

## **Civil Society Statement in Support of Efforts to Decriminalize Sex Work in Malta and Show Solidarity to the Global Sex Workers Movement**

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We represent global human rights and women's rights organizations who have formed an alliance to advocate for the rights of sex workers. Collectively, we work on a number of issues, including women's empowerment and human rights, gender equality, sexual and reproductive health and rights, bodily autonomy, women's labour migration, gender-based violence, and many more.

We work in all regions of the world and with persons/communities of diverse genders and sexualities, including those who are trans and/or non-binary; those in the global south who have borne the brunt of colonialism, economic inequality, and patriarchal oppression; women from cities, mountains, villages and hamlets, and women working at home, on the streets, in the fields, in factories and offices.

We stand in solidarity with sex workers and the global sex worker rights movement, and we join with their demands for decriminalisation of sex work and recognition of their full range of civil, cultural, economic, political and social rights. Therefore, we emphasise the following:

Decriminalisation of sex work is a longstanding demand of the global sex workers' rights movement and a policy approach that has the most rights-affirming impact on sex workers.<sup>1</sup> Decriminalisation means the removal of all laws and policies that make sex work a criminal offence or regulatory or misdemeanor offence (such as those prohibiting selling, soliciting, manifesting, buying or facilitating sex work or living off the proceeds).<sup>2</sup>

Leading global organisations working to ensure protection of human rights, women's rights and the right to health have joined the call for decriminalisation of sex work: [Medicins du Monde](#), [Amnesty International](#), [Human Rights Watch](#), the [Global Commission on HIV and the Law](#), [Open Society Foundations](#), the [Global Network of People Living with HIV](#), the [Global Action for Gay Men's Health & Rights \(MPact\)](#), [Frontline AIDS](#), the International Women's Health Coalition, the [Association for Women's Rights in Development \(AWID\)](#), the [American Jewish World Service](#), the [Global Alliance Against Traffic in Women \(GAATW\)](#), [The Lancet](#), The Global Fund for Women, the Elton John Foundation, the [International Community of Women Living with HIV](#), the [Global Health Justice Partnership of the Yale Law School and Yale School of Public Health](#), [STOPAIDS](#) and [ILGA World](#).

At the level of the United Nations, UNAIDS and 11 co-sponsor agencies reaffirmed their position on decriminalisation of sex work in June 2017 in the [Joint United Nations statement on ending discrimination in health care settings](#), calling on stakeholders to support States in **“reviewing and repealing punitive laws that have been proven to have negative health outcomes and that**

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<sup>1</sup> Global Network of Sex Work Projects, The Impact of Criminalisation on Sex Workers' Vulnerability to HIV and Violence, December 2017. Available at: <https://www.nswp.org/resource/the-impact-criminalisation-sex-workers-vulnerability-hiv-and-violence>.

<sup>2</sup> Amnesty International, Explanatory Note on Amnesty International's Policy on State Obligations to Respect, Protect and Fulfill the Human Rights of Sex Workers, Index: POL 30/4063/2016 26 May 2016, page eden%E2%80%99s-sex-workers21.

**counter established public health evidence. These include laws that criminalise or otherwise prohibit...adult consensual sex work...”**

There is ample evidence that laws that criminalise clients, sometimes referred to as the ‘Nordic Model’, [make sex workers more vulnerable to violence, discrimination and exploitation](#). That sex workers face harassment, prosecution and arbitrary arrest by authorities as a direct result of such laws has been well [researched and documented](#).

We welcome the Maltese government’s express stance against the ‘Nordic Model’ and strong support for rights-based approaches that will both ensure protection of sex workers’ rights and contribute to the fight against human trafficking and exploitation.

## RECOMMENDATIONS

- Ensure the full decriminalisation of all aspects of sex work, including sex workers, clients and third parties.
- Ensure the meaningful participation of sex workers in the development of laws and policies that directly affect their lives and safety.
- Refrain from the discriminatory enforcement against sex workers of other laws, such as those on vagrancy, loitering, and immigration requirements.
- Enact laws and policies that protect sex workers’ health and safety and that oppose all acts of exploitation and trafficking.
- Ensure that effective frameworks and services are put in place which allow people to leave sex work if and when they choose.
- Ensure that sex workers’ rights are respected, protected and fulfilled and that they have equal access to justice, healthcare, and other public services, and to equal protection under the law.

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The following civil society organisations endorse this statement:

1. Amnesty International
2. CREA
3. Global Alliance Against Traffic in Women (GAATW)
4. International Women’s Rights Action Watch Asia Pacific (IWRAW AP)