway](#)" EUR 36/4034/2016 (26 May 2016) [*Norway Report*].

<sup>5</sup> Amnesty International, "[Argentina: 'What I'm doing is not a crime': The human cost of criminalizing sex work in the city of Buenos Aires. Argentina: Executive summary](#)" AMR 13/4136/2016 (26 May 2016) [*Argentina Report*].

<sup>6</sup> Amnesty International, "[China: Harmfully isolated: Criminalizing sex work in Hong Kong](#)" ASA 17/4032/2016 (26 May 2016) [*China Report*].

<sup>7</sup> Amnesty International, "[Papua New Guinea: Outlawed and abused: Criminalizing sex work in Papua New Guinea](#)" ASA 34/4030/2016 (26 May 2016) [*Papua New Guinea Report*].

<sup>8</sup> Amnesty International, "[Dominican Republic: 'If they can have her, why can't we?': Gender-based torture and other ill-treatment of women engaged in sex work in the Dominican Republic](#)" AMR 27/0030/2019 (28 March 2019) [*Dominican Republic Report*].

<sup>9</sup> Amnesty International, "[Ireland: 'We live within a violent system.' Structural violence against sex workers in Ireland](#)" EUR 29/5156/2022 (25 January 2022) [*Ireland Report*].

<sup>10</sup> See Amnesty International, "[Uganda: 'I can't afford justice': Violence against women in Uganda continues unchecked and unpunished](#)" AFR 59/001/2010 (7 April 2010) [*Uganda*]; Amnesty International, "[Greece must stop the criminalization and stigmatization of alleged sex workers found to be HIV positive](#)" EUR 25/004/2012 (17 May 2012) [*Greece*]; Amnesty International, "[Nigeria: 'Welcome to hell fire': Torture and other ill-treatment in Nigeria](#)" AFR 44/011/2014 (18 September 2014) [*Nigeria*]; Amnesty International, "[Honduras: Sex workers targeted and killed in Honduras](#)" AMR 37/001/2014 (10 January 2014) [*Honduras*]; Amnesty International, "[Brazil: Sex workers evicted and abused by police](#)" AMR 19/006/2014 (3 July 2014) [*Brazil*]; and Amnesty International, "[Tunisia: Assaulted and accused: Sexual and gender-based violence in Tunisia](#)" MDE 30/2814/2015 (25 November 2015) [*Tunisia*].

<sup>11</sup> Amnesty International, "[Canada: Submission to United Nations Human Rights Committee: 132<sup>nd</sup> Session, 2 June-23 July 2021, List of Issues Prior to Reporting](#)" AMR 20/4149/2021 (28 May 2021).

<sup>12</sup> Amnesty International, "[Submission to the House of Commons Standing Committee on the Status of Women on Gender and Human Rights During COVID-19](#)" (30 October 2020).

<sup>13</sup> Amnesty International, "[Canada: Submission to the United Nations Committee on the Elimination of Discrimination against Women – List of Issues prior to Reporting in November 2019](#)" AMR 20/114/2019 (1 October 2019).



When Amnesty published its policy on sex work in 2016, it also joined several other organisations from across a range of disciplines and areas of expertise supporting or calling for decriminalization of consensual sex work. These include the Global Alliance Against Traffic in Women, Global Commission on HIV and the Law, Human Rights Watch, UNAIDS, the United Nations Special Rapporteur on the Right to Health, and the World Health Organization.<sup>14</sup>

#### IV. Terminology

For the purposes of Amnesty’s policy, sex work is used to mean the exchange of sexual services between consenting adults for some form of remuneration, with the terms agreed between the seller and the buyer.<sup>15</sup> Sex work takes different forms and varies between and within countries and communities.<sup>16</sup> It also can vary in the degree to which it is more or less “formal” or organized.<sup>17</sup>

Consenting to sex does not however mean consenting to violence.<sup>18</sup> A key component of Amnesty’s definition of sex work is the focus on consent as a factor to distinguish sex work from human trafficking, sexual exploitation, sexual violence, and gender-based violence. Amnesty’s position is that forced labour, child sexual exploitation and human trafficking are abhorrent human rights abuses requiring concerted action and which, under international law, must be criminalized in every country.<sup>19</sup> These distinctions are important, especially given the conflation of human trafficking with sex work can result in over-reaching initiatives, lead to violations of sex workers’ rights, and can make both sex workers and people who have been trafficked more vulnerable to harm.<sup>20</sup>

---

<sup>14</sup> Global Alliance Against Traffic in Women, “[GAATW-IS Statement on attack on UN research calling for the decriminalization of sex work](#)” (October 2013); Global Commission on HIV and the Law, “[Rights, Risks and Health](#)”, (July 2012); Human Rights Watch, “[Why Sex Work Should Be Decriminalized: Questions and Answers](#)” (7 August 2019); UNAIDS, “[New Guidelines to better prevent HIV in sex workers](#)” (11 December 2012); UNAIDS, UNFPA, World Health Organization, and Global Network of Sex Work Projects (NSWP), “[Prevention and Treatment of HIV and Other Sexually Transmitted Infections for Sex Workers in Low- and Middle-Income Countries: Recommendations for a Public Health Approach](#)” (December 2012); United Nations General Assembly, “[Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover](#)” A/HR/14/20 (27 April 2010); World Health Organization, “[Global HIV, Hepatitis and STIs Programme: Sex Workers](#)”; and World Health Organization, “[Consolidated Guidelines on HIV Prevention, Diagnosis, Treatment and Care for Key Populations](#)” (July 2014).

<sup>15</sup> *Amnesty Sex Work Policy*, *supra* note 2 at 3.

<sup>16</sup> *Ibid.*

<sup>17</sup> World Health Organization, “Prevention and Treatment of HIV and Other Sexually Transmitted Infections for Sex Workers in Low- and Middle-Income Countries: Recommendations for a Public Health Approach” (December 2012) at 12, online: *World Health Organization* <<https://apps.who.int/iris/handle/10665/77745>> as cited in *Amnesty Sex Work Policy*, *supra* note 2 at 3.

<sup>18</sup> See *Amnesty Sex Work Policy* at pages 5 and 15, which notes consenting to sex does not mean consenting to violence, and rather, sex workers (like others), can change or rescind their consent at any point and this must be respected by all parties. Where consent is not voluntary and ongoing, including when a person’s changed or rescinded consent is not respected, this constitutes rape, is a human rights abuse, and must be treated as a criminal offence. Importantly, while decisions to sell sex can be influenced by situations of poverty and marginalization, such situations do not necessarily undermine or negate a person’s consent. Constrained circumstances do not eliminate an individual’s ability to make decisions about their own lives, except under particular circumstances that amount to coercion where an individual faces threats, violence, or abuse of authority.

<sup>19</sup> *Ibid* at 3.

<sup>20</sup> *Amnesty Publishes Policy*, *supra* note 1.



## V. Amnesty's position on sex work

Amnesty's policy recommends the decriminalization of consensual sex work and associated activities. This includes purchasing sexual services, engaging in public communications for the purpose of offering sexual services, and materially benefiting from the purchase of sexual services, procuring a person to offer sexual services, and advertising the sale of sexual services, all of which were criminalized when PCPEA was enacted.<sup>21</sup> This policy is grounded in the principles of harm reduction, gender equality, recognition of the personal agency of sex workers, and general international human rights principles, and was developed in recognition of the high rates of human rights abuses experienced by individuals who engage in sex work.<sup>22</sup>

## VI. Call to decriminalize sex work in Canada by repealing PCEPA

Evidence that criminalization has foreseeably negative impacts on a wide range of sex workers' human rights informs Amnesty's calls on governments to repeal laws that criminalize or penalize all aspects of adult consensual sex work. These rights include the: right to life; right to liberty and security of the person; right to equality and non-discrimination; right to be free from cruel, inhuman, or degrading treatment or punishment; right to privacy; right to the highest attainable standard of health; right to freedom of opinion and expression; and right to remedy for human rights abuses.<sup>23</sup>

Laws that criminalize organizing sex work and paying for consensual sex, like those implemented by PCEPA, regularly force sex workers to operate covertly and/or prohibit actions that sex workers take to manage their safety, leading to violations of their right to security of the person.<sup>24</sup> This was recognized by the Supreme Court of Canada in *Canada v. Bedford*, when it struck down previous prohibitions around sex work.<sup>25</sup> While the PCEPA sought to protect those who sell their own sexual services, Amnesty has found that laws against organizing sex work are often enforced against sex workers, and in some circumstances, their family members.<sup>26</sup>

Criminalization also creates an environment where law enforcement officers can perpetrate violence, harassment, and extortion against sex workers with impunity.<sup>27</sup> Criminalization appears to be linked to police harassment of sex workers in Canada. A study across five Canadian cities found that a high proportion of sex workers reported experiencing police harassment (including being carded; followed; detained, delayed, or held against one's will without arrest by police) related to police efforts to crack down on

<sup>21</sup> *Amnesty Sex Work Policy*, *supra* note 2 at 2; see also Government of Canada, Department of Justice, "[Fact Sheet – Prostitution Criminal Law Reform: Bill C-36, the Protection of Communities and Exploited Persons Act](#)" (14 September 2018) [*Fact Sheet*].

<sup>22</sup> *Ibid* at 2.

<sup>23</sup> *Ibid* at 10; UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171, Articles 2, 6, 7, 9, 17, 19, and 26; UN General Assembly, *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, 16 December 2005, at 11; and UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 2005 at Article 12.1.

<sup>24</sup> *Ibid*.

<sup>25</sup> *Ibid* at 10; see also [Canada \(Attorney General\) v. Bedford](#), 2013 SCC 72 [2013] 3 S.C.R. 1101 [*Bedford*].

<sup>26</sup> *Ibid*.

<sup>27</sup> *Ibid*.



the sex trade.<sup>28</sup> The enforcement of laws that criminalize sex work can lead to forced evictions, arbitrary arrests, investigations, and prosecutions.

When sex workers face the threat of criminalization or loss of livelihood if they report crimes against themselves to the police, their access to justice and equal protection under the law is compromised. This, in turn, leads to impunities to perpetrators of violence and abuse against sex workers.<sup>29</sup> Indeed, in the same Canadian study, sex workers who reported experiencing police harassment in the previous year were five times more likely to say they were unable to call 911 if they or another sex worker were in a safety emergency due to fear of police detection.<sup>30</sup>

Criminalization leads to other negative impacts, such as excluding sex workers from labour, and health and safety law protections, and can impede them from joining trade unions to secure better working conditions and safety standards.<sup>31</sup> This, in turn, can render sex workers at greater risk of exploitation by third parties,<sup>32</sup> contrary to the PCEPA's stated intention of protecting those who sell their own sexual services.<sup>33</sup> Amnesty considers that there is greater scope for sex workers to benefit from labour-based protections from exploitation when sex work is not criminalized.<sup>34</sup>

Due to the human rights violations and negative impacts on sex workers caused by the criminalization of sex work, **Amnesty calls on the Government of Canada to repeal PCEPA**, which criminalizes the consensual exchange of sexual services between adults for remuneration.<sup>35</sup> Any criminal laws that are applied to sex work must be aimed at addressing harm to sex workers, such as compelling a person to sell sex, but must not be applied in a way that conflates all sex work with exploitation or acts as a *de facto* prohibition on sex work.<sup>36</sup> Additionally, Amnesty calls on the Government of Canada to ensure that sex workers are entitled to equal protection under the law and are not excluded, directly or in practice, from the application of anti-discrimination, labour, health and safety, and other laws.<sup>37</sup>

Amnesty does not argue that there is a human right to buy sex or a human right to financially benefit from the sale of sex by another person.<sup>38</sup> Rather, Amnesty calls for sex workers to be protected from individuals who seek to exploit and harm them and

---

<sup>28</sup> Anna-Louise Crago et al., "[Sex Workers' Access to Police Assistance in Safety Emergencies and Means of Escape from Situations of Violence and Confinement under an "End Demand" Criminalization Model: A Five City Study in Canada](#)" (2021) 10(1): 13 *Soc. Sci.* [Crago].

<sup>29</sup> In many countries, sex workers face high level of violence, which is often a manifestation of the stigma and discrimination directed towards sex workers, is exacerbated by their criminalized status, and is further compounded by criminal laws that compel sex workers to operate in covert ways that compromise their safety. For more, see *Amnesty Sex Work Policy*, *supra* note 2 at 12.

<sup>30</sup> *Crago*, *supra* note 28.

<sup>31</sup> *Amnesty Sex Work Policy*, *supra* note 2 at 11.

<sup>32</sup> *Ibid.*

<sup>33</sup> *Fact Sheet*, *supra* note 21.

<sup>34</sup> *Amnesty Sex Work Policy*, *supra* note 2 at 13.

<sup>35</sup> *Ibid* at 11.

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*

<sup>38</sup> *Ibid* at 3.



recognizes that the criminalization of adult consensual sex work interferes with the realization of the human rights of sex workers.<sup>39</sup>

Decriminalization of sex work does not require the total absence of any regulation of sex work. Instead, it means that laws should be refocused away from catch-all offences that criminalize most aspect of sex work towards laws and policies that provide protection for sex workers from acts of exploitation and abuse. Laws should guarantee that all individuals who undertake sex work can do so in safe conditions, are free from exploitation, and are able to engage in, continue, or stop selling sex when and if they choose.<sup>40</sup>

### VII. Law reform must centre the lived experiences of sex workers

Amnesty does not take a position on the exact form that regulation of sex work should take, or whether it is necessary for states to develop regulations specifically designed for sex work, which are separate from the general laws that broadly regulate other businesses or employment practices in a jurisdiction. Rather, this should be determined in collaboration with sex workers, including those who face multiple and intersecting forms of discrimination, and be compliant with human rights standards.<sup>41</sup>

The voices of sex workers are frequently silenced because of the marginalization they experience, even though they are best placed to define the most appropriate mechanisms to maximize their own welfare and safety.<sup>42</sup> The rights of all sex workers to participate without discrimination in decisions affecting their lives must be respected; the establishment of laws and policies relevant to sex work must include the meaningful participation and consultation of current sex workers. Participation must involve sex workers from marginalized groups, and those facing discrimination based on, for example, sexual orientation, gender identity, race, ethnicity, and Indigenous identity.<sup>43</sup> Consultative processes must permit anonymous engagement and other measures required to protect sex workers from criminalization, retaliation, or harm, and should ensure effective access to information and resources, to allow meaningful engagement.

---

<sup>39</sup> *Amnesty Sex Work Policy*, *supra* note 2 at 3.

<sup>40</sup> *Ibid* at 8, 15. Some sex workers engage in sex work as a matter of preference, as it can offer flexibility and control over working hours or a higher rate of pay than other options available to them. For many, the decision to engage in sex work reflects limited livelihood options. States have an obligation to provide adequate social safety net and to address intersectional discrimination and structural inequalities that impact individuals' means of survival.

<sup>41</sup> *Ibid* at 14.

<sup>42</sup> *Ibid* at 7.

<sup>43</sup> See *Explanatory Note*, *supra* note 3.



### VIII. Concluding Remarks

Amnesty urges the Committee members reviewing this legislation to centre the lived realities of sex workers, and not uphold legislation that creates situations for human rights abuses to occur. We also call on the government to repeal the PCEPA, which criminalizes sex work and associated activities, and ensure:

- any criminal laws applied to sex work are aimed at addressing harm to sex workers, but are not applied in a way that conflates sex work with exploitation or acts as a *de facto* prohibition on sex work;
- sex workers are entitled to equal protection under the law and are not excluded, directly or in practice, from the application of anti-discrimination, labour, health and safety, and other laws;
- laws guarantee that all individuals who undertake sex work can do so in safe conditions, are free from exploitation, and are able to engage in, continue, or stop selling sex when and if they choose;
- the establishment of laws and policies relevant to sex workers includes the meaningful participation and consultation of sex workers, including those who face multiple forms of discrimination; and
- consultative processes permit anonymous engagement and other measures to protect sex workers from criminalization, retaliation, or harm, and ensure effective access to information and resources, to allow meaningful engagement.





## IX. ANNEX

Amnesty invites the Committee to review the extensive research on sex workers' rights that Amnesty has conducted, including four geographically specific reports which informed the development of Amnesty's policy and explanatory note on sex work in 2016. The geographical scope of the research included: Buenos Aires, Hong Kong, Oslo, and Papua New Guinea.<sup>44</sup> Most recently, Amnesty International released two subsequent reports on sex workers' rights in the Dominican Republic and Ireland.<sup>45</sup> We have also documented human rights abuses of sex workers in Uganda, Greece, Nigeria, Honduras, Brazil, and Tunisia.<sup>46</sup> This research demonstrates the importance of decriminalizing consensual sex work, including laws that prohibit associated activities.

### a. Ireland – “We live within a violent system”

This report, based on in-depth interviews with sex workers, experts, and representatives of the Irish authorities, provides insights into sex workers' human rights in [Ireland](#), particularly their right to safety and freedom from violence. It shows that criminalization of aspects of sex work in Ireland has a “chilling effect” on sex workers' exercise of their human rights, for instance by preventing them from working together in one apartment for safety. Amnesty International calls on the Irish authorities to listen to sex workers and decriminalize all aspects of sex work.

### b. Norway – “The human cost of ‘crushing’ the market”

*“If a customer is bad you need to manage it yourself to the end. You only call the police if you think you are going to die. If you call the police, you lose everything.”*

- *Sex worker in Norway*

In [Norway](#), purchasing sex is illegal but the direct selling of sex is not. Other activities associated with sex work are criminalized, including “promotion of prostitution” and letting premises using for selling sex.<sup>47</sup> People who do sex work are also unable to work together for safety, or hire third party support like security, as this would likely qualify as ‘promotion of prostitution’ under the law.

The issues described in this report demonstrated that Norway is not implementing its international obligations to respect, protect and fulfil the rights of people who sell sex.<sup>48</sup> Amnesty spoke with sex workers who had experienced violations of the right to housing, right to security of the person, right to equal protection of the law, right to health, right to non-discrimination, and the right to privacy. Amnesty calls on the Norwegian authorities to change its approach and instead place the protection of the human rights of all people who sell sex at the centre of its responses to commercial sex.

<sup>44</sup> *Argentina Report, supra note 5; China Report, supra note 6; Norway Report, supra note 4; and Papua New Guinea Report, supra note 7.*

<sup>45</sup> *Dominican Republic Report, supra note 8 and Ireland Report, supra note 9.*

<sup>46</sup> *Uganda, supra note 10; Greece, supra note 10; Nigeria, supra note 10; Honduras, supra note 10; Brazil, supra note 10; and Tunisia, supra note 10.*

<sup>47</sup> *Norway Report, supra note 4.*

<sup>48</sup> *Ibid.*





c. China – “Harmfully Isolated”

*“I have never reported any crimes such as rape because I’m afraid I’ll get charged with soliciting.”*

- Queen, a sex worker in Hong Kong

Police in Hong Kong engage in questionable tactics to arrest sex workers, including the receipt of sexual services as an investigatory technique; entrapment; and obtaining confessions through coercion or deception. Transgender sex workers report degrading and humiliating treatment in custody. Laws in [Hong Kong](#) force sex workers to work in isolation, prohibiting them from working with others for their own safety. In addition, immigration laws prohibit migrants and people from mainland China engaging in sex work, making them vulnerable to arrest and deportation. In this report, Amnesty International brings together testimony from sex workers and public officials.<sup>49</sup>

d. Argentina – “What I’m doing is not a crime”

The sale or purchase of sex by adults is not formally criminalized in the [Autonomous City of Buenos Aires](#).<sup>50</sup> However, in practice, these activities are criminalized on multiple levels through a range of laws that punish activities related to and communications around the sale and purchase of sex, as well as a Federal Anti-Trafficking Law and related initiatives that fail to distinguish between consensual sex work and human trafficking in the sex sector.<sup>51</sup>

e. Papua New Guinea – “Outlawed and Abused”

*“When the police catch us or hold us, if they find condoms on us they bash us up and say we are promoting sex or you are the ones spreading this sickness like HIV. The police ask for money, they threaten us or say give us this amount. We give it to them as we are scared if we don’t give it to them they might bash us up.”*

- Female sex worker in Papua New Guinea

In [Papua New Guinea](#), sex workers are beaten, raped, unlawfully detained, and killed without recourse to justice. This report shows that acts of violence against sex workers are committed by police officers, clients, and members of sex workers’ families and communities.<sup>52</sup> These crimes are rarely reported or investigated. Sex workers also experience high levels of stigma and discrimination, especially in accessing health care. Gender inequality is a significant factor contributing to the high levels of violence, stigma and discrimination that women, gay and transgender sex workers face.

---

<sup>49</sup> *China Report, supra note 6.*

<sup>50</sup> *Argentina Report, supra note 5.*

<sup>51</sup> *Ibid.*

<sup>52</sup> *Papua New Guinea Report, supra note 7.*



f. Dominican Republic – “If they have her, why can’t we?”

This report gathers strong evidence which suggests that women sex workers in the [Dominican Republic](#) are frequent targets for sexual torture and other ill-treatment by police, as punishment for transgressing socially constructed views about femininity, acceptable sexuality, and gender identity and expression, in violation of both Dominican constitutional and criminal law, and international human rights law.<sup>53</sup>

g. Additional Research

Our policy consultation process was supplemented by Amnesty’s existing human rights research, which highlights violations and abuses against sex workers, including:

- 2010 report on Violence Against Women in [Uganda](#), where we highlighted the cases of women who were told that because they were selling sex they were “asking for it”, that “a prostitute can’t be raped”.<sup>54</sup>
- 2012 public statement on [Greece](#) to stop the criminalization and stigmatization of alleged sex workers found to be HIV positive.<sup>55</sup>
- 2014 report on the use of torture in [Nigeria](#) and how sex workers were particularly targeted by the police for financial bribes and rape.<sup>56</sup>
- 2014 Urgent Action on the targeting and killings of sex workers in [Honduras](#).<sup>57</sup>
- 2014 Urgent Action on the eviction and abuse of sex workers by police in [Brazil](#).<sup>58</sup>
- 2015 report on [Tunisia](#) which detailed how sex workers are vulnerable to sexual exploitation, blackmail, and extortion, primarily by police.<sup>59</sup>

---

<sup>53</sup> *Dominican Republic Report*, *supra* note 8; see also Amnesty International, “[Sex workers stand up against torture and ill-treatment by police](#)” (28 March 2019).

<sup>54</sup> *Uganda*, *supra* note 10.

<sup>55</sup> *Greece*, *supra* note 10.

<sup>56</sup> *Nigeria*, *supra* note 10.

<sup>57</sup> *Honduras*, *supra* note 10.

<sup>58</sup> *Brazil*, *supra* note 10.

<sup>59</sup> *Tunisia*, *supra* note 10.