

# **COUNTRY PRESENTATIONS**

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**F**ollowing are the national presentations of all 21 member organizations. Each summarizes the results of the TAMPEP 6 project of the respective country.

## **Organization profile and remits**

Each presentation starts with a description of the profile and remits of the partner organization, depicting the core business and relevant background information. Contact details can be found at the very top of each document.

## **Overview current national context**

Second is a national overview of the current political and legal context. Relevant factors such as changes in prostitution policy and identification of key barriers for intervention are discussed in this part of the assessment work.

## **Assessment of the prostitution scene**

The results of the mapping activities and additional research are combined to form the assessment of the prostitution scene. This part of text indicates new trends and gives a short analysis of the phenomenon on a country level.

## **National capacity for policy and strategy development**

This describes the setting up and maintaining of national platforms of service providers and policy makers, the structure, role and effects of national platforms, seminars and training programs that were carried out in the last two years

## **Evaluation of the CD-Rom and other TAMPEP material**

A summary of the evaluation of the CD-Rom and other TAMPEP material includes the dissemination campaign, evaluation by implementers of the material and further needs assessment by the national coordinating centres.

## **Actions with relevance for TAMPEP**

Here additional activities that the national member organizations participated in or organised themselves are listed.

## **Bilateral field visit**

A short report of the bilateral field visit, summarizing activities and lessons learned.

## **Integration of Central and Eastern European countries**

Where relevant TAMPEP members report on extra activities with regard to further integration and collaboration with CEE countries in the TAMPEP Network.

## **Executive summary**

The most important aspects of the national report are summarized in a few lines.

The reports of the four founding members of TAMPEP are more elaborate, in order to give a good picture of the core business of the Network.

# AUSTRIA

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## LEFÖ

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## Organization profile and remits

**T**he presence of migrant women in prostitution in Austria –as well as in other European countries– is an undeniable fact. Also their extreme mobility and their non-recognition concerning access to health prevention measures and health care are well known.

It is necessary to consider that the internationalisation of prostitution caused important changes within the structures of prostitution in all European countries. The new complexity of prostitution within Europe also brings new challenges for health prevention measures aimed at migrant sexworkers.

### National Focal Point: street work, cultural mediation & networking

The intensification of our continued systematic street work and networking in Vienna, Eisenstadt, Wiener Neustadt, Graz, Salzburg, Innsbruck and Vorarlberg (Bregenz, Dornbirn, Feldkirch) enabled us to further monitor and evaluate the living and working conditions of migrant sexworkers, the developments and their mobility, as well as for the cultural mediators to conduct regular health prevention work.

We deepened our networking with organisations in the provinces and developed platforms for our common aims – also with organisations (health/social, migrant, women) not active in the field of prostitution, in order to sensitise them about the situation of migrant sexworkers.

### Outreach work

Street work in Vienna takes place 1-2 per week; visits to the provinces (Eisenstadt, Wiener Neustadt) once a month; outer regions (Graz, Salzburg, Innsbruck, Vorarlberg) twice a year.

Activities during these visits include: dissemination of TAMPEP materials, national network building, cultural mediation, involvement of peer educators etcetera.

### Workshops

As a part of our national activities we conducted workshops in Vienna for and with African and Latin American sexworkers (two workshops per group). The focus was mainly around health prevention measures (HIV/AIDS, STIs, contraception, pregnancy etc.), but also on social and legal issues.

In co-operation with the organisation CARAVAN ("clearing-site for unaccompanied alien minors") an additional workshop was organised for young African women.

### **Health, social and legal advice**

Migrant sex workers continue to visit the Lefö/TAMPEP office for advice on health, social and legal matters. The services are strongly used – among others – by women from Nigeria, the Dominican Republic, Bulgaria and Hungary.

Within the frame of our cultural mediation activities, the women are accompanied to the municipal health office and/or other HSPs, the abortion clinic, (criminal) police (i.e. registration as sexworker) and a range of social institutions.

### **Lefö/TAMPEP-Austria profile**

The origin and development of TAMPEP in Austria is closely linked to LEFÖ's insertion in the sphere of migration of Latin American women, as well as in its participation in forums and other representative Austrian areas related to the migration issue, both from the political as well as the legal, social and health perspective. A review of TAMPEP-AUSTRIA's work necessarily leads to the origins of LEFÖ in September 1995.

The origine of LEFÖ basically consists in that the initiative arose, continued and became consolidated from the knowledge and experience of the women themselves, whether they were, originally, political exiles or, later, migrant women from various origins.

Thus, the issue of women's migration and its effects was (and continues to be) a matter for analysis and elaboration from the perspective of migrant women themselves, rather than from fellow Austrians. However, work has always been carried out by women from both cultural backgrounds.

The meeting of two different cultures has been an ongoing process in the association's daily work since its foundation. LEFÖ was a bi-cultural team (at present multicultural) of women, and within this team they are confronted with their own world views and those of others, with racism, prejudice and stereotypes; but they also find productive, complementary counterparts, partial identification, support, solidarity, and compassion.

LEFÖ defines itself as a Communication Centre for Latin American women, develops an integral concept of "counselling", "support", and "follow up", organises literacy and German language courses for Latin American women, structures a legal and psychological counselling service, in the mother tongue of the users, for Latin American migrant women, establishes contacts and exchange programs with sister organisations in Austria and in Europe, and disseminates information on the situation of migrant women, which is deteriorating and becoming more dependent with the new immigration rules and laws.

### **Since the beginning of the 90's**

- LEFÖ receives a new wave of migrant women as a result of the neo-liberal policies with their economic structural adjustment measures and the accompanying privatisation of the public sector.
- LEFÖ begins to work with Latin American sex workers, who in increasing numbers request counselling services or participate in the German language courses (thanks to the recommendation of other women).
- LEFÖ faces migrant women affected by trafficking in women, either for domestic work (for diplomats, United Nations officers or other types of families), for

prostitution or for marriage (as a result of sex tourism or marriage agencies that "sell" women from the so-called Third World).

### **LEFÖ as TAMPEP Partner**

Late in 1995, TAMPEP invited LEFÖ to be the fourth partner of the project. The participation in TAMPEP meant an important qualitative change in the work with migrant prostitutes in the following aspects:

- The re-thinking of LEFÖ's Latin American workers as cultural mediators, according to TAMPEP's methodology and the significance of cultural mediation.
- The systematisation of the experience and the knowledge accumulated as part of the research about the situation and development of the prostitution of migrants in Austria in the last decade.
- The priority of prevention work in HIV/AIDS, in the framework of the process already developed, in counselling services as well as in workshops and in German language courses.
- The study and analysis of the material edited by TAMPEP up to that moment, for its adequate use in prevention work.
- The importance of street work. Database collection about the prostitution areas in Vienna, in order to design a street work plan, prioritising places where Latin American women work.
- The assessment of the contact with Latin American prostitutes, oriented to the election and training of "peer educators", according to TAMPEP methodology.
- The reconsideration of the importance of working together with community Health Offices, in order to achieve an efficient prevention work.
- The process of learning, discussion, and exchange of the working experience with TAMPEP partners in the Netherlands, Italy, and Germany.
- Awareness on the importance of the European dimension related to the prostitution of migrants. Wider working perspectives.
- Significance of European work for the analysis, criticism, and elaboration of the work, methodology, and perspectives.

## **Overview current national context**

During the period of TAMPEP 6, we identified the following new and relevant points concerning legal changes within the area of migration and prostitution:

### **“Decree on Show-Dancers and Prostitutes”**

The decree, issued by the Ministry of Interior in June 2001, that defines the conditions to obtain a limited permit of stay for (non-EU) migrants who plan to work in prostitution and as Show Dancers (Peep Shows, Go-go bars etc.) is still in force.

It is important though to stress here again that as a “decree”, these norms have an indicative but not an executive nature, and thus are not legally binding.

It provides a restrictive possibility for (non-EU) migrant women to obtain a short-term and targeted permit of stay (with the status being for “independent (self-employed) work without residence”). The permit/status

- is short-term
- contains no possibility to change one's activity/work
- does not contain the possibility to obtain a permit of residence

Through this decree, (non-EU) migrant sex workers are given a legal status; at the same time though, their dependency is being enforced and the legal possibility created to satisfy the existing demand for migrant sex workers. There already have been cases of abuse of this possibility to obtain a permit of stay – through bar owners and other intermediaries; cases in which the dependent and marginalized situation of the women was gravely exploited.

It is still not clear what changes the accession to the EU of the 10 “new countries” on May 1<sup>st</sup> 2004 will bring in this legal area.

### **New (restrictive) Legislation: The Viennese Prostitution Law**

Prostitution legislation in Austria is regulated by the provinces. Since May 1<sup>st</sup> 2004, a new Viennese Prostitution Law is in force. The initiative came from the Women’s Office of the Viennese Municipality (which governs with a majority of Social-Democrats) and was first tending towards the “Swedish Model”, which they perceived as a positive example.

Our interventions against this were important and successful to the extent that the final version abstained from implementing the severest measures. Nevertheless, the new law only brings an intensification of the situation of (migrant) sex workers and no real improvement.

### **The main changes relate to the following points:**

- includes additional rights for executive authorities: “entry warrant” (*Betretungsrecht*) for buildings, apartments, vehicles, premises – in case of “substantiated suspicion” (illegal prostitution), without prior legal order! We perceive this as a violation of basic constitutional rights to privacy and human rights.
- it foresees fines for owners/renters of apartments etc. where “illegal prostitution” takes place, respectively who do not prohibit or report those activities;
- explicit mention of the mandatory health controls for sex workers (already regulated by national laws pertaining to prostitution, i.e. STD and AIDS law) – cementing the controlling aspect and approach of this new legislation
- enlargement of the prohibition areas (now including, e.g., cemeteries)
- reduction (by two-thirds) of the maximum amount of fines for “illegal prostitution” (i.e. non-registered and/or prohibited area); though the current maximum amount of EUR 1.000 is still high!
- explicit mention of the regular health controls as extenuating cause in cases of fines for “illegal prostitution” (this again re-enforces the control aspect);
- it is further suggested that the financial income from the fines should be directed towards (exit) organisations; We believe that it is essential to have secure and independent funding of NGOs and their activities – and that the focus should not be on “exit” programs.

\* The “land security legislation” (*Landessicherheitsgesetz*) now includes a regulation for the “protection” of the “decent” people: Potential clients can be reported and fined for unsolicited invitations to or requests for sexual acts. It is to be seen how this shall be executed in practise.

Prostitution – with the new Viennese legislation – is still related to morality and “good manners” (contra bonos mores). The Viennese Prostitution Law can “only” refer to Vienna – but still, as it is, it clearly aims at enforcing the control aspect and not at supporting sex workers.

Unfortunately, not even modest motions were passed at the session of the Viennese provincial council – like e.g. having monthly (instead of weekly) health controls, or the possibility of having the health controls with doctors other than the public health officer.

What came under the label of “gender equity” and support for the women involved, is in fact only more controls, expanded rights for authorities and an intensification of the existing discrimination, marginalisation and stigmatisation of (migrant) sex workers.

## **Assessment of the prostitution scene**

### **More Restrictive Measures**

As a clear and direct effect of the political situation in the country, enforced police controls, raids and other activities targeted towards migrant sex workers (and here especially towards African women, many of whom are with the status of asylum seekers) continue and are on the increase.

The activities are also directed stronger towards the recently developed “new” areas where street prostitution is increasing.

Migrant women with no legal status face deportation and might be prohibited from re-entering the country. Non-registered sex workers will be fined. In this situation and out of its necessity (as there are no benefiting aspects of it), many asylum seekers “registered” with the police as sex workers throughout the past year. This produced a somewhat better and more protected situation for them, with regard to the sexist and racist tendencies in the police practises.

However, lately we are encountering cases of women who are receiving a “prohibition to stay” (in the country) for up to 10 years. These are given because of legal offences, sometimes as few as two, of “illegal prostitution” (non-registered and/or prohibited area). This order does not go into effect as long as the asylum application process is still pending, but has disastrous consequences afterwards.

### **EU enlargement**

As already stated before, it is still not clear what the consequences of the accession of the “new countries” by May 1<sup>st</sup> will be – both for “self-employed” migrant sex workers (decree), as well as for those within the system of registration. At the moment, no parties can provide more information on this situation.

LEFÖ’s annual educational seminar will focus on the aspects of migration/work and the EU enlargement, with an emphasis on the consequences for migrant sex workers.

### **Changes: Visibility and Presence**

Since 2001, Rumanian and Bulgarian citizens may enter Austria without requiring visa. Since that change, we noted a much stronger visibility and presence of Rumanian and Bulgarian sex workers in Austria, especially in Vienna.

In the past years, the presence and visibility of African women (mostly from Nigeria) in Austria and in the sex-industry is also constantly increasing. They have a weak legal status as asylum seekers and face severe repressive measures – police controls and harassment.

## Responding to Changes in the Prostitution Scene

Adjusting to the situation as described above and the given realities, our work within the frame of TAMPEP focused on the following activities:

- In response to the stronger presence of new groups of migrant sex workers, we increased our streetwork activities to cover new areas and are offering additional legal support. We enlarged our team of cultural mediators to cover the work with our target groups from Bulgaria, Russia, Poland, the Czech Republic and Slovakia.
- On the situation of the Rumanian women, we organised a Bilateral Exchange Visit with our colleagues from TAMPEP in Rumania – with Rumania being one of the new countries of origin of migrant sex workers; and also with the aim to intensify and deepen the contact and exchange within our TAMPEP network. We also further enlarged our team and now work with a cultural mediator for Rumanian women.
- In our cultural mediation work with African sex workers, we accompanied a woman – with the status of asylum seeker – through the process of registration as a sex worker.
- As the first such case in Vienna, this required multiple interventions, including strong juridical support and follow-up. The process and outcome still need to be evaluated but we created a precedent that enabled other women with the status of asylum seekers to register, if they choose to do so, and thus might reduce the impact and consequences of arbitrary harassment, police controls, dependency and abuse.
- Relating to the strong stigmatisation and marginalisation of migrant sex workers that is supported by national politics and policies, we organised a number of workshops with multipliers/peer educators for sex workers from the Dominican Republic and Nigeria. These workshops are also planned for and will be continued with women from Bulgaria, Rumania, Poland and Hungary.
- The workshops do not only assist in communicating relevant information to the women (legal, health, social, labour market etc.) but also aim at empowering and supporting them, and fostering internal (and informal) networking.

### Streetwork / Cultural Mediation

	contacted women*	info/advice	@ LEFÖ office	phone	accompaniment
<b>Vienna</b>	1.191	515	428	628	154
<b>Eisenstadt</b>	69	66	-	23	-
<b>Wr. Neustadt</b>	70	68	-	10	5
<b>Vorarlberg</b>	15	15	-	-	-
<b>Bruck a.d. Mur</b>	30	25	-	8	-
<b>Innsbruck</b>	18	18	-	-	-
<b>Ybbs</b>	15	15	-	6	-
<b>Graz</b>	39	18	-	3	-
<b>TOTAL**</b>	<b>1.447</b>	<b>740</b>	<b>428</b>	<b>678</b>	<b>159</b>

\* through/at streetwork activities

\*\* including sporadic repetitions

- The contacted women came mainly from the Dominican Republic, Rumania, Nigeria, Hungary, Bulgaria, Poland, Czech Republic, Slovakia and Serbia.

- Accompaniments refer to appointments with district courts, district authorities, social insurance office and/or gynaecologists.

**Health Office / Cultural Mediation**

Vienna	251
Wiener Neustadt	75
Bruck an der Mur	30
<b>TOTAL</b>	<b>356</b>

**National Networking**

Given the recent and current situation of migrant sex workers in Austria and their increasing marginalisation – politically, legally and socially –one of our priorities was and is to intensify and deepen the existing contacts and to establish new contacts with women's and migrants' organisations in Austria – to raise awareness on the situation of migrant sex workers in Austria and to sensitise other organisations and (strategic) allies for the issue.

**Political Lobbying**

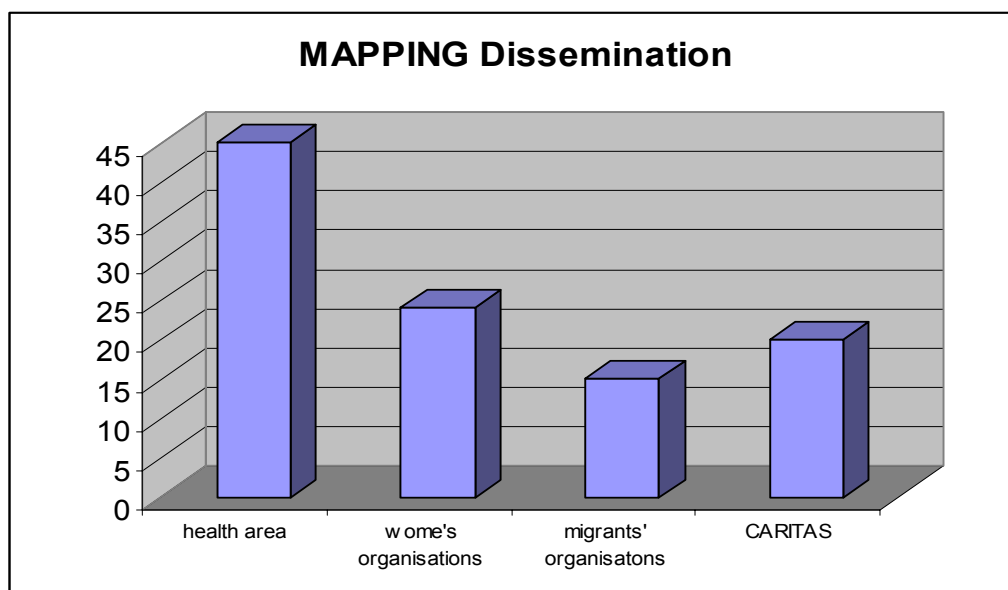
Regarding the attempts of implementing the "Swedish Model" of prostitution legislation in Vienna, it was a priority to establish more contacts with politicians of various parties, to raise awareness with them and to inform them of the unsuccessful implementation of this legislation in Sweden, as well as of the severe consequences for sex workers. This lobbying was crucial in preventing the implementation of such legislation.

**Results of the Mapping**

As compared to the mapping activity within TAMPEP 5, we this time did not only send the questionnaires to health offices or provincial/district/local health authorities nationwide, but also to organisations that are not directly in touch/work with migrant sex workers, in order to assess the level of knowledge and awareness of the institutions on the issue. The nationwide dissemination was structured into the following areas:

- health (health offices, provincial/district/local health authorities)
- women's organisations/groups/information centres
- migrant (women's) organisations
- CARITAS (care/information centres, for refugees etc.)

**Dissemination:** In total, 104 questionnaires were distributed out to these areas:





The mapping showed us very clear, that especially with health service providers there is a nationwide lack of information and knowledge about the situation of (migrant) sex workers.

The majority of the returned questionnaires was incomplete. It also became clear that there are not enough services that are accessible to migrant sex workers.

The national mapping (though not too successful in terms of data collection) contributed to awareness-raising on the situation of migrant sex workers and the lack of it so far.

## **National capacity for policy and strategy development**

LEFÖ/TAMPEP managed to deepen its networking with organisations in the provinces and developed platforms for our common aims. These include organisations (health/social, migrant, women) not active in the field of prostitution, in order to sensitise them on the situation of migrant sex workers.

### **National Network and Lobbying**

The national networks and platforms Lefö/TAMPEP Austria is involved in are maintained mainly through our work as national focal point:

- regular and systematic contact and exchange with relevant organisations and institutions active in the field of health, social issues, women and migrants;
- organisation of joint events, action-platforms, seminars etc. (e.g. International Whore Day);
- sensitisation for the situation of migrant sexworkers through the Lefö/TAMPEP Austria newsletter;
- exchange and networking at the annual Lefö educational seminar;

Besides the national networking with organisations/institutions, there are numerous platforms in which Lefö/TAMPEP Austria is involved: platform for the rights of sex workers, network of women's/girls' organisations, migrant women's "jour fix", psycho-social network for migrant women etc. Policy making takes place and is influenced by our presence and contribution.

Our participation at conferences and seminars served to present the TAMPEP position, philosophy and methodology concerning the situation of migrant sex workers, and stressed the necessity to broaden intervention strategies in health prevention activities. Our national networking platforms were enlarged and strengthened.

Activities included:

- active work in the platform for the rights of sexworkers
- annual Lefö newsletter (2002 with focus on prostitution/legislation in Europe)
- 7<sup>th</sup> annual Lefö education seminar: "Europe and the new face of women's migration", July 2002
- networking and exchange meeting with CARAVAN ("clearing-site for unaccompanied alien minors"), August 2002
- presentation of the project/network TAMPEP and our work at the Austrian Academy for Social Workers, November 2002
- participation at the 4<sup>th</sup> Austrian Prevention Forum "Social Inequalities and Health – A Challenge for Health Support", November 2002

- presentation of the work of Lefö/TAMPEP Austria to the training group on "feminist socialwork" of the Social Academy, November 2002
- preparation with students of the institute of political sciences on the TAMPEP project, focus: Women and AIDS, December 2002
- "International Whore Day", June 2<sup>nd</sup> 2003; organisation of an action platform (with other organisations/projects, e.g. SILA, MAIZ, ZARA), organisation of an action day to raise awareness and sensitise for the situation of (migrant) sexworkers and their rights!
- 8<sup>th</sup> annual Lefö education seminar: "Sexwork in Europe: between discrimination and legalisation", July 2003
- steady work within the development partnership of the EU project equal (SILA low-threshold counselling centre for female sexworkers)
- "International Whore Day", June 2<sup>nd</sup> 2004; continuation of the work within the action platform, organisation of an action day to raise awareness and sensitise for the situation of (migrant) sexworkers and their rights

A list of network members is included in the annex.

## **Evaluation of the CD-Rom and other TAMPEP material**

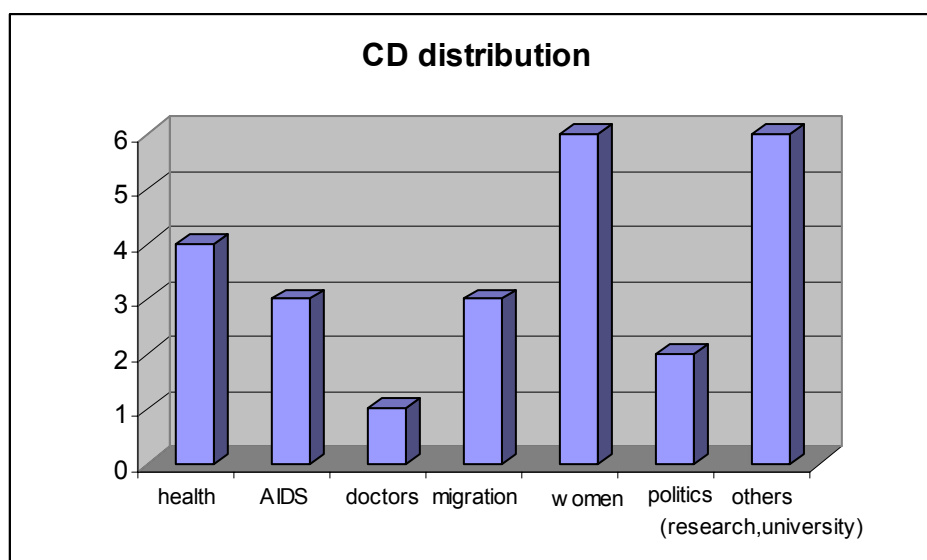
The distribution of the CD began in July 2003, at LEFÖ's annual educational seminar. The TAMPEP CD was presented there and disseminated to participating organisations and individuals.

The dissemination of the information was structured into the following areas:

<b>AREA</b>	<b>#</b>
health	38
AIDS help	7
doctors/gynaecologists	4
migration	53
women	56
politics	10
others	31
<b>TOTAL</b>	<b>199</b>

In total, 199 organisations and individuals received the information/presentation about the TAMPEP CD-ROM.

The CD was ordered and sent out to representatives from the following areas:



In total, 63 CDs were sent out to interested organisations/individuals.

### **Evaluation**

In December 2003, in a second phase of the distribution of the CD, another mailing was started to remind recipients of completing and returning the evaluation form. Unfortunately, only 15 evaluation forms were returned.

As there are hardly any organisations working directly with (migrant) sexworkers, it was difficult for interested organisations/individuals to evaluate the TAMPEP material. At the same time, the recipients clearly stated that the materials (incl. the reports, manuals etc.) were very welcome, very much anticipated and necessary – as there is no other material available.

### **Actions with relevance for TAMPEP**

Within the frame of the EU Project EQUAL – a project for equal job opportunities for marginalised groups – LEFÖ/TAMPEP Austria initiated and facilitated the implementation of an EQUAL-Project for sexworkers. The project – a low-threshold counselling center for sexworkers – incorporates the philosophy and methodology of TAMPEP and presents a continuation and enlargement of our work.

LEFÖ/TAMPEP Austria provided the incentive, the relevant background information and assisted with content and concept. During the second phase of the project, we established criteria for the new teams of cultural mediators and streetworkers – according to our TAMPEP methodology –, developed the concept for a long-term training course and are responsible for the cultural mediation in the new counselling center (SILA – Counselling Center for Prostitute Women).

As LEFÖ/TAMPEP Austria, we are also an active partner in *genderstreet*, the transnational partnership of this EQUAL-Project.

## **Bilateral field visit**

In December 2003, a bilateral exchange visit took place with the TAMPEP partner organisation SCOT-PEP.

The exchange consisted of:

- deeper introduction to TAMPEP methodology
- cultural mediation & peer education
- overview: prostitution scene in Austria/Vienna
- legal situation
- background of migrant sexworkers in Austria/Vienna
- presentation of work of LEFÖ/TAMPEP

The practical side of the exchange included streetwork together with LEFÖ/TAMPEP's team of cultural mediators and study visits to LEFÖ/IBF Intervention Site for Trafficked Women and SILA low-threshold counselling centre for female sexworkers (within the frame of the EU project equal)

## **Integration of Central and Eastern European countries**

With respect to the specific situation in the border region, a co-operation has been established with the TAMPEP partner organisation Odysseus in Slovakia.

Common activities and projects (such as streetwork in the border area and exchange visits) have been planned and are being conducted in 2004.

## **AUSTRIA / executive summary**

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Throughout the phase of TAMPEP 6 we could notice a change in the prostitution scene in Austria. The situation now also reflects the changes in the legal area: more restrictive legislation and more controlling measures. Migrant sexworkers have a very weak legal situation and are facing a double discrimination and stigmatisation. At the same time, in Austria, there is not enough information and hardly any resources for services for migrant sexworkers – neither with health authorities, nor with NGOs. There is an evident need for awareness-raising, information dissemination and sensitisation for the situation of migrant sexworkers, nationwide.

Through an *equal* project we could establish a low-threshold counselling centre for sex workers in Vienna. In this project we could implement our TAMPEP methodology and broaden our work.

The changes for migrant sex workers after May 1<sup>st</sup> still have to be evaluated.

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# BELGIUM

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## Organization profile and remits

**P**ayoke exists since 1988 and one of the initiatives then was to fight for the rights of the prostitutes. As a result of a KB (king's decision) Payoke is now a centre specialised in issues related to trafficking in human beings, together with two other organisations: Pag-Asa and Surya.

### The work with victims of human trafficking

The team consists of social workers who offer material, juridical, social and psychological support for victims of human trafficking. It also runs a shelter, the residential care for victims of human trafficking.

## Overview current national context

Prostitution in Belgium is tolerated. It is illegal to obtain material profit out of prostitution activities. The Belgian government is now looking for a social statute for sex workers and to recognize it as a profession.

The parliamentary debates will start in September 2004 and the government are inviting relevant organizations to join the debates (prostitutes, NGO's, police, etc.)

Prostitution is tolerated in bars, apartments, private clubs and behind windows. Only street prostitution can be punished. The police can keep a sex worker maximum 12 hours in the police station.

Only E.U. and PECO citizens are tolerated with work permit.

### Trafficking in human beings

The Belgian law on trafficking is a bit too complicated to explain in one paragraph. It is based on a short-term residence permit for victims willing to co-operate with the relevant authorities.

A victim first gets a 45 day-period of rest. By the end of this period she/he has to decide if she/he wants to co-operate with the justice department to arrest and persecute the traffickers. If not, she/he has to leave Belgium.

During this period the victim stays in one of the three official shelters in Belgium. From this moment the victim has legal access to social security.

If the victim chooses to go along with the procedure of persecuting the traffickers she/he enters into the second stage. In Stage 2 the victim gets a residence permit for three months and also a working permit C. If the case has not been closed within this period, the visa can be extended with another three months. He/she will also move to a studio or apartment.

In Stage 3 the victim gets a temporary residence permit for 6 months and a working permission C.

A victim always has to follow an introduction course to familiarize with the Belgian culture, Belgian law and has to take lessons Dutch or French.

When the legal case against the traffickers is closed a victim can get a regular residence permit.

### **Punishment**

The law of 13 April 1995 contains penal provisions relating to the punishment of trafficking in human beings, child pornography and sexual abuse of minors. In particular a specific offence of trafficking in human beings is introduced:

- Article 380b of the Penal Code is amended to introduce the exploitation of prostitution as an aggravating circumstance permitting harsher penalties for offenders (Articles 2a to 4); the courts are given the power to order the closure of premises and the confiscation of goods.
- (Article 5); it is made illegal to advertise 'sex tourism' or to publish advertisements that operate as a smokescreen for trafficking in women and children.

### **Conclusion**

We feel the Belgian policy on trafficking in persons can be considered a positive example: considerable progress has been made. Especially in comparison with other EU Member States. However, much still remains to be done. The laws have to be adapted to changing trends in society.

Another positive aspect of the Belgian framework is that a clear distinction is made between voluntary prostitution, forced prostitution and trafficking. Also in the implementation of these policies the issues are well separated.

Up until present there has never been a uniform national policy on prostitution. Depending on the local problems, varying from city to city, the municipalities have tried to create solutions. Unfortunately, due to a lack of uniform policy often more problems have been created than solved. The burden of these complications tends to shift to the sex workers themselves, as an effect of the fact that there is no legislation puts prostitutes in an extra vulnerable position.

The current debate about legalization and normalization of prostitution is another promising trend for the future.

### **Assessment of the prostitution scene**

The population of sex workers in Belgium is estimated at:

- Number of prostitutes: 10.000 – 25.000
- Migrant prostitutes: 5.000 – 10.000 (i.e. 40-50% of the population)
- Window: 20%
- Street/hotel: 10%
- Bars: 30%
- Private/apartments: 40%

Migrant sex workers usually work on the street and in brothels/behind windows. Some work in clubs and bars, very few as escorts or private.  
The majority of migrant sex workers comes from Africa and Eastern Europe.

Every large city in Belgium has a red light district or an avenue full of prostitution bars. However, local attitudes differ markedly: the nature of the systematic controls practised (at the levels of the police, the administration, the social services and the tax authorities) varies greatly between regions.

In Antwerp, checks are carried out by the city police ('police communale'), while the federal police is responsible for legal cases relating to trafficking and the 'police judiciaire' deals with the financial aspects of cases.

At this moment we do not see new trends caused by the enlargement of the European Union. However, we feel it is too early to evaluate the effects properly. Further monitoring during the next couple of years is needed to really gauge the effects on the sex work scene of the enlargement.

## **National capacity for policy and strategy development**

A platform has been created of service providers based on a group of Belgian NGOs, specialised in helping prostitutes and/or victims of trafficking and smuggling. The network stretches out all over Belgium. Each NGO is supported by a local network of related service providers for health and social matters, which ensures a well founded national coverage. These organizations exchange expertise and information, as a result of which we formulate common goals and policy advice. A list of members can be found in the annex.

On 10 July 2003 Payoke, in cooperation with prostitution officer Joris Wils (from the City of Antwerp) and GH@PRO, organized a TAMPEP afternoon in the Seamen's House, located in the heart of the Antwerp red light district.

On the agenda:

- Introduction of TAMPEP
- Launch of the TAMPEP CD-Rom
- Possibility for people to hand in of the questionnaire "National mapping of prostitution scene"
- Question round

Representatives of the most important service providers related to prostitution in the country attended the meeting. The meeting gave us good national exposure.

## **Evaluation of the CD-Rom and other TAMPEP material**

The meeting described above was our principal instrument for dissemination of the CD-Rom. All organizations that received and used the CD-Rom were very enthusiastic about the material, including hospitals and clinic workers who encounter migrants in their work. People that work in the field find it very useful in their everyday activities. However, people did ask why the material is not on the internet in its totality. Also there is demand for the brochure in the languages Moroccan and German.

## **Actions with relevance for TAMPEP**

Payoke has participated in the following conferences:

- 3/2/2003 European Parliament Brussels Conference on “prostitution: legalisation versus reality in the Member States”
- 5/9/2003 Pro Sentret Norway-Oslo Conference “Prostitution control and globalisation”
- 2003 France-Paris : Meeting about the French prostitution law

## **Bilateral field visit**

In April 2004, a bilateral exchange visit took place with the TAMPEP partner organisation Pro-tukipiste/Prostitute Counselling Centre in Helsinki, Finland.

The exchange consisted of:

- outreach work
- overview: prostitution scene Finland/Belgium/Baltic States
- legal situation
- background of migrant sex workers
- projects

We learned that outreach work is very necessary to reach more girls/women. Also a meeting room, with a library with books and magazines in their own language, can be very useful to make better contact with the women.

We loved the project of the studios, which the girls (inhabitants of Helsinki) could rent. The bilateral visit was a very important part of the TAMPEP program. We have learned many valuable lessons during this exchange.

We received the Greek Tampep partner ACTUP for a field visit in Belgium. We showed them our methods of working with victims of human trafficking and shelters. Details can be found in the Greek activity report.

## **BELGIUM / executive summary**

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Payoke, originally initiated to fight for the rights of the prostitutes, has now specialised in issues related to trafficking in human beings.

The Belgian government has started a discussion about legalizing sex work and recognizing it as a profession. E.U. and PECO citizens can work in prostitution with work permit. Progress has already been made in the Belgian policy on trafficking in persons. It can be considered a positive example, although much still remains to be done.

Both the CD-Rom and the bilateral visit, provided by TAMPEP VI, were very useful tools and positive experiences.

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# BULGARIA

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## **Health and Social Development Foundation (HESEF)**

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## **Organization profile and remits**

**T**he Health and Social Development Foundation (HESEF) is an NGO that developed from the organization “AIDS Campaign”. HESEF consists of a multidisciplinary team of professionals: some experienced in both health and social work practice such as psychologists, medical doctors and social workers and some lay professionals such as community based leaders, cultural mediators. Our overall aim is the development, implementation, management and evaluation of projects in health promotion, HIV/STIs prevention, family planning and sexual health for different target groups within their immediate social environment.

### **Practically this aim leads to the following objectives:**

- Health education, prevention of STI/HIV/AIDS among sex workers, their clients, underprivileged communities and ethnic minorities;
- Stimulating and conducting actions related with psychological and social support with target groups;
- Sustainable promotion of health and sexual practices, ensuring the safety of the women in prostitution.

### **Activities to further these causes:**

- Research experience and design and carrying out knowledge, attitudes, behaviour (KAB) studies and qualitative rapid assessment methods for needs assessment and situation analysis in the sex work scene;
- Group dynamic training of professionals, lay professionals, NGO volunteers in sex education, HIV/STIs prevention, peer education and outreach work;
- Educational material development (manuals for trainers or specific target groups, brochures, leaflets, posters, cards, audio-visual media, condom promotion, advertisements and others);
- Experience in joint projects with international partners and on-going bilateral projects;
- Organizing and carrying out workshops with local authorities, institutions and services for problems related with health and safety of the target groups.
- Outreach work targeted to sex workers, including distribution of safer sex materials, information on HIV/STI prevention and physical safety, referral to other relevant services, safer injecting materials and consultations, psychological support, anti-trafficking consultations.
- Training of peer educators.

## **Overview current national context**

Bulgarian legislation with regards to prostitution has undergone one major change in the last two years: male prostitution is not illegal anymore. Until 2002, Bulgarian legislation contained some text dating from the 1940s that criminalized men selling sex to other men. Currently sex workers are not criminalized. However, pimping and offering a property for the purpose of a brothel is forbidden by the Penal Code.

According to article 156, paragraph 1 of the Criminal code, a penalty of 10 years imprisonment and a fine of up to 1 million BG Leva is foreseen for those, who kidnap a female person with the purposes of debauchery. The act is defined as “Abduction with purpose of debauchery”, but is treated as a special case under article 142 of the Criminal code (“abduction and illegal deprivation rights for freedom”), in which the subject of the crime targets an additional aim – to commit the victim to a third person for the purpose of debauchery actions.

The new decree of the article 156, paragraph 2 of the Criminal code establishes three additional charges, which foresee penalty of imprisonment between 3 and 12 years. The underlying hypothesis of this new decree refers to cases when the victim is less than 18 years old, when the victim has been committed for debauchery and especially when the purpose of the abduction is that the victim is committed to debauchery outside the country. This is partially overlapping with problem of trafficking of women.

Another step undertaken by the Bulgarian legislation towards protection of the victims of trafficking was the adoption in 1997 of the the decree for witnesses’ protection. Article 97 A of the Criminal code guarantees that the witness’ identity will be protected in cases when their lives and/or the lives of their relatives, health and property are in jeopardy. As a result of this decree, victims are not supposed to sign interrogation reports in police stations, as well as not to take part in confrontations and not to meet people involved in crime.

In addition, most of the officers at the Ministry of Interior have not been trained properly and there are not enough policies and strategies, which include adequate regulative measures. As a result, the phenomena of prostitution and trafficking are frequently confused with one another and there are very few effective steps both towards the victims of trafficking and towards the sex workers. Being more visible and open, the sex workers are the first group that is subjected to the repressive measures against pimping and against trafficking.

## **Assessment of the prostitution scene**

In Bulgaria there are very few organizations that work with sex workers. HESED is the only one that offers specialized services to SWs. There are four other NGOs, primarily working with intravenous drug users, that have recently started to approach sex workers. They are Dose of Love Foundation, Pleven 21st Century Foundation, Animus Association Foundation, Centre for Sexual Health, and City Dermato-venearological dispensary.

We have sent the questionnaire to these organizations and also to several STI clinics. We did not give it to the police as they stated early on that no such information would be shared.

An important event in the last year was the fact that Bulgaria has been granted a two-year funding with an opportunity for three years of continuation, by the Global Fund to fight AIDS, Tuberculosis and Malaria. One of the results will be that in one-year time there will be nine other organizations, working especially with sex workers. As a result of this we will be able to improve our coverage of services specifically for sex workers.

### **Mapping**

Thanks to this Program, the HESED team had the opportunity to make a mapping of the prostitution in the ten cities, where it is mostly spread: Sofia, Varna, Bourgas, Plovdiv, Pleven, Pazardzhik, Stara Zagora, Haskovo, Rousse and Sandanski. This means that our mapping results give a good indication of the national situation. The main results of this mapping are the following.

There are mainly four types of prostitution: street/motel prostitution; club/brothel prostitution; hotel prostitution; escort services (telephone, internet, newspaper ads and others). The last group often consists of extremely vulnerable women with regards to education, economic status and health-care seeking behaviour. They are usually out of the health system as they are not able to pay any health insurances. Moreover, there are not enough low-threshold services in Bulgaria, which can be used by this group. This is one of the reasons why any health initiative is very important and this is the group of SWs, which HESED works with.

With the change of the Schenghen pact for Bulgaria in April 2002, the situation with regards to prostitution scene has changed significantly. No less than 60 % of the people we work with have traveled and worked abroad, compared to less than 20 % before that. 100 % of the sex workers are planning to leave the country for 3 months and then come back. The main reason is economical: sex workers earn three to five times more and usually share that the customers are nicer and the medical and health services are better. Most of the migrant flows are directed to Central and Western Europe, especially Spain, France, Belgium and Italy.

Of course, trafficking in women has also increased in volume but the numbers, stated by the ministry of Interior, the NGOs and the international organizations vary a lot and no agreement on the data has been achieved. Unfortunately, though a country of origin, Bulgaria has no shelters at the moment. There are three short-term crisis centers (up to a week period of stay) and some of the shelters for domestic violence have been used for the purpose of helping victims of trafficking.

50-70 % of the sex workers are Roma; about 20% are intravenous drug users. The city, where prostitution is mostly concentrated is Sofia, border cities are also important spots and during the tourist season, the seaside is also very popular. Recently the cities with highest unemployment rate have been reported to have increase of street prostitution.

All data are approximate and has been derived from two comparative needs assessment surveys, carried out by SOA Stichting Bestrijding, Utrecht and HESED in January – March 2002 and October 2003– January 2004 (Albena Project, funded by the MATRA programme of the Ministry of Foreign Affairs of the Kingdom of the Netherlands) among 200 sex workers on the territory of Sofia.

## National capacity for policy and strategy development

After several years of persistence, we have succeeded to:

- Organize two **peer-education workshops**

Although it has been difficult and it is still early to speak of true peer education as it is in Sofia, all of the participants did feel empowered and encouraged by the workshops. Both female and male sex workers have benefited from them.

- Establish and get started the **first mobile medical unit**, designed especially for sex workers.

We found it is crucial to offer such a low-threshold service to sex workers. For 20% of them this is the first time they have ever had the chance to see a venereologist, get tested for HIV/STI and get treatment if required. The unit is equipped with a gynecological chair and the necessary medical equipment. It visits 18 places twice a month. In the first 14 months of operation, it has been used by 2/3 of the street sex workers, both male and female.

### Education and sensitization activities

Another important step forward was the organization of more than twenty workshops and three Round tables specifically for the services, working directly with prostitution: police officers, medical doctors and social workers. Some of the main results are:

- Health promotion among sex workers has been included in the **regular curricula of the police officers**. Lecturers from HESED visit the Police Academy two to four times a month. The trainees are either experienced field workers, sent for obtaining higher qualification or young graduating police officers. HESED has also made the connection with colleagues from the
- Together with the leading dermato-venearologists in Bulgaria, we have developed the first **Practical Guidelines for HIV/AIDS/STI control among sex workers** in Central and Eastern Europe. The Guidelines are aimed at the medical professionals, working specifically with sex workers and include not only the most efficient medical algorithms for diagnosis and treatment of STIs but also the wider bio-psycho-social perspective on approaching a sex worker
- The outreach work with sex workers have been presented at all of the **local police departments**, on which territory it was carried out. It led to a better understanding of the situation of the sex workers n behalf of most of them and somewhat to a better attitude in their direct contact
- **Round tables**, at which various professionals from various fields could meet, were organized. These forums were very important with regards to raising discussion among professionals of different background and goals, as well as listing all the possible solutions to the problems, related to prostitution. The topic of legislative change has been the major topic, together with the acknowledgement of the need of networking and establishing a functioning network of referral.
- Several workshops were organized, aimed at establishment of **outreach work standards** and training of trainers of outreach workers with sex workers. The outreach team of HESED have been trained in order to become a pool of trainers of the organization in the country

### **National Program on AIDS, funded by the Global Fund to Fight AIDS, Tuberculosis and Malaria**

Bulgaria is a second round country of the Global Fund Programme and the Programme to fight HIV/AIDS started in July, 2003. This programme is being chaired by the Minister of Health and the Minister of Extraordinary Situations and it consists of 8 components:

- capacity development
- second generation surveillance
- establishment of VCT centres
- health promotion among intravenous drug users
- health promotion among Roma communities
- health promotion among CSWs
- health promotion among young people
- treatment of people, living with AIDS

32 NGOs have been invited to take part in the Programme and will be trained for outreach work with vulnerable communities. 10 of them will be working with CSWs and will receive the necessary funds and training for that. HESED has been appointed as the responsible NGO, which will coordinate the SWs component and will train the other nine organizations, as the only NGO with specific experience in health promotion among SWs.

### **Evaluation of the CD-Rom and other TAMPEP material**

The most experienced organization in Bulgaria, working in the city of Bourgas at the seaside, was very satisfied with the content of the CD-Rom and confirmed it did indeed fill a gap in their services. The only comment was that the leaflets contain a lot of text and information and doesn't look very attractive to people who have enjoyed little education. These people often have difficulty reading these texts and it would be better for them to develop materials that are more easily accessible and look appealing. HESED seconds this recommendation.

### **Integration of Central and Eastern European countries**

It is very important for the Bulgarian NGO Health and Social Development to be part of a European network. As there are few organizations in Bulgaria that work with sex workers and HESEF is the only one that has sex workers as its target group, it is extra important for us to be able to exchange experience and knowledge with NGOs in other European countries. Participation in the TAMPEP network provides us with this opportunity. Being part of this network gives us information regarding changes in policy, methodology, etc.

Communication with the other TAMPEP member states is also crucial because of the referral of Bulgarian sex workers, who are getting more and more mobile, to partner organizations in Europe.

It is also very important because this way the members of the organization have the possibility to learn more and new approaches regarding the best practices used in the field. The results of this collaboration and participation in the TAMPEP's network is that the Bulgarian organization HESEF is working in the field of prostitution on an European level and is an equal member in the framework of the network.

## **BULGARIA / executive summary**

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In Bulgaria prostitution is neither criminalized, nor legalized. This seems to be an acceptable status quo for the time being. However, there is a lot of confusion between the definitions of prostitution and trafficking. This results in irrelevant measures in both directions.

The last two years have been crucial for prostitution in Bulgaria, as it has become much more migrant and currently 100 % of the SWs we meet plan to go working in Western Europe, where they earn more money and have better working conditions. The past two years have also been important for HESED as a TAMPEP member, because we succeeded to open our first mobile medical unit, to publish Practical Guidelines for STI/HIV/AIDS control among sex workers (for medical staff) and to carry out a series of trainings with police officers.

Health promotion activities among SWs have been endorsed as a national policy and currently there are nine organizations, which are being trained for working with SWs in nine cities of Bulgaria. Hopefully in two years time the services, offered specifically for SWs will be more in number and in better in quality and we will be able to gain a better picture of the actual situation.

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# DENMARK

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## Danish Centre for Research on Social Vulnerability (VFC Socialt Udsatte)

### *The Prostitution Unit*

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## Organization profile and remits

**T**he PRO-Center has merged with other Centers of Public Research (e.g. research on alcohol, social outreach work, victims of incest and homelessness). Our new name is The Prostitution Unit at *The National Research Center on Social Vulnerability* (VFC Socialt Udsatte) under the Ministry of Social Affairs.

Apart from the change of organisation, address, telephone number and company name we have also ceased to carry out social outreach work. However we do play a crucial part in initiating, monitoring and evaluating the social outreach work carried out by others and we operationalize this by making recommendations and offering education to local and state authorities.

## Overview current national context

In Denmark prostitution is “decriminalized” but not “legalized”. This means that the individual women or man in prostitution cannot be punished for prostituting themselves unless the person violates other parts of the Danish legislation. All incomes from prostitution are taxed. On the other hand prostitution is not considered a legal trade or occupation, as women in prostitution cannot be admitted in an unemployment fund nor can they receive sickness benefit.

An increasing number of women is becoming the victim of traffickers. Not only in distant countries but also in Europe, and in Denmark as a country of final destination. The trends and patterns are changing rapidly. During the last years we have seen that particularly women from Eastern Europe, including the Baltic Countries are being brought to Denmark. Trafficking is a complex multi-layered phenomenon that requires a transnational and multidisciplinary response. Close collaboration between policy makers and service providers of different geographical and content areas should be sought.

The Danish Parliament took in May 2002 a crucial step in adopting a new provision on human trafficking under the Danish penal code. Adding section “262 a” to the penal code was done in an attempt to strengthen criminal protection against human trafficking: *“Any person who recruits, transports, transfers, harbours or subsequently receives a person by means, whether present or past, of unlawful, coercion pursuant*

*(...)shall be liable to imprisonment for any term not exceeding 8 years for trafficking in persons (...)*. Thus section “262 a” in the penal code provides a maximum penalty of eight years of imprisonment and allows the police – when the conditions contained in the Danish Administration of Justice Act for such imprisonment have otherwise been met – to break the confidentiality of communication (phone tapping, etc.) when they investigate a case involving human trafficking.

The law against trafficking has been subject to criticism. First and foremost it has failed to address the issue of victim protection, including for instance rehabilitation or residence permits. The protection offered by the law and official authorities to the victims of trafficking is particularly problematic for women staying illegally in Denmark. Women found without a residence permit are normally expelled from the country. However, for victims of trafficking the rejection period is 15 days for departure and repatriation. In this period of time the women have the right to stay in safe surroundings with access to acute social, medical and psychological support. The rejection period has been met with criticism as it offers an insufficient and absolute minimum of protection to the women in question.

## **Assessment of the prostitution scene**

The Prostitution Unit at VFC Socialt Udsatte is working in close relationship with NGO “Reden (The Nest) - STOP Trafficking of Women”, Pro-Vejle (project funded by the Ministry of Social Affairs) who are involved in implementing the National Plan of Action. The mentioned institutions are all responsible for the practical social work with the target group, including out-reach work, the establishment of safe house and support to victims.

For further details see the News Letter our homepage: [www.vfcudsatte.dk](http://www.vfcudsatte.dk)

## **Mapping**

The mapping questionnaire was sent to a selection of organisations we assumed could be or could get in contact with foreign women in prostitution. While the ones we have been in contact with have commended the material, the organisations have not taken time to return a completed questionnaire. The reason for this is that very few people at the time were working directly – or are in contact – with foreign women in prostitution. Due to the limited response we have tried to answer as many questions from the questionnaire as possible based on the knowledge of our own institution and on what we have been able to collect of knowledge.

The questionnaires were sent to the following organisations.

<b>Organisation</b>	<b>Activities</b>
"Reden" (the Nest)	Outreach work among street prostitutes and runs a shelter for drug-using prostitutes
"TICC"	Training center for African peer educator on HIV/AIDS
"AIDS-fonden" (the AIDS foundation)	HIV/AIDS work
"Odense Kommune", afdeling for integration	Integration of young people in the commune
"Københavns Politi, station City" (Copenhagen Police Department)	The department dealing with prostitution
"PRO-Vejle"	Outreach work, indoor prostitution, phone counselling
"HIV-Danmark"	HIV/AIDS work



When the TAMPEP questionnaires were sent out outreach work within the Danish National Plan of Action had been started in Copenhagen and Vejle County. The social work has not yet been developed on a regular basis, and a systematic collection of information on the foreign women in prostitution hasn't yet been completed. Therefore we are not able to give any actual numbers of foreign women in prostitution. However, The Prostitution Unit at VFC Socialt Udsatte has updated the number of Danish and foreign women and men in prostitution in Denmark.

*Stop Trafficking in Women* has had success in establishing contact to foreign women in indoor prostitution. The main effort is to take contact, to give health education and advice and to talk about safe sexual conduct. It has been surprising to the social outreach workers how well received they have been. More than half of the women in massage parlours were willing to invite the *Stop Trafficking* representatives inside. The following estimates are based on our own observations and the numbers the organisation "*Stop Trafficking in Women*" has given us.

The approximate maximum estimate of men and women in prostitution was in 2002 according to the Danish police 6.000-6.800 persons. However, the number is related to a number of uncertainties. In a different way of calculating the Prostitution Unit at VFC-Udsatte has made some estimates on the minimum number of prostitutes in Denmark. The numbers includes male prostitutes and foreign women in prostitution and are based on observations which we can document with reference to advertising in newspapers and on the internet and organisations, who do social outreach work to people in prostitution.

The total minimum number of people in prostitution on a regular basis in Denmark is estimated to a figure of at least 3.800 persons. This number can be documented. Three years ago the number of foreign women in prostitution in Denmark was estimated to one approximately 33 percent. Today approximately 45 percent of the women selling sex indoor are of foreign origin. For women working on the street about 50 percent are of foreign origin. Half of those are apparently from Eastern Europe and the rest are Africa and South America.

In Denmark 85-90 percent of the prostitution market is indoor prostitution. Most of the foreign women in indoor prostitution are from Thailand or other parts of South East Asia. From advertisements in newspapers and from the internet it shows that approximately 40 percent of the women advertising their services are from Thailand or South East Asia. The rest of the foreign advertisers are from Eastern Europe, Africa and South America. It is possible that some women from Eastern Europe are not promoting themselves as foreign. Due to this assumption it is assumed that more women in indoor prostitution are from Eastern Europe than what shows in the advertisements. It is our assumption that different women of different nationality are spread all over the country.

## **National capacity for policy and strategy development**

The prostitution Unit at VFC Socialt Udsatte is – as mentioned – actively involved in the implementation of the Plan of Action against Trafficking in Women. The Government is committed to fighting trafficking at international level and national level. At the national level comprehensive measures have been initiated to integrate effective prevention of trafficking with the prosecution of traffickers and the protection

and assistance to victims of trafficking. A National Plan of Action to combat trafficking in women was launched in December 2002 in order to strengthen the work of protection and providing support to victims of trafficking and to prevent trafficking.

The Plan of Action has been implemented since October 2003 as a pilot project terminating in October 2006. The Department of Gender Equality acts as coordinator of a multi-sectorial cooperation. The Danish Research Centre on Vulnerability, Unit for Prostitution is working by contract with the Danish Ministry of Gender Equality responsible for implementing parts of the components in the plan. Our main activities are focusing on: documentation; monitoring the implementation process; monitoring international initiatives; and the development of networks for sharing of experiences with GO, NGO's. Additionally we are working with cooperation and networking activities for embassies from the countries of origins.

Important tasks are capacity building at centralised and decentralised level, and the consolidating of intersectional cooperation, including strengthening collaboration between police, social and health authorities and voluntary organisations. The human trafficking is a transnational phenomenon and coordination within and between countries is viewed as crucial for a successful effort to combat trafficking and support victims

Currently we are writing a country report to the Ministry of Social Affairs. The report needs to be finished by the end of 2004. In the Country Report we collect and evaluate the knowledge we have produces in connexion with our social outreach work from 1997 till today. In the report we will advocate against the criminalization of prostitution customers. We hope that the report have a role to play in a possible future National Plan of Action on Prostitution.

Please see lists of GO and NGO networks in the annex.

## **Evaluation of the CD-Rom and other TAMPEP material**

From the organisations working with foreign women in prostitution the response to the CD has been very positive. The most positive element from the CD was the fact that the information was easy to implement in the social work that targets foreign women in prostitution.

As mentioned also the material was very well received and widely published by WHO-Europe with which the The Prostitution Unit at VFC Socialt Udsatte co-operates, and reached a very wide coverage through their magazine.

Among the recipients of the CD was "The Nest" that historically hasn't been focusing on women of foreign nationality in prostitution. They evaluated the information in the CD very positively. And more importantly the organisation "Stop trafficking in Women" has also reported very positively and has used the information available in the CD to develop their own material. Since November last year Stop Trafficking has done social outreach work on the street and at massage parlours. Only about 10 percent of the women in prostitution in Denmark are on the street. This means that the largest effort has to be put in addressing and targeting social work to women in indoor prostitution. The TAMPEP material has been excellent for this. But also the Tampep material from

1998 was mentioned as something very helpful in the process of starting up the process of doing social outreach work.

## **Actions with relevance for TAMPEP**

The Prostitution Unit at VFC Socialt Udsatte has in cooperation with PRO-Vejle and PRO-Århus finished a survey based on 128 questionnaires from Danish women in prostitution. The survey focuses on issues like prostitution debut and how life is experiences for the women in prostitution. Furthermore we are doing a survey on prostitutions customers. This study is both is based on both qualitative and quantitative method and focuses on why men buy sex and why some others don't.

Currently we are writing a country report on prostitution to the Ministry of Social Affairs. The report needs to be finished by the end of 2004. In the Country Report we collect and evaluate the knowledge we have produced in connexion with our social outreach work from 1997 till today. In the report we will advocate against the criminalization of prostitution customers. We hope that the report have a role to play in a possible future National Plan of Action on Prostitution.

### **Thai Project**

The Prostitution Unit at VFC Socialt Udsatte has recently launched a project to develop a community based social response to Thai women in massage parlours in Copenhagen. The project aims at raising the awareness among the target group, that free assistance is available in the community as well as making them comfortable with seeking that assistance. Outreach to massage parlours is an important method for contacting the target group and in this respect a Thai cultural mediator is attached to the project. In order to be able to provide appropriate services, the efforts will be based on identified and expressed needs of the Thai women themselves.

Furthermore the project aims at anchoring the measures in the community and to identify the pros and cons of a community based social response to foreign women in prostitution.

## **Bilateral field visit**

Our organization is in charge of the capacity building aspect of the Danish Plan of Action on Trafficking in Women. We organized a visit to the Netherlands for a delegation of 6 representatives of organizations that will be implementing the Action Plan. The Tampep Coordination Centre in Amsterdam had a key role in this exchange.

## **Integration of Central Eastern European countries**

It is too soon for us to say anything about what effects the enlargement of the EU has on the prostitution scene. Although, as stated above, there has been a marked increase in foreign women in prostitution in Denmark

## **DENMARK / executive summary**

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In Denmark approximately 45 percent of the women in prostitution work indoor and about 50 percent of the women prostituting themselves on the street are of foreign origin.

The Danish National Plan of Action against Trafficking in Women has been implemented. The prostitution Unit at VFC Socialt Udsatte is actively involved in the implementation of the plan.

TAMPEP material plays a crucial role in developing information material for foreign women in prostitution. The response to the CD-Rom has been very positive from all the institutions we co-operate with.

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# FINLAND

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## **Pro-tukipiste**

### **Prostitute Counselling Centre**

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Contact: Jaana Kauppinen

Website: [www.pro-tokupiste.fi](http://www.pro-tokupiste.fi)

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## **Organization profile and remits**

**P**ro-tukipiste is an NGO that got started in 1990. The purpose of the association is to promote sex workers' health, well being and safety. To implement these activities the association runs a social and health care clinic called *Pro-tukipiste (Prostitute Counselling Centre)*. In addition to the clinical and outreach work, the association also has a role of training and consulting experts on issues related to prostitution. The association also closely follows and takes part in social discussion concerning the development of the prostitution policy and legislation.

### **Pro-tukipiste, counselling centre**

There are altogether five employees in the Pro-tukipiste and three in the Seastar project. The social worker and the nurse are full-time employees; all others are part-time with other occupation as well. This arrangement has given us the possibility to create a whole new network: not all of the work which is done with the prostitutes takes place at the Pro-tukipiste, but the employees meet prostitutes and other sex workers also in their other working places: the doctor of the Pro-tukipiste also works in the Helsinki City Clinic for Sexually Transmitted Diseases; one of the field workers is specialized in juvenile and prison work; and the manager is also responsible for a private therapy and training unit specialized in sexual issues.

In 1996 Pro-tukipiste started the Meritahti\*Seastar project. This project's target group is migrant prostitutes in Finland.

### **Principles**

Main principles of the work with prostitutes are empowerment and harm reduction. Starting point for the activities are to respect human dignity, right of self-determination and individuality. All our services are available for migrant sex workers anonymously and free of charge.

### **Outreach work and DropIn centre**

We do outreach work in sex bars (twice per month) on the streets (once a week) and occasionally in massage parlours and illegal brothels. We would like to expand these activities if we can obtain the necessary funding.

The outreach workers also run the DropIn centre. This centre is open on Mondays and Tuesdays from 12-16 and provides a wide range of services ranging from medical help, peer conversations, individual and group counselling, food and coffee information and prevention materials. Outside drop-in hours possibility to personal appointments;

## **Projects**

- Housing project (started 1.3.2003);
- Co-operation with Helsinki City social department.

## **Overview current national context**

During the period of TAMPEP 6 sex work, prostitution, trafficking and organized criminal networks have been very much on agenda both in the media and in Finland's political arena. Compared the situation at the end of TAMPEP 5 the national political discourse has remained the same: sex work and prostitution are social problems which demand restrictive actions. Enlargement of EU has created one extra threat: drugs, crime, STIs and prostitution have been often mentioned when talking about EU enlargement and its consequences. Even if there are concerns about the sex workers situation, thus far the concrete actions in legislative sense have all been restrictive. In spite of the fact that it has never been officially established, Finnish prostitution policy seems to develop more and more into the abolitionist direction.

In the media and political debates sex work and prostitution have been increasingly linked to organized criminal networks and there has not been a clear distinction between the concepts of prostitution and trafficking. Diffuse use of the concepts has made it impossible to conduct proper public discussion about either issue and their complexity. In addition, because there has not been much academic research on the subject, public debate is often very emotionally loaded and the argumentation is often based more on beliefs than facts. The link between prostitution and organized crime has made public opinion favourable to restrictive legislation and repressive actions against prostitution.

All in all, a lively yet one-sided public debate and different legislative actions have caused problems and confusion in sex work scene. Because the majority of the sex workers working in Helsinki are foreign women, they cannot follow the debate because of the language. All the time there has been lots of misunderstandings and false information about the legal situation and what is legal and what is not.

### **During TAMPEP 6 the legislative actions have been following:**

In October 2003: Finnish Public Order Act

- Prohibits buying and offering sexual services in public places
- Nation wide law which replaced local city ordinances

The Public Order Act has increased surveillance in street prostitution areas. Police has made also raids in front of the most well known bars in Helsinki. Russian women have been of special concern; especially after 1<sup>st</sup> of May when Estonia became a member of EU. During May 2004 in Helsinki dozens of Russian women were deported.

In May 2004: Amended Finnish Alien Act

- Selling sexual services is a ground for refusal of entry and for deportation
- There is no mention of trafficking in human beings

The Minister of Justice set up a working group to draft the national plan for implementing international agreements to which Finland has acceded and also outline what amendments are required to our current legislation. The working group published its report in June 2003. The main proposals were:

- criminalization of buying sexual services (the group was not unanimous; three out of seven expressed their dissenting opinion)
- marketing of sexual services (giving out contact information)
- new provisions on aggravated pandering
- trafficking legislation (victims of trafficking were not included; separate report made by the Ministry of Health and Social Affairs)
- telecommunications interception should be possible in aggravated cases (requires the authorisation of a court).

All the mentioned proposals were taken to parliament except proposal for criminalizing the buying of sexual services. The government postponed it till next year (2005).

### **Positive trends in service provision**

The positive trend has been that you can see quite a lot improvements in service providers' attitudes. Compared to the situation during TAMPEP 5 the awareness among public services and other NGOs has increased quite a lot. When we sent the TAMPEP 5 questionnaire we didn't get any replies. TAMPEP 6 questionnaire was more successful and we got eight answers. Because Pro-tukipiste is the only service provider specialized to sex workers this was an excellent result. Also there has been some local activity to try to establish special services also in other cities in Finland.

The first Finnish sex workers organization of their own was established in November 2003. They have been very active in policy making and lobbying.

### **Assessment of the prostitution scene**

We translated the questionnaire to Finnish and sent it with the attached letter to 42 different organisations (social and health care service providers, police, NGO's etc.) all around Finland. We got eight answers: one was empty form and one organisation just called that they will forward the questionnaire to the police because police had investigated prostitution in that city. They did not answer. Others six organizations had tried to fill the questionnaire. In the form there was not place for the names of organizations so we got two forms back without names but we still know the cities where they came from: Helsinki (3), Kitee (eastern Finland), Lahti (southern Finland), Pori (western Finland) and Tampere (southern Finland, the 3<sup>rd</sup> biggest city in Finland).

Only two respondents estimated percentages with regard to the structure of the various forms of prostitution (1 in Helsinki and 1 in Lahti). Outside Helsinki the common response was, that we are sorry but we don't know for sure, what is happening in local prostitution scene. The figures should therefore be taken as a mere indication of the actual situation.

	<b>Helsinki</b>	<b>Other towns</b>
Street	8 %	-
Apartment	20 %	20-30 %
Clubs + Bars	50 %	30 %
Massage parlours	15 %	20 %
Other (motels etc.)	5 %	20 %

Brothels and window prostitution are illegal in Finland, so those options are irrelevant here. Street prostitution exist only in Helsinki. Other forms were mentioned in every paper but no percentage estimates were made.

The gender estimates are the following: 80-99 % women, 1-18 % men, 0 – 2 % transgender.

Approximately 85 % of female sex workers are foreign women. The majority of migrant sex workers is from Eastern Europe (mainly Russia and Estonia). The next biggest group is Asian women (mainly Thai women working in massage parlours). There are only a few from Latin America and Africa.

### **Mobility**

Most the migrant SWs have worked in others countries too, such as Estonia, Russia, Lithuania, Latvia, Sweden, Norway, Denmark, Germany, Spain, Belgium, Israel, UK and the USA.

The most frequently heard reason for this international mobility is that many women only have a short tourist visa.

Prolonged staying in the country after the visa has expired has been more common. We meet more and more women who stay illegally in the country and some of them have been here for several years. We are very worried what will happen to women, when they get caught and are sent back home after having stayed in Finland for many years.

There is also a high mobility within the country; most of the migrant SWs have worked in other Finnish cities too, including Helsinki, Turku, Tampere, Vaasa, Oulu, Kuopio, Salo, Forssa, Varkaus, Mikkeli, Joensuu, Seinäjoki. This is often a result of police actions. When actions start in one city, sex workers move to another.

### **Governmental estimates of the sex work population**

The National Investigation Bureau has estimated that about 10.000-15.000 different women come to Finland each year, mainly from Russia and the Baltic states. No one has exact numbers but it has been estimated that at least 1000-3000 foreign women are working as sex workers in Finland at present. Of these women approximately 500-1000 are working in and around the capital.

According to the Frontier Guard Department (Ministry of the Interior) in 2002, 110 women were deported in Helsinki alone because of prostitution (in addition 130 women were suspected of selling sexual services, but due to a lack of evidence were deported on account of some other reason, such as giving false information etc.)

### **National capacity for policy and strategy development**

Pro-tukipiste hosted the national seminar on 25<sup>th</sup>-26<sup>th</sup> of September 2003. The main point on the agenda was outreach work in Finland. There was a workshop on multicultural issues and migrants. The TAMPEP CD-Rom was launched at this seminar. During the seminar we also discussed the importance of getting local branches of Pro-tukipiste at least to the major cities in Finland.

Pro-tukipiste has been an active member in the local HIV network. The Network has meetings 5-6 times per year and there are representatives from different NGO's, CBO's and GO's. The CD-Rom was also launched to this network in August 2003.



Pro-tukipiste has been a member of national AIDS & Mobility network. This network published a book named "Welfare Research into Marginal Communities in Finland: Insider Perspectives on Health and Social Care", University of Tampere 2003. Department of Social Policy and Social Work, Kris Clarke (Ed.). There is one chapter about sex workers: "Russian and Estonian sex workers and the Prostitution Counselling Centre in Helsinki." The main focus of the publication is to analyse migrants' own opinions about their situation, rights and access to social and health care services in Finland.

Pro-tukipiste has been active in policy making and we have commented law proposals both in the media and to different decision making bodies. Pro-tukipiste was invited to a hearing session in the Ministry of Justice concerning trafficking legislation and proposal of criminalizing purchasing sexual services. We have also been invited to different committees in Parliament.

Cooperation with sex workers own organization SALLI has been active from the beginning. In fact we were working together when the sex workers were only planning to organize themselves and had not even started officially.

Pro-tukipiste has been a member of the steering group concerning National Action Plan (based on Palermo Treaty) preparation in the Ministry of Health and Social Affairs. This steering committee concentrated on the Protocol Article 6 (Protection of victims of trafficking in persons).

## **Evaluation of the CD-Rom and other TAMPEP material**

We launched TAMPEP CD-Rom during a National seminar on outreach work which was held in Helsinki on 25<sup>th</sup>-26<sup>th</sup> of September. There were about 100 participants from different part of Finland. We also launched the CD-Rom at a National HIV-network meeting on September 16<sup>th</sup> 2003.

We sent TAMPEP CD order form to needle exchange programmes in 27 cities, AIDS-councils (6 local offices), Helsinki Deaconess Institute, The Family Federation of Finland, A-Clinic Foundation, different NGOs, who are working with migrants in Finland and also to all who we sent the questionnaire for the national mapping of prostitution scene in Finland

18 organizations ordered the CD-Rom. They have also received the evaluation form. We have yet to receive back the official evaluations. One form was sent back with a note that they had forwarded the CD-Rom to another organization. From informal feedback from several organizations we have learned that the most valued point was the fact that the information is available in different languages (especially Russian and Thai).

We distributed the CD-Rom to our Estonian (4 organizations) and Russian (6 organizations) contacts too.

## **Actions with relevance for TAMPEP**

We have started a joint project (AURA-AYPA Project) with A-Clinic Foundation. This three year project is targeted to Russian speaking migrants in Helsinki. In this project the TAMPEP methodology (cultural mediators and peer education) is the main approach.

Establishing together with Pro Sentret Oslo North – East Network between Baltic States, Russia, Finland and Norway. First meeting was in Oslo in June 2003. Next meeting will be in Finland autumn 2004.

## **Bilateral field visit**

Pro-tukipiste participated at the Fenarete Peer education seminar in Modena, 15<sup>th</sup>-19<sup>th</sup> of February 2004. We have been planning a peer education training in Pro-tukipiste but we needed more information about the issue. Peer education will be one of the main working methods in our AURA-AYPA Project (targeted to Russian speaking migrants).

We didn't know much about Fenarete before we came to Modena. But we had heard the reports from some network members and in discussions we got also more information from the whole network. The Fenarete programme sounded perfectly suited to our purposes. There have been different problems and different successes in different countries which meant that Fenarete programme is flexible enough to try also in Finland. Furthermore we liked the fact that Fenarete takes into consideration the personal histories of the trainees and respects their experience. It is not a programme which just takes advantage of peer workers and then leaves them alone. We liked the idea of developing personal experiences into professional skills and giving those skills a professional status.

After the Fenarete seminar we introduced the programme to outreach unit in needle exchange programme in Helsinki. They have already peer education based on the so called Snow Ball Method. We decided to start to study the Fenarete Programme together and build a Finnish application of Fenarete. The plan is to apply for national funding to start the first programme at the end of next year. It takes time to find allies who would be ready to hire the trainees after the training.

## **Integration of Central and Eastern European countries**

Collaboration with Estonian and Russian has increased and intensified. Because of enlargement of EU Finland has started bilateral programmes in many different arenas. With regard to social and health care there is HUUTA-project, which is a three year project (2004-2006) between Helsinki and Tallinn. The main focus are drugs and STIs. Sex work is one part of the programme and the main aim is to develop accurate services which can be carried out both in Helsinki and Tallinn. TAMPEP material and ideas have been used already in planning phase and they will form an important part of the project in the future too.

In Russia we are planning to intensify bilateral collaboration between Pro-tukipiste and Stellit in St. Petersburg. We are applying for funding to start a pilot project to provide services to women who are coming to Finland from St. Petersburg and also women who are deported and sent back from Finland to St. Petersburg.

The planning of HUUTA started already in Autumn 2003. The project started 1<sup>st</sup> of January 2004. Estonians are applying for funding from the EU and the decisions will be made during the summer. Meanwhile we have started to update our health promotion material in Finnish, Estonian and Russian. We have also started to find out how EU membership actually has changed Estonian sex workers situation and rights in Finland. We are developing services and exchange visits will take place in the autumn.

## **FINLAND / executive summary**

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The tendency to make strict prostitution laws and to establish restrictive policy seen throughout Europe, is also a reality in Finland. Finland has adopted abolitionist prostitution policy and no clear distinction has been made between sex work and trafficking. The media have linked together prostitution and organized crime and the public opinion has become more open to repressive actions. The police has been very active and many women have been fined and/or deported. Service providers' attitudes have changed in a more positive direction and the need for special services has been acknowledged.

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# FRANCE

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## **P.A.S.T.T.**

### **Prévention Action Santé Travail pour les Transgenres (Prevention, Action, Health, Work for Transgender)**

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## **Organization profile and remits**

**P**.A.S.T.T. is an organisation created officially in 1997 but already active as a community program since 1992. It was founded by transgenders in order to provide practical support, psychological help and HIV/STI prevention within the transgender community, operated or not, French or migrant, sex worker or not.

In order to cover the different aspects of precariousness and to touch as many transgender as possible with its prevention messages and kits, P.A.S.T.T. is active in the following programs:

**Mediation and Public Health program:** Three formed mediators do proximity work with the sex workers in order to provide practical support in the relations with the administrations etc. The mediators belong to the transgender community and speak several languages, which facilitates the communication with the sex workers.

**Mobile Prevention Program:** In order to reach the sex workers on their working place, P.A.S.T.T. is running a mobile prevention program by bus. A staff of four prevention agents (three mediators and a doctor), provides information about diminishing the risks linked to sex work and drug use. Information material in different languages is distributed as well as prevention kits containing condoms and lubricants.

**Lodging program:** The P.A.S.T.T. has at its disposal 6 apartments to lodge for several month transgender living with Aids or other pathologies and being in a precarious situation. The organisation pays as well sometimes a part of the rent or some nights in a hotel.

**Service of welcome and orientation:** Within its local, the P.A.S.T.T. receives every day from Monday to Friday transgender to provide them psychological and practical support. In order to cover all the aspects of their life, a multidisciplinary staff composed of two doctors, one psychologist, three lawyers, one legal adviser, four prevention agents and three mediators work within that program.

**Prison program:** This program provides help and information to imprisoned transgender. They get psychological support and are taken in charge after having left the prison. The P.A.S.T.T. organises meetings with the prison staff in order to improve the situation of the transgender in prison.

**Legal program:** Three lawyers and one legal adviser provide legal advice. Most of the demands concerned the laws concerning foreigners (as for example the resident card) and the civil rights.

## **Overview current national context**

The law concerning the inner security of 19<sup>th</sup> march 2003 punishes passive soliciting with sentences going up to two month of prison and a fine of 3,750 Euro. Instead of fighting against the exploitation of sex workers, this new law makes their situation even more precarious and incites them to work in secret, thus creating more dependence and insecurity.

For many of them, especially the migrant sex workers, renting an apartment is impossible because they don't have the papers necessary. The French immigration law regarding the residence of foreign persons in France is very restrictive. A foreign person without residence permit (a so-called "without paper") must prove that he stayed in France by presenting documents showing his continuous presence in the country over the period of the last ten years. In an abolitionist system where the recognition of sex work doesn't exist, these documents are nearly impossible to collect because they are not delivered to a person without residence permit.

The clandestine character of their situation makes the sex worker very vulnerable especially concerning working conditions and lodging: the majority of migrant sex workers live in unhygienic hotels and work in public places: in the street, in car parks, public toilets, forests and parks, under bridges etc. which makes the sanitary conditions of their activity deplorable. Due to their fragile situation, migrant sex workers are as well more exposed to exploitation.

The new legislation makes prevention work within the group of sex workers more and more difficult. Many of them start working at other places than usual and work later and later in the night to escape police control. The already fragile situation of migrant sex workers is getting even more complicated by this law. Being afraid of police controls, they are forced to work in unsafe environment, making aggressions, rapes and crimes more likely.

To give an example of the disastrous consequences of this law for the prevention work: the organisation "Cabiria", working in Lyon has stopped its mobile prevention by bus because they were followed by the police who arrested the sex workers descending from the bus!

The State's abolitionist point of view concerning prostitution doesn't foresee any zones of tolerance. The authorities refuse to recognise the existence of prostitution, which makes it difficult to negotiate with the police or to demand the reinforcing of security of sex workers and their customers in the places they work.

Besides this law, the conditions for access to the AME (Aide Médicale d'Etat) have been restricted. The AME provided free access to public health care for undocumented migrants as well as the homeless and covered all costs for emergency and ambulatory care. Many sex-workers, especially migrants have been taken in charge by the AME because they had no access to another medical cover. According to the new restrictions,

a person has for example to prove (under some conditions) a at least three- month presence on the French territory before having access to the AME, presence which is difficult to prove for migrant people without documents.

Concerning their protection, sex workers don't seem to feel sufficiently secure to complain. This situation is even worse when we look at migrant sex workers. They fell stigmatised, especially following the law on internal security. Victims of trafficking will be protected only if they denounce their pimp. Since they get no financial support from the government during the trial and they are usually without financial resources, papers or working permit, they are more or less forced to do sex work throughout this time.

## **Assessment of the prostitution scene**

In the prevention street work of our association, we have noticed an increasing number of sex workers. In 2002, the mobile prevention of the PASTT (Paris) distributed 15 830 "prevention packs"; in 2003, they distributed 21 839 packs. However, it cannot be concluded that this is a result of the enlargement of the EU. The proportion of persons coming from the new members of the EU has not increased significantly. In Paris, up to now, the mediators of the PASTT have not seen any changes which can be linked directly or indirectly to the enlargement of the EU.

Aside from our own estimates about the situation in Paris, we have also done a national mapping. We had some difficulties in collecting the questionnaires, despite repeated demands, not all of them have been sent back. Nevertheless, we got answers from associations working in some of the bigger cities all over France: Paris, Lyon, Marseille, Nice, Nîmes, Nantes and Toulouse. The percentages are only an approximate indication.

The questionnaires show clearly the importance of migrant sex workers. They represent approximately 57% of all sex workers (Paris 68%, Lyon 60%, Nantes 82%, Nice 85%, Nîmes 40%, Toulouse 50%). The origins of the migrant sex workers are:

- |                              |     |
|------------------------------|-----|
| ▪ Africa                     | 43% |
| ▪ Central and Eastern Europe | 42% |
| ▪ Latin America              | 14% |
| ▪ Asia                       | 1%  |

As was expected, the questionnaires showed that the main vulnerability factors for migrant sex workers are the lack of papers (residence permit), the French legislation regarding prostitution and the trafficking issue. The propositions in order to reduce these factors are to support and the access to medical care and social rights of the sex workers, to encourage a law change and to fight against traffickers.

The questions concerning the mobility indicate that 54% of the migrant sex workers have already worked in another country than France before, mainly in European countries (Spain, Italy, Belgium, Germany, Greece, Netherlands) as well as in Algeria. 56% of the migrant sex workers have moved within France; the cities concerned are Paris, Toulouse, Lyon, Marseille, Bordeaux, Strasbourg, Montpellier, Nîmes, Caen and Rennes. The reasons indicated for this mobility are the repressive legislation, the trafficking network and the wish to find better working conditions and a better place for their activity.

Concerning the social data, the main problem pointed out by the questioned associations is the restriction of the access to AME (Aide Médicale d'Etat). Other points for worries are the decrease of the budget for migrant support (FASILD) in 2003 as well as the increasing difficulties to obtain the asylum and residence permits.

The prostitution takes place mostly on the streets.

The gender repartition shows that women still represent the majority with 78%. 13% are transgender persons and 9% are men.

## **National capacity for policy and strategy development**

PASTT has a close cooperation with the association *Autres Regards* from Marseille which has privileged contacts with organisations situated in the south of France.

In order to fight against the law concerning the inner security of 19<sup>th</sup> march 2003 and its disastrous consequences on public health, demonstrations have been organised, especially in Paris and Lyon. Also, on the occasion of the publication of a rapport concerning the prostitution scene in Paris, the PASTT showed up at the town hall of Paris and demanded concrete actions for sex workers. These actions to influence policy also help build national awareness of SWs issues.

## **Evaluation of the CD-Rom and other TAMPEP material**

### **Distribution**

At the meeting titled "Prevention among prostitutes", organised on 15 May 2003 at the "Conseil Régional de Paris" by the CRIPS (Centre Régional d'Information et de Prévention du Sida) TAMPEP's CD-Rom and work has been presented by Camille Cabral. The participants are all engaged in AIDS/STI prevention among prostitutes in France (Les Amis du Bus des Femmes, AIDES, ACT-UP, PASTT, Diagonale, Médecins du Monde etc), in Switzerland (Aspasie) and in Great Britain (International Union of Sex Workers).

P.A.S.T.T. distributed the material (CD-Rom, the two questionnaires and the commitment letter) among the associations and institutions working with sex workers. In order to distribute the material as widely as possible, PASTT (Paris) works with the association "Autres Regards" which uses its contacts in the south of France.

The CD-ROM has also been distributed to some hospitals in Ile-de-France, where especially the multilingual material is very appreciated by doctors and social assistants treating persons who do not speak French.

### **Evaluation**

The educational material has been distributed in almost all proposed languages. The associations contacted would like to have as well material in African languages (especially Bambara and Edo were mentioned) as well as in Arabic and the transgender brochures in French.

The material was evaluated as useful, mostly because the prevention material specially created for the needs of sex workers is scarce and it can be used to complete the messages of the mediators.

Propositions to improve the material concerning the form are to include anatomy pictures and eventually a video about prevention in English. Generally, more picture material should be proposed for illiterate people. The CD-Rom should perhaps be translated into other languages than English, which is still a difficulty for some users. Concerning the content, the associations contacted propose to talk about post-emergency treatment after risky situations, to inform about the female condom as well as about the recent tri-therapies.

## **Actions with relevance for TAMPEP**

Two PASTT representatives went to FARO in Portugal to participate at a workshop organised by MAPS titled “Prostitution in the 21<sup>st</sup> century” (28<sup>th</sup> of november- 1<sup>st</sup> of december 2003). The countries represented were Portugal, France, Germany and Spain. The programme consisted in three points : Migration/prevention, legislation and prevention/ health.

Concerning the subject Migration/prevention a tendency to more restriction can be noted, tendency leading to more exclusion and difficulties concerning prevention work. It was as well mentioned that it is necessary to distinguish between victims of violence and traffic and persons who choose to be a sex worker.

The legal situation of sex workers in the European countries represented was also discussed. Concerning prevention and health, the participants stated the necessity to adapt the health services to the immigration (different cultures, traditions, languages). The clients of sex workers should be a target of prevention campaigns (as it is done in Germany) in order to make them understand that they share the responsibility.

## **Bilateral field visit**

Two transgender sex workers from Paris have followed a training “Projet Fenarete” peer education programme organised by “Autres Regards” from the 12th of may to the 11th of october 2003. This projects aims to form sex workers in order to intervene in health and social work. One of the two participants has meanwhile worked as trainee in the Italian association “Comitato per i diritti civili delle prostitute”.

## **FRANCE / executive summary**

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Given the more and more repressive policy, the defence of sex workers gets more and more important. Fragilised by the law concerning the inner security, by the restriction of the access to medical care as well as already marginalised by the public opinion, the defence of their rights and a prevention work adapted to their situation is essential as well for them as for public health in general. This work among the sex workers should necessarily be accompanied by lobbying for their rights and their full place in society.

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# GERMANY

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## **Amnesty for Women Städtegruppe Hamburg e.V.**

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## **Organization profile and remits**

**T**he partner organisation in Germany is a non-profit association in Hamburg, working on the principle of 'helping women to help themselves'. The organisation carries out activities focused on the needs of migrant women, including migrant sex workers, offering psychological, social and legal counselling, accompanying and German language courses. Public relations work aims to publicise their situation and the issues with which they are faced. The overall goal is to strengthen the social and legal situation of migrant women/ migrant sex workers and thus, in the long term, to assist their integration into German society.

*Amnesty for Women* acts as a meeting place and a counselling centre for migrant women. Most of our staff have a migrant background. Legal counselling is available in German, English, Polish, Portuguese, Russian, Spanish, Thai and Czech. Psychological counselling is offered in Polish and Spanish. The counselling services are free and anonymous.

The organisation carries out different EU Projects:

- TAMPEP, *Transnational AIDS/STD prevention among migrant prostitutes in Europe* (EU Commission DG V, programme Europe Against AIDS). Since 1993.
- FEMMIGRATION, *Legal Agenda for Migrant Prostitutes and Trafficked Women on the Internet* (EU Commission DG A/5, Daphne programme). Since 2000.
- FENARETE, *Training for sex workers as peer educators* (EU Commission DG XXII, Leonardo da Vinci programme). From 2002 to 2004.
- PSYFEM, *Psychological and psychiatric care for migrant women in Europe* (EU Commission DG Empl/E/2). From 2002 to 2003.

## **Overview current national situation**

### **The Prostitution Law**

Since January 2002 there has been a new prostitution law in Germany.

"The law consists of three articles and its content is essentially the following:

**Article 1** states that contracts which deal with sexual activities in exchange for payment are grounds for legally valid claims (i.e. the remuneration is legally recoverable).

**Article 2** decriminalises the promotion of prostitution (§180a StGB); instead it makes punishable the exploitation of prostitutes. The procurer paragraph (§181a StGB) has also been amended in such a way that it no longer inevitably rules out employment contracts.

**Article 3** states that the law comes into force on the 1.1.2002.

The intention of the legislature, by permitting employment contracts in prostitution, was to make access to the social security systems such as unemployment, pension and health insurance possible for prostitutes. To this end certain legal hurdles had to be removed, the main one being immorality.

The law is however very contradictory in some parts and in addition there are as yet no valid and uniform guidelines as to how it is to be implemented at all.

In principle employment contracts for prostitutes are possible, but only in a very limited form. There are also public prosecutor's offices which regard employment contracts as a form of pimping and are bringing charges.

The promotion paragraph in its old form no longer exists, and the provision of good working conditions is expressly no longer punishable. But depending on how a business is organised, this could also lead to social security contributions and perhaps income tax having to be deducted, even when there are no employment contracts".<sup>1</sup>

Prostitutes can therefore profit from the state social security system in the same way as other female employees. Practice shows however that unfortunately not very many employment contracts have so far been concluded. This is the case because most prostitutes in Germany are self-employed. The women who work for clubs or brothels are freelance or pay rent.

Emilija Mitrovic, in her study investigating the consequences of the new prostitution law, says<sup>2</sup>: *"But the situation is slowly changing. Some brothel keepers see in the new prostitution law an opportunity to escape the still criminalised milieu. They conclude employment contracts with the women, but mostly on a low-wage basis"*.

In the sphere of prohibited areas ordinances the German states and municipalities can in part interpret the provisions of the law themselves. Thus the rules which prohibit prostitution in certain zones vary in different cities.

According to E. Mitrovic's the case in Dresden for example is that *"almost the whole area of the city was declared a prohibited area... thus in effect every form of prostitution is prohibited ... In Hamburg prostitution is actually prohibited in the whole area of the city. The Reeperbahn and certain other streets in St. Pauli are an exception... In Stuttgart the prohibited area ordinance applies to the whole area of the city, although in the middle of the city center is the Drei-Farben-Haus, a brothel in which over 80 prostitutes offer their services."*

Employment exchanges do not want to administrate job offers for prostitutes. Apart from this they have no special department for prostitutes (or "special services"), as they do not consider it necessary.

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<sup>1</sup> Text by *Kassandra e.V. Prostituiertenselbsthilfe und Beratungsstelle* (Prostitute Self-Help and Advisory Center) in Nuremberg.

<sup>2</sup> Seminar by Ver.di (*Vereinte Dienstleistungsgewerkschaft* or Amalgamated Services Union), April 2004, Hamburg: *"Arbeitsplatz Prostitution"* (Work Place Prostitution). Report on the results of the field study "der gesellschaftliche Wandel im Umgang mit Prostitution seit Inkrafttreten der neuen Gesetzgebung am 1.1.2002" (Social Change in Dealings with Prostitution Since Implementation of the New Legislation on 1.1.2002) by Emilija Mitrovic.

The tax authorities deal very differently with the taxing of prostitutes from city to city. According to E. Mitrovic's study "in Stuttgart prostitutes are liable for income and sales tax (regulation tax rate 16%) as self-employed workers. A flat rate is charged for every rent/ working day here, composed of income tax, solidarity surcharge and sales tax. This daily rate is 25 Euro. Those renting out apartments for assignments are obliged to charge this tax as part of the daily rent from the prostitutes and pay it over to the tax authorities every quarter. In Dortmund the tax authorities have so far only demanded taxes when women have been reported as "moonlighters". In Hamburg those who wish to register themselves are subject to a retroactive tax liability".

### **The Prostitution Law for Migrant Sex Workers**

The new prostitution law makes the opportunities for migrants to work legally in prostitution dependent on their country of origin and legal status. They can be divided into three groups:

**Women from the Old EU States** – These have a freedom of establishment in Germany. They may be self-employed or work for an employer, including in prostitution (to take up work the EEC residence permit must be sought). Prostitution is not a reason for deportation, although in individual cases discretionary decisions for a deportation may be reached which refer to the provisions of §12 of the *Zuwanderungsgesetz* (immigration law) or §92 *Ausländergesetz* (law on foreigners)<sup>3</sup> in force and in this context represent an infringement of regulations and not a criminal offence.

**Women from the New EU States** – From the 1 May 2004 Estonia, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia, the Czech Republic, Hungary and Cyprus have become part of the EU. The membership means that people from these new EU countries can travel to any of the old EU countries without a visa. After three months they can ask for a European residence permit at the Aliens Office. As long as they do not become a financial burden on the state, they have an unlimited right of establishment. Police border checks remain unchanged for the time being.

Each "old" EU country will however be deciding for itself and independently of the others when it will open its labor market to all. Germany is planning to do so from 2009. Until they are open, new EU citizens can only establish themselves in the old EU countries on a self-employed basis. This rule is also applicable for sex workers. From now on, persons from the new EU countries wishing to work in prostitution in Germany have to present the following documents at the *Ausländeramt* (Alien Office):

- A certificate of residence.
- Two passport photos.
- A valid passport or identity card.
- A document certifying that the person have a regular income of a minimum of 600 Euros. This certificate can be issued by a brothel owner, an apartment manager or a tax consultant in case she/he works alone, or through bank extracts. It has to prove the income of the last three months.
- A valid health insurance, which can also be one from the home country.

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<sup>3</sup> § 92 AuslG: Criminal Regulations. (1) A prison term of up to one year or a fine will be imposed on anyone who 1....remains in German territory and has no permission according to § 55 Sec. 1.

(2) A prison term of up to one year or a fine will be imposed on anyone who in violation of § 8 Sec. 2 S.1 without permission a) enters German territory or b) remains in it....

- A lease from the flat where the person is living or the apartment or room where she/is is working.
- The tax number as a self-employed person.
- A bank account.

After the Alien Office had controlled the documentation, the person gets a three months residence permit, which will then be prolonged for one year and afterwards, for five more years. It is however possible that the person has to go periodically to the Aliens Office to prove through bank extracts or tax certificates, that she/he is still able to sustain her/himself and that she/he pays regularly the health insurance.

People from the "new" EU countries who want to work as an employee require a residence and work permit as before.

**Women from Non-EU Countries** – There is no fundamental right of residence for women from non-EU states, unless there exists an agreement between the respective states on freedom of establishment or a right of settlement for particular professional groups, e.g. Korean care workers/nurses. There are currently no such regulations for prostitutes. Migrants only receive the right of residence if:

- they are married to a German or to a migrant with established residential status
- they have a German child
- they live with a German in a same-sex partnership. Where there is a marriage with a German or a same-sex partnership, after two years the migrant receives a residence permit independent of marital status according to §19 AuslG. The residential status of a migrant married to a foreigner depends on the residential status of the partner. The migrant is entitled to access to the job market, but may initially only take up work for an employer. Self-employment must be applied for and is subject to a public need test.
- Since prostitution is recognised as self-employed work according to the new prostitution law, women with a temporary residence permit may not carry on this work without applying for a special permit. Migrants in possession of an unlimited work permit can carry on this work just as German women can and do not require any special work permit for it.

Working conditions for women who work without a residence permit and the corresponding work permit have not changed since the new prostitution law came into force. The situation of women who work as prostitutes without having an established status is not taken into account at all in the new prostitution law; they continue to have no rights and are criminalised, persecuted and deported.

### **Law on Prevention and Control of Communicable Diseases (The *Infektionsschutzgesetz*)**

On 1 January 2001 an *Infektionsschutzgesetz* was introduced which abolished mandatory examinations (*Bockschein*) for sex workers in the country. The 2003 survey did not this time ask about the consequences of the *Infektionsschutzgesetz* for German or migrant prostitutes.

The following information comes from the investigation made by Emilija Mitrovic<sup>4</sup> in 2003/04 as part of the *Arbeitsplatz Prostitution* (Work Place Prostitution)<sup>5</sup> project. The

<sup>4</sup> Emilija Mitrovic, Hochschule für angewandte Wissenschaften, Hamburg

<sup>5</sup> "Veränderungen im Umgang mit Prostitution seit dem Inkrafttreten der neuen Gesetzgebung am 1.1.2002"  
(Changes in Dealings with Prostitution Since Implementation of the New Legislation on 1.1.2002)

provisional results of this investigation have shown that since the introduction of the *Infektionsschutzgesetz* the demand for examinations from prostitutes is falling.

Quotation from the interview with the health department in Dresden:

*"The changes brought about by the Infektionsschutzgesetz were enormous. Before we could telephone a club and the brothel keepers also had an interest in the examinations. But once the law had got around – we didn't say anything about it to them to start with – the girls then stayed away after all. The Infektionsschutzgesetz is a deterioration of our work. Many women don't come for examination anymore. And many do it without a condom for 50 Euro extra. The normal prices are 70 Euro for half an hour, 130 for the whole hour".*

German women usually use private insurance. Migrant sex workers on the other hand, especially those working without health insurance in the sex work field, have access through the new legislation to treatment and advice with regard to HIV and STD at public health departments. Anonymity plays a very important role in this law, especially for migrants without health insurance, since they can allow themselves to be examined without fear. For the health departments that deal with sex workers this resulted in restructuring, since from then on they had to rely on outreach work to inform them about what they had to offer.

## Assessment of prostitution scene

In July 2003 TAMPEP-Germany sent 107 questionnaires to health services (GOs) and non-governmental organisations (NGOs) that work with migrant sex workers in Germany. Of these 107 organisations, 47 returned the questionnaire. This is 44% of the institutions questioned in Germany. Because not all of them are concerned with the target group however, only 34 filled in the questionnaire completely. Our assessment is based on the information which these 34 organisations have passed on to us.

- 23 of the questionnaires were sent by GOs (mainly public health departments)
- 11 by NGOs
- from 27 different cities in Germany.

## The Prostitution Scene

### Work Places of German Sex Workers

	Street	Brothel	Apartment	Clubs + Bars	Massage Salons	Others <sup>6</sup>
<b>TOTAL</b>	<b>8%</b>	<b>20%</b>	<b>36%</b>	<b>22%</b>	<b>8%</b>	<b>6%</b>

The majority of sex work in Germany continues to be carried out within closed establishments. Although the street scene is worked mainly by German sex workers, the data show that they too prefer apartments, clubs, bars or brothels to work in. The reasons for this can be seen in the fact that the women find greater security as well as better working structures in such work places. Work on the street has by and large decreased sharply.

<sup>6</sup> "Others" refers to the following work places: sex cinema, house, hotel, escort, Internet, caravan, display window, etc.

A large part of the women who work on the street are drug dependent women who see prostitution as acquisition work to satisfy their addiction. Neither do these women see themselves as sex workers.

#### Work Places of Migrant Sex Workers

	Street	Brothel	Apartme nt	Clubs + Bars	Massage Salons	Other *
<b>TOTAL</b>	<b>3%</b>	<b>23%</b>	<b>34%</b>	<b>28%</b>	<b>2%</b>	<b>10%</b>

The results of the TAMPEP surveys show that since 1997 migrant prostitutes are working increasingly in brothels, apartments, clubs and bars. The results of the analysis of the 2003 questionnaire confirm this assessment.

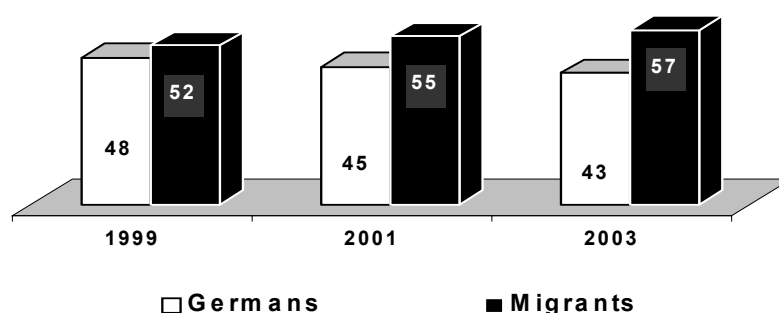
Work in brothels and apartments has changed slightly since 2001. While earlier on (1997, 1999) German women did not work together with foreign women as a rule, in the period of the survey German and migrant sex workers are increasingly working together. In the 2003 survey some organisations gave information about this phenomenon.

The streets, as a public place, are fairly tightly controlled by the police through raids. For this reason the women seek protection against checks and raids by working in enclosed spaces. One exception is that in Braunschweig over 75% of migrant women involved in prostitution work in display windows. This may be due to the fact that they enjoy a secure residential status, which permits them this kind of work. The rule however continues to be that migrants prefer large cities such as Hamburg, Berlin and Frankfurt, since these offer them greater security with regard to their anonymity.

Although bars and clubs are also checked, they offer a securer place than the open street scene in view of the danger of violent punters. In certain bars or clubs the work is very often done by migrants with the same cultural background. For many women who have been in Germany for long this means they can break through their isolation. This also simplifies contacts taken up during outreach work so that health and social services, among other things, can be offered.

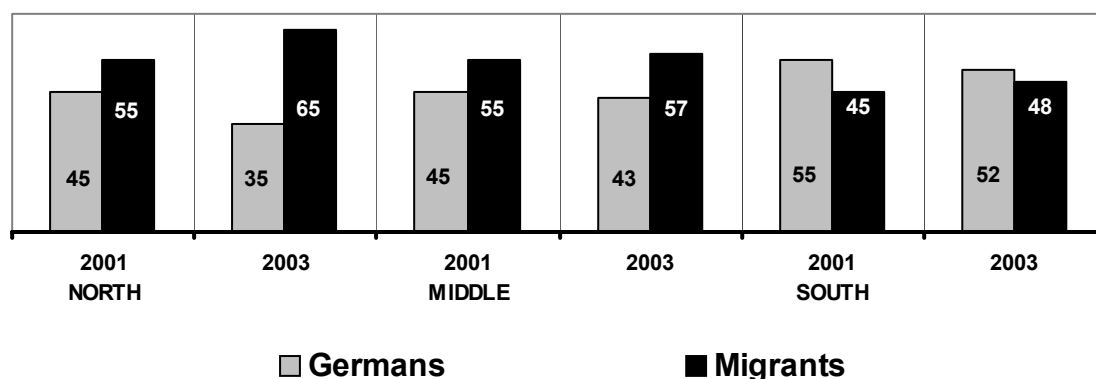
Furthermore, it turns out that women are increasingly working with mobile phones and using the Internet as an advertising tool. These media are used by both German and migrant sex workers to stay even more anonymous. Heavy checks on the part of the police have induced migrants to move ever further towards the edges of cities, which hinders contacts with the target group by GOs and NGOs.

#### Percentage of German and Migrant Sex Workers



### Percentage per Region in 2001 and 2003

(Germany was 'divided' into three regions (North, Middle and South) in order to make comparisons more feasible)



According to the prostitutes' projects (self-help groups) in Germany, there are some 400.000 women, men and transgenders working as sex workers full or part-time in a year.

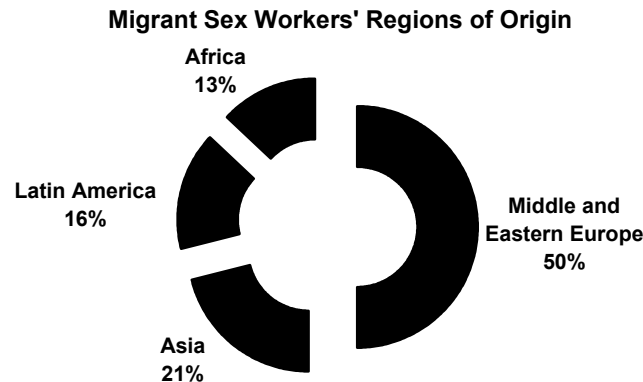
### The graphs make two facts very clear:

- Firstly, the proportion of migrant women working in prostitution in Germany is rising continuously. These percentages do not show the exact number of migrant prostitutes, but emphasise a growing trend. Neither do these figures differentiate between migrants working voluntarily or involuntarily in prostitution. The experience of organisations and direct contact with the women show that a majority of women consciously decide on migration and intend from the start to work in prostitution; even if to do so they must become dependent for a time, be it on a pimp, a trafficker or other people. Although the women then know what job they will be doing, they do not know what conditions they will be working and living under.
- Secondly, the gradually more even distribution of migrants and German sex workers in the prostitution scene. Although in the north of the country the number of migrants is still considerably greater, the trend is towards a clear equilibrium. Various different reasons may be named: the supply has changed to meet the demand, the mobility of the women has risen in certain regions due to the abolition of the *Bockschein*, some of the migrant sex workers now have a regularised residential status which allows them securer mobility, the working structures in the sex industry are gradually homogenising within Germany, and ultimately cooperation between Germans and migrants is slowly becoming a fact.

### Migrant Sex Workers' Regions of Origin

In the 2003 survey, 31 different nationalities were ascertained for migrant sex workers working in Germany. In 2001 there were 35 different countries. The following table shows the distribution in percentages of the most frequently encountered nationalities of migrant sex workers in the North, Middle and South regions.

	Mid. & East. Europe	Asia	Latin America	Africa
<b>NORTH</b>	60% Poland, Ukraine, Lithuania	16% Thailand	14% Dominican Rep., Columbia	10% Ghana, Nigeria
<b>MIDDLE</b>	35% Ukraine, Poland, Lithuania	25% Thailand, Philippines	20% Columbia, Dominican Rep.	20% Ghana, Nigeria
<b>SOUTH</b>	55% Poland, Ukraine	22% Thailand	15% Dominican Rep., Columbia	8% Ghana
<b>TOTAL</b>	<b>50%</b>	<b>21%</b>	<b>16%</b>	<b>13%</b>



The majority of migrant sex workers from Middle and Eastern Europe are concentrated in the North and South of Germany. Middle Germany is favoured by Latin American, Southeast Asian and African women, with the number of Southeast Asian, especially Thai, sex workers slightly on the increase.

Thais continue to concentrate in southern Germany, however. This may be due to the fact that many Thai women have married German or other EU citizens and have long built up an informal network in this region. These connections make easier, among other things, the establishment of new migrants working in this area.

### **Gender Distribution**

As might be expected, the majority of migrants who work in prostitution are women. But the number of men and transgenders who migrate to Europe, and in this case Germany, to work in the sex industry is growing. The reasons for migration are not always the same, but the majority emigrate because of financial need.

Many homosexuals and/or transgenders (transvestites or transsexuals) also decide to migrate since they are greatly discriminated against in their countries of origin because of their sexual orientation. Financial need and sexual discrimination are not the only reasons for migration; there is great demand from European clients for a particular supply. The majority of transgenders come from Latin America and Southeast Asia.

Transsexuals often take on an active role in sex work. Many of them therefore decide not to have their bodies completely transformed and not to take female hormones, since these hinder erections. In addition, an operation may mean a loss of sexual feelings and a final decision that allows "*no going back*", which understandably entails anxieties.

Silicon injections in the chest, hips and face are therefore a quick and effective alternative which is not so expensive. Since most of them use unprofessional methods, however, many of them suffer from grave consequences, such as serious inflammations, which can only be healed at great pains if at all.

### **Living and Working Conditions**

To the question of what the most serious factors were in causing vulnerability for migrant sex workers, these six points were mentioned most frequently:

- Insecure/lacking residential status
- Inadequate knowledge of language
- Discrimination
- Racism



- Marginalisation
- Dependency

All three regions (northern, middle and southern) agree that *"insecure and lacking residential status"* coupled with *"inadequate knowledge of language or communication difficulties"* are the most important factors causing vulnerability, as they are the main reasons conditions of dependency arise.

Other factors, such as *"discrimination, racism and marginalisation, dependency on third parties, information deficits on health and legal questions, lacking social protection"*, etc., were named as further points.

Only three organisations address the possibility that women are affected by *traffic in women* as a cause of vulnerability. None of the organisations questioned sees the foreign sex workers as victims.

Only one advice centre gave *"drugs and alcohol consumption"* as a factor of vulnerability. The experiences show that only a very small group of migrant sex workers suffers from the problem of drug dependency. This refers to *"hard drugs"* such as cocaine, heroin and crack. There is increased alcohol consumption among women who work in bars and clubs and are involved in a percentage of the profit made from alcohol consumption.

One institution named *"lack of preventive work in the country of origin"* as a problem. This refers to the trustworthy dissemination of information about the social, legal and health regulations in Europe, or in this case Germany, by local organisations in countries of origin. Women who decide to migrate are as a rule in total ignorance in their country of origin over what they will find in their country of destination. In addition to this, they have as good as no contacts to organisations or advice centres in the host country. This lack of information is also an important factor leading to migrant sex workers getting into extremely unprotected situations.

In the year 2000 the TAMPEP Network and *Amnesty for Women e.V.*'s EU project *FemMigration* set up a website on which general information is presented on the legal and social situation for migrant sex workers in various EU countries. More on this under [www.femmigration.net](http://www.femmigration.net).

### **Suggestions for Reducing Vulnerability**

Most advice centres and organisations suggested a *"change in the law on foreigners in connection with the prostitution law"*, which would create just conditions to be able to live and work legally in Germany.

One organisation suggested very concrete *"information campaigns in the country of origin on the actual working conditions in Germany"* and *"support for returnees in Germany and in the countries of origin"*. The first suggestion could be understood as preventive work against traffic in women. The second however is not unproblematic, since it is not in the interests of the majority of the women, i.e. those who come to Germany and want to stay here. Sex workers who are victims of violence or traffic in women and wish to return to their country of origin of their own free will must of course be supported by every means, but those who get into such a situation and want to stay in Germany should be given an unlimited right to stay.

Several institutions have mentioned "*the need for interpreters*" because many women do not have a good command of German. Other suggestions: "*Creating counselling centres for people with a need for anonymous and free advice, medical care and social guidance with the aid of interpreters/cultural mediators*".

Cultural mediation in the area of work with migrant sex workers, as understood and defined by TAMPEP, should serve to simplify and make effective the work of organisations. However, as the results of the 2001 survey have already shown, cultural mediators are unfortunately only used to a very limited extent in Germany. Many organisations which work with migrants in general report that extreme cuts are now preventing even the involvement of interpreters. For this reason staff who speak other languages are continuously being involved in an informal way.

Other suggestions made for reducing the vulnerability of migrant sex workers are:

- Regular outreach social work.
- Low-threshold health and social advice centres.
- Integration opportunities such as language courses.
- Building up of networks among GOs and NGOs.
- Measures against forced prostitution.
- *Green Card* for prostitutes.
- The involvement of peer educators.

### **Mobility**

As in the last surveys of 1999 and 2001 it was also seen this time that mobility of migrant sex workers continues to take place mostly within Germany. The 2003 survey shows an overall reduction in mobility, however. As in the last survey, this mobility continues to be mainly between the largest German cities and regions, i.e. Hamburg, Berlin, Frankfurt/Main, Munich, Cologne and the Ruhr area.

In addition, and as in 2001, it was seen that migrants also seek sex work in other EU countries such as Spain, France, the Netherlands and Italy. This mobility within the western European countries may take place before, during or after a stay in Germany.

It can further be seen that many women already worked in prostitution during their migration process, i.e. before they came to western Europe. Poland, Ukraine, Russia, the Czech Republic and Turkey were for example given as countries where migrants had also already worked in the sex industry. It could also mean, however, that these women were also already working in prostitution in their countries of origin.

The fact that little by little migrants acquire a permanent status through marriage or a German child can be given as a reason why they establish themselves in one place and continue to work there.

Mobility can be explained as a phenomenon caused by various factors:

- **Police Checks** – Because of constant raids and checks by the police, the women move around very frequently within the country. Migrant sex workers feel insecure and oppressed as they are afraid of being checked or even deported. This leads to them taking great risks and living in isolation.

- **Supply and Demand** – Supply (almost) always adapts to demand. A change of location very often opens up new and better working opportunities for (migrant) sex workers through the supply of "new faces".
- **Networking Among Migrants** – Although competition is also a reality in this area, solidarity, close relationships or simply contacts exist among migrant sex workers as well. This permits greater mobility inside and outside the country, as it makes integration into the employment market easier.

## **Details of Behaviour**

### Health Services

Many organisations reported that an improvement has taken place in health care, and low-threshold advice centres have been better consolidated.

Other organisations stated however that there is less contact with the public health department since the compulsory examinations have been abolished. The health departments therefore see a greater need to approach sex workers, since the women are no longer obliged to have themselves examined regularly. Since many health departments were not prepared for outreach social work however, the number of examinations has diminished sharply.

Several health care services in northern Germany report an increase in outreach work so as to offer the anonymous aid services. These services further see the continuation of outreach work with native-speaking peer educators, interpreters, cultural mediators and doctors as especially important so as to spread their offers and provide educational information.

What was also often remarked upon, however, were the "*minimal services for people without a regularised residential status or without health insurance valid in Germany*" something which forces these people even more into isolation and to the edge of society.

### Social Services

There were increased state cuts, especially in projects supporting women and/or sex workers and migrants.

Since migrants often live in isolation, it is difficult to integrate them. This is why many organisations see "*the involvement of cultural mediators*" as very important.

Women without residential status receive no financial help. Should they become pregnant or already have children, they have no access to health or social benefits.

The mobility of the women, especially among migrant prostitutes, causes them often to have no interest in (or no opportunity for?) care or examinations.

Migrants with a secure residential status on the other hand can take out social insurance just as German sex workers can.

## **Living and Working Conditions**

As in the earlier surveys, sex workers in the three regions of Germany continue to work mainly in apartments and brothels. Rents continue to be very high: 60 to 100 Euro per day per person. This is why many women, especially migrants, work and live in the same place.

The results of the 1999 and 2001 surveys showed that women with the same language and cultural background mostly lived and worked together. The outreach work done by TAMPEP in Hamburg in the last two years, however, showed that for example a woman from the Dominican Republic might work and also live with a Polish woman

and/or a Thai woman. German sex workers will however only be involved if the migrants have a secure residential status.

For security reasons, many apartments are monitored by video cameras at the front door.

### **Reporting Crimes**

Migrant sex workers, who work in prostitution without a residence permit cannot report a crime without running the risk of being deported. However, women who are victims of trafficking can report their pimp to the police. They are then taken into a witness protection program which gives the women a tolerated residence permit or "*Duldung*" for the period of the legal proceedings. They cannot work during that period. Once the proceedings are concluded they must leave the country.

### **Legal Information**

In general there is still a large gap in terms of information on legal matters, both for the advice centres and for the migrants themselves. This mainly concerns the law on foreigners and the corresponding employment regulations. Since language still represents an obstacle, work with cultural mediators and networking with other organisations which advise and back migrants on legal and social matters is very much recommended.

For migrant prostitutes who have an unlimited residence permit, information on the new prostitution law is very limited, since the catalogues and leaflets with information on the subject are only available in German and have not yet been translated into other languages.

### **Information on Advice Centres**

This type of information is much better spread among the target group insofar as it is a matter of local networking. For the most part the various advice centres in the same city work well together, which simplifies the spreading of the specific services they offer. Usually advice centres at a regional level also have good connections with each other. At a national level the spread of information functions through individual nation-wide networks such as the prostitutes' projects, the Prostitutes' Congresses, the KOK<sup>7</sup>, the network of health departments, etc.

The spreading of information through flyers, leaflets, information brochures, etc. for (migrant) sex workers is done mainly through outreach work, on the street, in apartments, brothels, bars or clubs. The information is however also offered in the various organisations and institutions which offer advice and backing. The "word of mouth" method is very often applied within the various cultural communities.

### **Traffic in Women**

Despite the repeated attempts of most NGOs to deal with the subjects of prostitution and traffic in women separately, time and again these areas are viewed in fixed conjunction by politicians and media. This leads to the strategies designed to combat the trade in women having a very negative effect directly on sex work, with consequences especially for migrant sex workers.

Experience once again shows, however, that the majority of migrant women who practice prostitution in Germany are not affected by traffic in women, although they are

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<sup>7</sup> KOK/ Bundesweiter Koordinierungskreis gegen Frauenhandel und Gewalt an Frauen im Migrationsprozess e.V. (KOK/National Coordinating Group Against Traffic in Women and Violence to Women in the Migration Process).

or have to be dependent on various factors and people at different times in the migration process.

There are various NGOs in Germany which devote themselves for example to (migrant) sex workers as well as generally to migrants and in doing so also advise and care for those affected by traffic in women.

There are also, however, quite specific organisations which devote themselves exclusively to this subject and this target group, e.g. Contra (Kiel), Kobra (Hanover), Koofra (Hamburg), Belladonna (Frankfurt/Oder) and others. Most of these organisations have good connections with each other at national level, as well as at a local level with other institutions and organisations.

## **Hamburg**

This report is the result of the outreach social work carried out in this phase by TAMPEP-Germany in Hamburg. The target group was migrant sex workers working in apartments and brothels. This work has been carried out continuously since 1995 in cooperation with the BUG (*Behörde für Umwelt und Gesundheit (Environmental and Health Authority), Hamburg*).

### **The Prostitution Scene in Hamburg**

According to the Hamburg police,<sup>1</sup> in 2003 approx. 3.700 women were working in prostitution in Hamburg. 2.100 of these were migrants (57%). Compared to 2002 the overall number of prostitutes and the proportion of migrants remained the same. The largest part was formed by the unaltered number of 1.800 women from Middle and Eastern Europe. This is 48% of all prostitutes.

According to the monitoring done by TAMPEP in the last few years, the apartment scene in Hamburg changed very little. Each house as a rule has from one to a maximum of three apartments in which between two and a maximum of four women work. There are now also larger houses, however, with a total of 10 to 20 apartments. These are structured differently to the individual apartments. They have a unified administration for all the apartments. In addition there is an increase in women of different nationalities working together in one apartment.

Experience has shown that sex workers often know little about the services offered by the institutions that can support them in the health, social and legal spheres in Hamburg. Many women work and live in Germany with an unregularised residential status and therefore do not dare take up the offers, or are simply afraid of institutions no matter what kind.

The streets are worked mainly by German women. In the St. Georg district there is an increasing number of drug dependent German women, since there are only a few drug dependant women among the migrants.

### **Outreach Work**

The large majority of addresses come from the advertisements that appear in the daily newspaper (*Hamburger Morgenpost/MoPo*).

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<sup>1</sup> From the report "Umgang mit Prostituierten in Hamburg" (Dealings with Prostitutes in Hamburg) (October 2003) by Detlef Ubben, Head of the Landeskriminalamt (State Criminal Investigation Department) Hamburg 730.

The prostitution scene that takes place in apartments is spread over the whole city. Some statistical data from outreach work:

- A total of 43 (out of 100) different city districts were visited.
- About 270 different addresses were called on, many of them repeatedly.
- About 700 sex workers were personally contacted: about 90% women and 10% transgender. However, taking in consideration colleagues not present at the moment of the visit, about 1.400 sex workers were directly and indirectly contacted.
- The outreach work team was composed of cultural mediators from Middle and Eastern Europe, Latin America and Southeast Asia working together.
- Most of the contacts were made in the afternoon. As had been repeatedly established the women are visited by most of the clients in their lunch hour and/or at the end of the working day. The afternoon, when there is less going on, is therefore the best time for outreach work and promoting workshops.
- 80% of all conversations lasted up to 15 minutes. In the other 20% of cases the encounters lasted some 25-40 minutes, which includes the workshops.
- There were 33 different nationalities encountered. Results of outreach work:
  - Germany and other EU countries      30%
  - Middle and Eastern Europe              27%
  - Latin America                              24%
  - Southeast Asia                              17%
  - Africa    2%

**The Middle and Eastern European Scene** – Russians and Poles were the women from the Middle and Eastern European area most often encountered in Hamburg. Many of the women from the Russian-speaking area said they were Russians, but came from Ukraine, Belarus, and other Middle or Eastern European countries. An increase can be seen in Bulgarian sex workers. There are sex workers who work independently and thus only have to pay rent and the costs of the newspaper advertisement. Many of them who work legally in Germany spoke about their wish to work independently. "Mindere", "managers" or "pimps" were also encountered however.

**The Latin American Scene** – Most of the women encountered from Latin American countries were from Ecuador. A decrease can be seen in the number of sex workers from the Dominican Republic. It may be that because of their mobility many women of this nationality have simply moved to another district or city. Many Latin Americans have legal status in Germany through marriage or children. Some of them want to use their legal status to register officially as a sex worker in Germany. Most Latin American sex workers work in prostitution consciously and of their own free will.

**The Southeast Asian Scene** – The largest proportion of Southeast Asians are from Thailand. The majority of Indonesian and Malaysian sex workers are transgender. Thais work in twos or threes in apartments or in groups in brothels, so-called "massage salons or massage parlours". Most of those working in massage salons deny being sex workers. Even when it was obvious that the women were prostituting themselves, many of them still pretended they were only masseuses. It was thus difficult for the outreach workers to talk to the women about sex work and give them condoms or information material.

It was also found that the fluctuation rate is high with Thais: some of them work for three months in Hamburg and then change to another German city for a while, only to

come back to Hamburg again afterwards. They also make sure to find a "replacement" when they go back to Thailand on a visit. This deputising is important so as to be able to keep the apartment during the period of absence.

### **Health Workshops:**

#### **A Very Good Experience**

A total of 25 workshops dealing with health and prevention issues were run by two nurses; one was from Nicaragua and the other from Germany. Both were always accompanied by cultural mediators.

**The Situation** – In previous visits in the context of outreach work it had become clear that making an appointment for several women together would make little sense since they neither wanted nor were able to commit themselves to a specific time. For this reason the workshops, in the context of outreach work, were offered on a spontaneous basis for individual women. These "mini-workshops" were designed for two to three women, since it was not practicable to bring 5 to 10 women from different apartments together for a large workshop.

**Problems** – Many of the younger sex workers from Eastern Europe tended to mistrust the offer of information on health care. They maintained they had no questions and a few times the outreach workers got no further than a talk on the doorstep. Women who had been living in Germany for longer and had a secure status were more accessible. From experience they are more self-possessed with respect to offers of health care and do accept them. The problem was now to win over for a longer talk precisely those women who from fear or mistrust avoid longer-lasting contacts.

**Solution** – To be able to address these problems, having some visual materials seemed to make the most sense. Since information on HIV/AIDS and other STDs was generally more easily absorbed, priority was given to pictures of breast self-examination. Therefore during the workshops the nurses carried out a breast examination on almost every woman and showed them how to do this examination themselves, which met with great interest.

**Visual Materials** – The pictures mounted on index cards (for example of familiar everyday situations) on the one hand aided the recognition factor, which not only awakens interest, but also offers an ideal basis for prevention work with migrants of a low educational level and/or limited knowledge of German. The index card format also ensures uncomplicated handling, so that a workshop can if necessary be conducted on the doorstep (or if this awakens an interest, first on the doorstep and then in the apartment).

It should be noted that the sex workers only possessed superficial knowledge on the subject of health and hygiene, which gave rise to many specific questions during the explanations of the pictures. These could serve as a basis for a talk about STDs, observing one's own body and that of the other person (in general the object was to show what could be alarm signals and what could or should then be done).

The *AIDS ribbon* served as a very general lead on to the subject of HIV and AIDS. Four different cards showed the ways of transmitting HIV. Following this the sex worker was asked to recognise which situations could be dangerous and which not.

The representation of the various contraceptives led to the question of which of them can be used to protect against HIV and other STDs and what preventive measures women should use generally.

All in all the pictures were intended to serve as a flexible starting point for information and the answering of questions which could be adapted to the given situation.

### ***Lucky Dip: an Idea***

To arouse curiosity and/or form a basis for talking, a "*lucky dip*" might also come in useful. Objects such as condoms, cotton wool, thermometers, tampons, (sealed) syringes or needles, etc. would be put into a bag. The woman could be asked to take an object blindly out of the bag, name it and say what occurred to her in connection with it.

This "tactical game" involves the sex worker actively. Depending on the situation the outreach worker can also join in the "game". As the idea for the "lucky dip" only arose after the workshops had taken place, it has so far not been put into practice, but it will be developed as soon as possible and also used.

### **Results**

It became apparent time and again that there were many uncertainties as to how STDs were transmitted. Thus the risk of infection from HIV is often overestimated while infection from other STDs is greatly underestimated, such as for example transmission of hepatitis C.

Everyone said that they only worked with condoms. Since in some houses it is stated explicitly at the door that the sex workers only work with a condom it can be assumed that this is by no means as normal as is maintained.

Many of them showed their "working materials", so that the nurse was able to advise them in this respect (for example on work during the menstruation period).

As the workshops were of very limited duration, they could not make any claim to comprehensive counselling; but they form a good foundation to base prevention work on. The workshops were received very positively by the women and well rated, which indicates the existence of a need.

At the end of the meeting the sex workers were always given small presents in the form of little bags with condoms, sponges and lubricants, which pleased them.

### **German Lessons**

From May 2003 a two-hour course in "German as a Foreign Language" was held once a week for female and transgender sex workers from Latin America. The meetings took place in the rooms of the KaffeeKlappe, an advice centre for sex workers in St. Pauli (Reeperbahn).

The situations associated with sex work (health, fluctuating incomes, etc.) were often a theme at the meetings. For the first 15 to 20 minutes the participants had the opportunity to talk – in German – about their everyday life. This talking (about the authorities, questions of residence law, friends, housing situations, etc.) was a relief and the women experienced support from the other participants in the course.

This community feeling and trusting relationship was an important factor for the course, as it gave the students additional motivation to come to the German lessons. All the students can now communicate well in German. Progress was also made in the areas of writing and aural comprehension. The participants were taught to deduce meanings for themselves and work a lot with pictures this worked very well as a rule. Work with a



dictionary also enabled the students to work out texts for themselves. The subjects and texts chosen for the lessons dealt mostly with everyday situations they were confronted with.

## **National capacity for policy and strategy development**

There are four main platforms at the German national level dealing with sex workers' issues:

- The **Prostitutes' Congress**, which takes place twice a year and is organised by a different prostitutes' organisation each time. However, because not only sex workers participate at these congresses but also social workers and others involved in prostitutes' issues, the meeting was renamed "*Seminar on Prostitution*". During the 33<sup>rd</sup> Prostitutes' Congress (or the 8<sup>th</sup> Seminar on Prostitution), the TAMPEP CD-Rom was officially presented. (See list of GOs and NGOs in the annex.). TAMPEP-Germany is a regular participant at these meetings and is a member of the "*Prostitutes' Movement in Germany*".
- The **Working Group on Legal Issues** (*Arbeitsgruppe Recht*), also meets twice a year and is drawn from the member organisations of the "*Prostitutes Movement in Germany*". The main task of these meetings is to discuss and develop strategies, campaigns and other activities related to the different legal issues concerning sex workers' rights in the country. TAMPEP-Germany is a regular participant at these meetings.
- The **National Organisation for Sexual Services** (*Bundesverband Sexuelle Dienstleistungen*), is the first organisation in Germany composed of active sex workers, brothel owners, and other persons involved in the sex industry, involved in defending their rights and their position in society.
- The KOK (*Federal Association Against Trafficking in Women and Violence to Women in the Migration Process*), is a network of all the organisations in Germany dealing with trafficking in women, and is also concerned with the subjects of prostitution and migration. Some prostitutes' organisations are members of the KOK, as are organisations for migrant women such as *Amnesty for Women* /TAMPEP-Germany.

## **Evaluation of the CD-Rom and other TAMPEP material**

In Germany the leaflet announcing the TAMPEP CD-Rom was sent to 400 different organisations. Among these were prostitutes' projects, NGOs which work with migrants/sex workers/migrant sex workers, colleges of (social) pedagogics and social work, libraries, the Federal Ministry of Health and Social Issues, local authorities (mainly health authorities), the media (radio, television stations, newspapers), AIDS help institutions, policy makers and other individuals dealing with the issues migration, sex work, trafficking in women, etc.

About 90 institutions received the TAMPEP CD-Rom in Germany. Unfortunately only 20 of them answered the questionnaire assessing the CD-Rom. In the interests of a better overview, Germany was again divided into three regions.

#### **Institutions That Answered the Questionnaire**

	<b>North</b>	<b>Middle</b>	<b>South</b>	<b>Total</b>
<b>GOs</b>	3	6	3	<b>12</b>
<b>NGOs</b>	2	4	2	<b>8</b>
<b>Total</b>	<b>5</b>	<b>10</b>	<b>5</b>	<b>20</b>

The answered questionnaires came from the following towns:

**North** Berlin, Bremen, Hanover, Lübeck

**Middle** Plauen, Bonn, Jena, Duisburg, Cologne, Bochum, Hagen, Bad-Neuenahr-Ahrweiler, Frankfurt-Main

**South** Saarbrücken, Nuremberg, Heidelberg, Koblenz, Augsburg

The CD-Rom was also sent from Germany to some institutions outside the TAMPEP network, e.g. to Africa (Kenya), Latin America (Brazil, Paraguay) and Eastern Europe (Kyrgyzstan, Uzbekistan).

#### **What Sort of Materials Were Distributed**

Most institutions in Germany distributed the leaflets. Three institutions also used the comics (*Augusta's Way*, *Dichos y Diretes*, *Dicas e Jeitinhos*) and other materials ("Love and care for myself", in Spanish and Russian).

#### **Where the Materials Were Distributed**

The leaflets were mostly laid out in the advice centres themselves (GOs and NGOs). In second place was distribution of the leaflets in outreach work. For the rest, the institutions in all three regions also distributed them in model's flats, brothels and clubs. In the Middle region the material was also distributed in deportation remand centres and in prisons.

#### **Distribution of Materials According to Language**

Unfortunately not all the institutions stated how the materials given out were distributed in percentages per language. For this reason the results shown are only an approximation.

#### **Distribution of Materials According to Language in Germany (in Percentages)**

Thai	35%
Russian	15%
Polish	10%
Spanish	10%
English	10%
Bulgarian	10%
Czech	5%
Romanian	5%

Although the sex workers from the Eastern European area form a clear majority in Germany, a large proportion of the Thai sex workers has a regularised residential status. Experience shows that this status permits much easier access to this group than to other sex workers who have an insecure status.

### **Other Languages Needed**

Apart from the 12 languages offered, the institutions needed the following others: Greek, Turkish, Lithuanian, Latvian, Moldavian, Slovakian, Serbo-Croat, Macedonian and Ukrainian.

All the institutions would like to have the materials in German as well. On the one hand the staff at these institutions are probably not always so familiar with English that they have access to all the information on the CD-ROM. On the other hand a German translation would also make it possible to pass on the information to German sex workers.

### **Additional Information Needed**

- Comprehensive information on the aliens law and on prostitution, and their consequences for migrant sex workers, should be issued in various languages. This was described by many institutions as very important for the security of the sex workers. Information on how to behave during raids, on taxes and on health insurance policies should also be available for distribution in various languages.
- Information on the various aid services in German cities in different languages.
- Information on general intimate personal hygiene.
- Vocabulary list with useful words in the field of "health and sickness".

### **Assessment**

The TAMPEP information material was assessed as very good by most institutions. For most of them it is continuing to be a great help and support in their work, as the majority of these institutions have been using the TAMPEP materials and/or leaflets for quite some time.

- 17 x very useful
- 2 x useful
- 1 x acceptable

### **Evaluation of the Leaflets**

The following suggestions were made by the institutions with regard to content and form.

#### **Regarding Content:**

- Simplification of material. Because of low educational levels the content is difficult to understand for some people.
- Additional informative material for Thai transvestites/transsexuals.
- Addresses of women's advice centres dealing with social and legal problems in the various cities.
- Have the leaflet "Security at Work" translated into Lithuanian, Ukrainian and Turkish.
- There should be a German translation under the title of foreign pamphlets (e.g. the Spanish pamphlet "SIDA & HIV" should have the German translation "AIDS & HIV").

#### **Regarding the Form:**

- Clarity in file names and better structuring.
- Less black fields.
- More space on the leaflets for local aid services/information sources.

- Combine some subjects into one leaflet (e.g. "When the Condom Breaks" with "Condoms + Lubricants", or "STD" with "AIDS" and "Hepatitis").
- There are very different opinions and suggestions about the format, ranging from "postcard" format to "hand booklet".

## **Actions with relevance for TAMPEP**

TAMPEP-Germany has participated in several meetings, congresses and seminars at local and national level. At local level the regular meetings are composed of GOs (mainly health care services) and several NGOs dealing with outreach work, prostitution and HIV/AIDS in Hamburg. At national level the main regular ones are the *Prostitutes' Congresses* and the *Working Group on Legal Issues*. TAMPEP-Germany has also organised workshops and given presentations, among others, at:

- “*Work Place Prostitution*”, organised by *Ver.di*, the main trade union organisation in the country; a presentation on sex work in Germany and in Europe,
- “*HIV/AIDS Prevention Among Sex Workers*”, organised by the German AIDS Institution (*Deutsche AIDS-Hilfe*), where the TAMPEP CD-ROM was officially presented,
- “*Prostitution and Migration*”, twice a year, for students of the Faculty for Social Work in Hamburg.

## **Hearing at European Parliament on “The Consequences of the Sex Industry in the EU”**

On January 19<sup>th</sup> 2004 in Brussels, the Committee for Women’s Rights and Equal Opportunities of the European Parliament organised a public hearing on prostitution. The hearing was organised by Ms. Marianne Eriksson, responsible for a report intended to analyse the situation of sex workers in the European Union. The draft of this report was the fundamental document for the hearing.

The following persons were invited to give presentations:

- Janice Raymond, from the Coalition Against Trafficking in Women (USA)
- Marjan Wijers, from the Clara-Wichmann Institute (Netherlands) and Chair of the European Commission’s Expert Group on Trafficking in Human Beings
- Veronica Munk, from Amnesty for Women/TAMPEP-Germany
- Mill Majerus, Chair of the Commission on Family, Social Solidarity and Youth
- A representative of the Commission on Media, Internet and Electronic Commerce.

The German presentation can be found behind the country reports.

## **The FemMigration Project**

Another very important part of TAMPEP-Germany’s work is the FemMigration project. [www.femmigration.net](http://www.femmigration.net) is an Internet information platform that provides up-to-date and precise information about the situation and legal status of trafficked women and migrant sex workers in EU countries. The web page is updated once a year in accordance with the legal amendments of partner-countries.

Femmigration does not offer direct counselling to women. Rather, it lists organizations, GOs and NGOs, located in partner countries that give this kind of support.

The project is coordinated by *Amnesty for Women*, Hamburg, Germany and is being funded by the European Commission Directorate A/5 (Justice and Home Affairs), within the Daphne Programme, together with private sponsors.

The partners are: Austria, Belgium, Great Britain, Greece, Finland, France, Italy, The Netherlands, Portugal, Denmark, Spain and Ireland.

Once a year the web site is publicised through a electronic mailing campaign addressed to more than 1000 organizations and private persons worldwide: international agencies, GOs and NGOs.

Approximately 3.000 web users visit the site monthly, meaning about 100 visitors a day.

**Femmigration's** e-mail address is: [info@femmigration.net](mailto:info@femmigration.net). Questions regarding information posted on the website can be raised to those managing the site at *Amnesty for Women*. Personal questions are not directly addressed since those of us at the coordination centre in Germany do not have legal expertise in all the countries included in the web page. We are however able to recommend organizations mentioned in the web-page who may be better able to answer individual questions.

The site receives about 10 e-mails a day from nations around the world. The letters are from NGOs working on related issues, students, and private individuals, many of them sex workers wanting to migrate to Europe.

## **Bilateral field visit**

TAMPEP-Germany received visits from three partner countries: Norway, Luxembourg and Slovakia. All three visits lasted four days and were based on the following program:

- A look at the specific practical work (outreach work) done by TAMPEP-Germany for migrant sex workers in the apartment scene in Hamburg. All three delegations took part in outreach work together with cultural mediators for Eastern European, Latin American and Asian sex workers.
- A look at the Hamburg street prostitution scene in St. Georg and St. Pauli.
- An exchange of knowledge and experience with other institutions and organisations in Hamburg which deal with prostitution: *Zentrale Beratungsstelle für sexuell übertragbare Erkrankungen* (the local health care service), *Ragazza* (for female drug dependent sex workers), *Palette* (for drug dependent men), *Basis* (for male sex workers), *Koofra* (for victims of trafficking in women).

TAMPEP-Germany and TAMPEP-France visited MAPS, the partner organisation in Portugal, for the World AIDS Day in December 2003, and participated at a round table (workshop) on *Migration & Prostitution*, together with several other Portuguese organisations.

## **Integration of Central and Eastern European Countries**

The visit of TAMPEP-Slovakia to Germany enabled the two partners to exchange knowledge and experience regarding the current situation and the different prostitution scenes and services available for sex workers/migrant sex workers in an old and a new EU country.

## **GERMANY / executive summary**

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Germany has, since January 2002, a law on prostitution which no longer considers sex work immoral, which enables sex workers to sign contracts with brothels and to profit from the state social security system. However, as it does only apply for those having a residence and a work permit, it did not affect the majority, i.e., migrant sex workers. Nevertheless, the EU-enlargement permits that persons coming from the new member state are now able to establish themselves and work as self-employed sex workers in Germany.

The amount of migrants in the German sex industry is around 60%, most of them coming from Middle and Eastern Europe. Sex work is conducted mainly in apartments, brothels, bars and clubs.

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# GREECE

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## **ACT UP**

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## **Organization profile and remits**

**A**CT UP has been working in HIV/AIDS prevention and defending human rights in Greece for over 10 years. Being mainly a political NGO, we consider the protection of vulnerable groups and the fight against discrimination to be the most important issues. In our work we are regularly confronted with STIs among (migrant) prostitutes and victims of trafficking.

### **The activities within the TAMPEP programme**

Our long-term goal is to create a better structure of services at the national level. On a political level we would like to collaborate with the state authorities, in particular on the laws that are under construction regarding trafficking. We aim to continue strengthening our cooperation with NGOs for our project on trafficking and health promotion among sex workers. Special attention needs to go to the dissemination of the information material to sex workers, lobbying and social mobilization activities.

We have created political pressure through press about the migration law, prostitution law and now about trafficking and we have managed through social pressure to intervene and change the article for health services of migration law. We are at the centre of the discussion on the anti-trafficking law.

### **New project on trafficking**

The ministry of exteriors –the dpt for NGOs- has recently decided to finance 5 NGOs (including one from Albania) on a project on trafficking. This project will include activities such as creating a shelter and taking care of victims. ACT UP is one of the chosen NGOs, with the role of taking care of the health of the victims.

## **Overview current national context**

### **Anti-trafficking law**

Anti-trafficking law in Greece was voted on October 2002 and a presidential decree regarding the aid of the victims was issued on August 2003. The traffickers can now be prosecuted. However, despite efforts made since April 2001 by the ministry of security and public order and several NGOs the final version of the law 3064/2002 titled “amendments on the penal code: trafficking on human beings, pornography, debauchery and lewdness against minors, pandering, aid provided to victims of such acts., “ which was voted by the Greek parliament, is barely what we would wish or approve. This bill of law gives the impression of a rushed conformation with Greece’s obligation to deal

with the problem of trafficking and perhaps the country's duty to answer to pressures from external forces, such as the US Embassy in Athens.

The legislation only includes the persecution and penalization of clients when the victim is under 18 years old. After the juridical procedure Greece forces victims of trafficking (except under 18s) to obligatory repatriation depriving them of any possibility to stay on Greek soil and be granted a residence permit.

The most important article (art 12) on the "aid to victims of trafficking" is deprived of any actual legal content since its formation and practical application has been appointed to Presidential Executive Decree which was enacted on August 2003. The decree is far from what anybody could expect as the screening is done by the police and the characterization of the victim is done by the juridical authorities (not clarified yet). Even if the victim needs medical help this cannot be done unless the local police department and the judge on duty confirms that she/he is a victim.

In the presidential decree there are fifteen child institutions referred to as "shelters". These institutions are full of children and the personnel has no training or experience on trafficking! The shelters are ready to work but there is no procedure from the ministry of health regarding their ability to "shelter" victims. No minimal conditions have been set to control the safety and quality of these shelters.

The state authorities are able to co-operate with NGOs regarding the aid of the victims after they have made a formal agreement. There are no guidelines for the form of this agreement. The NGOs working with the issue of trafficking try to give this co-operation a legal form. The "Doctors of the World" and a group of five NGOs (including us) are financed by the ministry of exteriors (Bow project) to create a two shelters (Athens, Ioannina).

The new government (elections May 2004) has now started to investigate the subject and it seems the whole procedure is starting from the beginning.

### **Prostitution law**

Prostitution in Greece is not illegal but not recognized as a profession either. Therefore, sex workers do not enjoy the protection of labour laws and are not considered to be employees.

Prostitutes must register at the local prefecture and carry a medical card updated every 2 weeks. Legal prostitution can only be practiced in certain premises (buildings, houses, apartments) which must be authorized and located in certain areas: 200m away from schools, churches, nursery schools, sport centers, libraries or similar places.

Since the summer of 2003 there was trouble with the reform of prostitution law and the new law supposed to appear for discussion in the parliament in October. The majority of the existing legally registered brothels were closed by the police (as very few were 200m away from the public places mentioned above) and the sex workers are continuously arrested and taken to court.

The Coalition of Sex Workers in Greece (KEGE) lobbies for the recognition of prostitution as a legal activity and profession. They fight the attack of the human rights of sex workers as is now in force for registered prostitutes: e.g. sex workers may not be



married and must undergo mandatory medical testing. The registration of their personal data and the infringement of their personal freedom are violation of their basic human rights.

The KEGE also denounces the current prostitution policy, which is provoking more illegal prostitution and trafficking rather than less.

A big discussion has started as the former minister of interiors plans to legalize prostitution as a profession. The feminist NGOs reacted rather violently as they perceive prostitution as a form of violence against women. The feminist NGOs and the president of the parliament stopped the law. It was never voted. In the mean time the socialist party has lost the elections on 8<sup>th</sup> March.

The mayor of Athens' decision to permit sex workers to work in the hotels during the Olympic games and take action for the "illegal" brothels provoked the former minister of interiors to propose the before mentioned reform law on prostitution.

KEGE has started a legal procedure on the mandatory medical tests of the prostitutes. It is a long procedure as bureaucracy and the stiffness of the system do not allow for quick change. They are also involved now in the public discussion on trafficking.

## **Assessment of the prostitution scene**

The prostitution scene has remained more or less the same over the last five years. Illegal prostitutes are the great majority. Currently there are about 600 registered prostitutes in Athens, whereas estimates indicate that today in all of Greece there are about 50.000 non-registered sex workers.

The sex workers working in Greece are mainly women (65%) the rest being men (20%) and transvestites (15%).

The migrant sex workers (women) come almost exclusively from Eastern Europe (90%), namely the Ukraine, Poland, Russia, Bulgaria and Albania (mostly children).

A recent trend is that a lot of women, mainly from the Ukraine, are coming to Greece for the Olympics. They work near the stadiums under construction for the people working there, many of them being migrants too. The frequent police attacks in relation with the Olympics make it very difficult to describe the current situation accurately. Even the legal sex workers are now scared and getting in trouble as the police attacks brothels over and over.

Trafficking in human beings is a growing phenomenon in Greece. Further monitoring is needed to make a detailed assessment of the current developments.

## **National capacity for policy and strategy development**

We consider the creation of the network for carrying out of outreach projects and the will of the state to fund these activities to be our greatest achievement. We consider as really important the whole procedure about it and the fact that different people with sometimes totally different point of view have managed to agree to a common text, a common way to carry out outreach activities. The next very important thing is the fact that the state will fund the project that has been created and is being run by NGOs, for the first time ever in Greece. A list of the platform members can be found in the annex.

## **Evaluation of the CD-Rom and other TAMPEP material**

In Greece there are very few NGOs and GOs working with sex workers. In fact there are only two: the coalition of sex workers and ourselves and concerning the GOs this refers to the departments of public health responsible for the health of prostitutes. We must repeat that the control for STIs/HIV is mandatory in Greece and that prostitution is allowed only in the brothels with a license.

There are many NGOs very much interested in trafficking. The CD-Rom and the evaluation form were distributed to all of them as well as to the departments of the ministry of Health which work or plan to work with migrant populations.

The dissemination of the CD was done in a personalized way: hand to hand during the meetings we participate in for issues concerning trafficking, STD/HIV prevention and migrants.

They expressed their pleasure to get the CD not because they work with prostitutes which is not the case, but because it contains information in many languages and for them it is useful as they can give it to migrants. They also would prefer to have pamphlets as they can disseminate them easily.

This year we went on with the translation of the TAMPEP material in Greek. The pamphlets concerning HIV/AIDS, STDs and condoms are already translated.

The very important information that has to do with PEP: post exposure (up to 48 h after) prophylaxis for HIV with ARVs is included in the HIV/AIDS pamphlet and a new pamphlet for PEP was created.

The evaluation of the CD-Rom was done primarily by phone and in personal conversations. The dissemination of the CD is an on-going activity.

Everybody was very enthusiastic about the contents of the CD-Rom. Regarding the information materials of the CD, almost everybody mentioned that they would like more illustrations and less wording.

We have printed many copies for the Olympic games period which is expected to be interesting.

## **Actions with relevance for TAMPEP**

### **Seminars/congresses**

- World Women March meeting on trafficking, April 2003
- IOM project on “access of migrants to health “ Portugal April 2003
- European experts meeting on trafficking: May 2003 (Greek presidency)
- CVME: Participation in the European meeting on trafficking organized in Ioannina (Northern Greece) October 2003
- Arsis:European workshop on trafficking of children (Daphne) November 2003
- LGBTT meeting on prostitution, December 2003
- USA embassy meeting of activists and involved embassies on trafficking January 2004
- Orthodox church workshop on prostitution, January 2004
- ARSIS workshop on trafficking of children, Thessalonika, April 2004
- Congress on trafficking, violence against women and prostitution, May 2004 organized by the Greek Orthodox church through their NGO, KESO.

- Seminar on Trafficking with the embassies involved (the ones from the EU enlargement) in Greece, IOM and Greek church 6 June 2004.
- Participation in a meeting in municipality of Larisa for trafficking and prostitution
- GLT meeting on trafficking and prostitution

In all these meetings the TAMPEP project and methodology was presented. The position paper on trafficking will be very useful.

### **Trainings**

*ACT UP training for outreach workers (January-February 2004)*

- TAMPEP methodology
- STDs and HIV prevention
- Peer education procedure

This is an ACT UP training for street workers taking place every Friday night for two months

### **ACT UP training on trafficking**

Psychological approach to trafficking victims

*European Women Movement training on trafficking victim issues*

- STDs/HIV prevention, diagnosis and treatment: K. Kabourakis, C. Botsi
- Psychological support: R. Giatra

The EWM organized the above training for their members who are going to work in the shelters and also for the public.

### **Publications**

V. Papanizos, K. Kyriakis: Means of protection against STDs, Parisianos, Athens 2003: TAMPEP seminar on January 2001 on "Migrant prostitution and public health"

### **Bilateral field visit**

As we have already mentioned in the past we are very much interested in trafficking along with Payoke from Belgium. Our interest was to get the information and exchange ideas on the following:

- Trafficking as a phenomenon and the relation to prostitution
- Fieldwork-outreach
- STD/HIV prevention
- Good practices
- police involvement
- health authorities involvement

The exchange visit took place on 19-22 February 2004. Our member R. Giatra a psychologist, visited Brussels and Antwerp. The program of her visit was the following:

Brussels: - Visit to the European Parliament and meeting with Mrs Sørensen (president of Payoke and member of the E.P.)

- Visit Pag-Asa: one of the three centres for victims of trafficking.

Antwerp: - Visit Payoke and shelter for victims of trafficking and tour in neighbourhood where prostitutes and victims work.

- Visit of the police department

During her visit, our member had the opportunity to discuss the legislation, the relations of NGOs with the police, treatment guidelines for victims of trafficking.

We must emphasize that our member is the first Greek trained on trafficking issues and she is also expected to train others.

## **Integration of Central and Eastern European countries**

Inside a project in collaboration with IOM (International Organization for Migration), concerning care for trafficked women, we have working contacts with various TAMPEP member countries in CEE. For example, we exchange information about best practices for repatriation in the mother country with Bulgaria and Romania. Also we exchange experience regarding the combination of health and social services for these groups.

### **GREECE / executive summary**

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The overriding attitude in Greece regarding prostitution is very conservative and fails to differentiate between the existing prostitution law and the high mobility related to trafficking in human beings.

Our NGO has advocated (and continues to do so) for the distinction between the issues of trafficking in persons and prostitution. Secondly, we lobby for the development and implementation of appropriate policies on both subjects. We make it a point to be at the centre of the public debate about this.

The TAMPEP CD-Rom was widely disseminated and the evaluation of its use indicated a very positive response from the contacted organizations. However, very few organizations are in direct contact with migrant prostitutes.

The bilateral visit was an extremely successful part of the Tampep 6 project.

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# HUNGARY

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## **SOTE**

### **Sex-Educational Foundation**

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Contact: Dr. Judit Forrai, Dr. Lenke Fehér

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## **Organization profile and remits**

**T**he main objectives of the organization are:

- Coordination of the umbrella network in sex and AIDS, trafficking human being, NGO's in Hungary;
- Provide information, education, training and care concerning sexuality;
- Change risk behaviour, negative attitudes towards HIV people;
- Cooperates with postgraduate education for teachers, school-nurses, school-doctors, social-workers;
- Evaluation of the Hungarian sex and AIDS programs;
- Outreach work with our target group of extra vulnerable people: prostitutes, (MSM) male sex with male, disabled people, Roma people, youth etc.

### **Important activities in sex education and with regard to AIDS prevention**

- Training of sex educators, peers;
- Education program in schools;
- Training of sex-workers/prostitutes, MSM, Roma –group;
- Meetings, conferences;
- TV and radio programmes, media contacts;
- Exhibitions;
- Leaflets, booklets, posters and -Sex AIDS Info- newsletter;
- Research;
- Evaluation and monitoring.

## **Overview current national context**

### **Legislation**

The Hungarian model of regulation of prostitution can be regarded as a special form of the "limited abolitionist" system. Act No. LXXV of 1999 setting out "The rules of intervention against organized crime and the individual phenomena related thereto as well as on the relevant amendments to legal regulations" has defined the concept of „protected zones” where the offering or providing of sexual services by prostitutes is prohibited. The Act also defines the concept of „zones of tolerance”, where prostitution is tolerated under certain conditions. In accordance with Act No. LXXV, zones of tolerance may be designated from 1<sup>st</sup> of September 1999. Such zones however practically have not been marked out.

Prostitution as an activity of the prostitute, is not a criminal offence. However, violation of administrative rules of prostitution is sanctioned by the Law on Contravention. The following crimes related to prostitution are criminalised in the Penal Code: Promotion of prostitution (Art. 205), living on the earnings of prostitution (206.) and pandering (Art. 207.). The legislator defines the notion of prostitution among the Interpretative Provisions (Art. 210/A.)

The law on prostitution has proven to be ineffective. The main reason is that different concepts were developed over the last year. One of the competing concepts intends to strengthen the elements of the regulatory system, the other (focusing on the abolitionist view) does not support the further steps into the regulatory system. Moreover, it stresses the need for more effective prevention and reintegration activities. At the moment, there is no social consensus on these questions.

### **Trafficking in human beings**

From 1 April, 2002, several modifications to the Criminal Code came into force by the Act N. CXXI 2001, including the new regulation on the trafficking in human beings. The definition follows the wording of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. According to the new definition - which is somewhat wider than those of the Protocol, - trafficking in human beings means: "any person who sells, purchases, conveys or receives another person, or exchanges a person for another person, also the person, who recruits, transports, houses, hides or appropriates people for such purposes for another party, is guilty of felony, punishable by imprisonment not to exceed three years." The preparation of the crime is also sanctioned, by up to 2 years imprisonment.

In case of different aggravating circumstances (like trafficking for the purpose of forced labour, of sexual intercourse, of making illegal pornographic material, the unlawful use of the human body, or committed by force or by threat of force, etc.), the sanctions are more severe, from 1-5, 2-8, 5-10 and 5-15 years of imprisonment or even up to life-long imprisonment.

### **Laws on victim/witness protection**

According to Article 95 of the new Code of Criminal Procedure, the witness shall be provided with protection, in the interest of protecting his life, bodily integrity or personal liberty, and in the interest of ensuring that the witness fulfils the obligation to give testimony and to give testimony without fear.

Confidential processing of the witness's personal data (apart from his name) may be ordered at the request of the witness or the attorney acting on his behalf, or ex officio. In exceptional cases, even the witness's name may be processed in a confidential manner. In these cases, only the proceeding court, the prosecutor and the investigating authority may have access to the witness's confidentially treated data.

### **Assessment of prostitution scene**

As far as the street prostitution is concerned, in the consequence of the new law, from 1993 till the 1st of October 1999, a dynamically increasing tendency of street-prostitution was observed (in particular in Budapest). After 1999 there was a process of relevant decrease, accompanied with a certain rearrangement among prostitutes and

their pimps, which may mean a migration to other places (city, country) or as regards to the procurers, position-search in another branch of crime.

At present, the prostitution scene is very much mobile and varying. According to the form of prostitution, several types can be distinguished:

- street –prostitution
- in-door prostitution (massage-parlours, bars, saunas etc.)
- prostitution in private flats
- call-girls

A relatively large number of girls are offering sexual services around public roads or parking places. Most of them are under control of traffickers or pimps, some are not. There are women, employed in massage-parlours, bars, clubs, pensions as dancers or other or other kind of employees, but in reality they work as prostitutes. They are dependent from their "employees" as well as from their clientele. In the city and other big towns, there are escort and call-girls working as prostitutes.

The migrant sex-workers are usually to be found in the business-premises as well as private flats and to a very small extent , in street-prostitution. There is very few information on this issue, as it is a hidden form of prostitution. Some of the migrant women are employed in the business-premises of the entertainment sector, as dancers, bar-maids, etc. and their possible involvement in the sex-sector is clandestine. Comparing with the local prostitutes, the number of foreign women is not very high, they are mainly from Ukraine, Moldova, Romania.

Name	Number of in habitants	Estimated No. of SW	Local speciality	NGO's activity
<b>Sex Educational Foundation 1991</b>	Budapest 2. 000.000	Female SW and MSM social workers	National organisation  Contact with other NGO's and GOs	Umbrella networking Coordinating, Health and social care education, research, training evaluation
<b>Patronage for the Hungarian Prostitutes Association 2001</b>	Budapest 2. 000.000	Total: 5.000 Street 1.500 Bar 500 Peep show. 200 Massage 2.500	The members of the Association are SW 1 is known infected by HIV 40-50% using soft drug	Decrease the risk behaviour use the medical care service Self-defence of HIV/AIDS, Hepatitis Sexual hygiene attitude development
<b>Association of Street Social Workers 1992</b>	Tatabánya 74. 000	Total: 28-40 Gas- station 8-10 Highway 2-4 Road 12-15 Inner road 2-4	1 is known infected by HIV 10% infected by STD  1-2 IDU 60 % ecstasy, marihuana	Outreach work social and health care HIV/AIDS, STD Sexual hygiene Changing of sexual attitude Counselling Dialog between the police, pimps and the prostitutes
<b>Association of Periphery 1995</b>	Nyiregyhaza 120.000	Total 25-30 street with pimp 9-15 independent 4-8	20-25% SW under 18 age	Outreach work health screening: HIV/AIDS, STD Education, counselling

				Donation / clothes, food, condom, soap Legal remedy
<b>Association of the Sunshine for the Life 1993</b>	Miskolc 200.000	Total 35-50 In the tolerant zone 10-15	The single tolerance zone, controlled by one family Here works the poorest „penny's” SW 2-3 gay SW	Mental, social, health, drug counselling Education Health service Helping against the criminal attack of the pimp's

## National capacity for policy and strategy development

From the beginning of 2001, some NGOs, which were working quite separately from each other, in different cities of Hungary, created an informal network. The members are working together more closely and in a co-ordinated manner, exchanging information, sharing experiences and meeting regularly for discussions, training, workshops. Other NGOs and governmental organisations are ready to attend in different meetings or co-operate in certain issues.

Several NGOs, with the co-operation of the state organs, authorities have held several seminars, conferences, campaign, training, edition of manuals, leaflets, producing films, etc. on both of these issues. Prevention and training is in a relatively good level, assistance, reintegration activity however should be further improved.

As is well known, prostitution is forbidden in public places, bars, night clubs and so forth. This means, that those women, who are probably working illegally in these places, or who are renting private flats together with other prostitutes and advertising their activity by informal channels, are also not possible to reach by social workers. In these cases the existing telephone hot-lines, the leaflets (available in places where they probably can occur) are the main forms of contact with NGOs who are providing social help, assistance, counselling for them. The present situation requires a close co-operation between NGOs, working in this field

The Sex-Educational Foundation has played an initiating role in building an informal network. The Foundation works primarily with the Street Social Workers Association (location: town of Tatabánya), Periphery Association (location: town of Miskolc) and the Sunshine of Life (in Nyíregyháza) In the future we aim to put more effort into widening the present network, making it truly nationwide.

Recently we have turned to the "new" prostitutes in the Orphaned Youth Institutes. We organised trainings of 20 hours in 5 different institutes. The themes were: sexual health, prevention of STD/HIV, pregnancy, migration and trafficking in human beings. At the beginning and at the end we did a test, to evaluate the changes of attitude, the acquirement of knowledge among the students, as well as our work.

### Preparation and distribution of information materials

- the SEA used and distributed the TAMPEP leaflets
- the leaflets were adapted to our social problems and issued new leaflets in 3 languages: Hungarian, Russian, Romanian
- the SEA many-sided manner is using the TAMPEP CD in its everyday activities



### **Organisation of meetings**

- Training for the members of NGO's
- Supervision, discussing the case studies regularly (every second month)
- Visiting the NGO's, field-visits, meeting the sex workers
- Capacity building
- Education (together with other organisations and NGOs) for high risk groups, to prevent victimisation of forced prostitution and trafficking.

### **Evaluation of the CD-Rom and other TAMPEP material**

In Hungary there are very few NGOs dealing with the problems of sex workers. Some of the NGOs are dealing with victims of crimes, victims of violence and victims of trafficking in human beings. The CD-Rom and the questionnaire were distributed to all of them, as well as to the different ministries, GO s, legal and medical experts, scientific research workers.

The dissemination of the CD-Rom was done mostly personally: hand to hand during the meetings in which we participated, on issues like trafficking, STD/HIV prevention and migration.

The members of the target group expressed their pleasure to get the CD-Rom, usually not because they work with prostitutes (which is not always the case), but because it contains a lot of information in many languages. It is very rich, selection of information and the leaflets can be printed and distributed.

The Association of Hungarian Sex Workers disseminates the leaflets -concerning HIV/AIDS, STDs and safe condoms use- in different languages, in particular in Ukrainian and Romanian.

Besides the NGOs, the CD Rom was given to some officials of the Ministries (like Ministry of Health, Social and Family Affairs, Ministry of Interior, Ministry of Justice) some police officers (like National Police Headquarter), some of the lecturers of Universities (like ELTE Univ. Faculty of Law; Miskolc Univ. Faculty of Law), some experts, researchers (like Institute for Legal Sciences, National Institute of Criminology, Hungarian Society of Criminology and Hungarian Section of Victimology)

Although the CD-Rom was welcomed by all the NGOs, not all returned the completed questionnaire.

All the NGOs listed in the annex were sent the questionnaire and the CD-Rom.

### **General evaluation**

The written and verbal evaluation of the material in was very positive. It is a unique, complex collection of a series of useful information. Most of the respondents (99%) evaluated the material - its content and form equally- as *very useful*. Some of the experts (2%) have found however, that the language of the leaflets describing the different STDs is a little bit complicated. The comics, illustrations were in particular welcomed.

## **Bilateral field visit**

Our aim was to complete our knowledge on the legalised system of prostitution, to get more detailed information, to discuss the most interesting topics and to exchange the experiences, to share the best practices.

- The scope of trafficking in human beings
- The legalized system of prostitution
- Fieldwork-outreach
- The law in books and practice
- The different actors of the sex-business
- STD/HIV prevention
- Role of the Police in controlling certain aspects of this phenomenon
- Role and tasks of the Health Authorities

The exchange visit was held 9-12 February 2004, together with the TAMPEP partners from Portugal, in The Netherlands, Amsterdam, at the TAMPEP coordination centre.

The program of the visit included the following towns:

### **Alkmaar**

- Meeting with a social nurse who is in charge of running of the consultation hours at Achterdam (prostitution street in Alkmaar).
- Meeting with a functionary of the Municipality of Alkmaar who is in charge of issuing licences for running of sex business in Alkmaar and the area of Alkmaar
- Meeting with a window brothels owner in Alkmaar
- Street work at the Achterdam among Central and Eastern European sex workers

### **Utrecht**

- Visit at HAP, drop-in centre at the tolerance zone in Utrecht, meeting with a staff member of the drop-in centre

### **Amsterdam**

- Meeting with Ms van Doorninck, policy adviser at Foundation Mr A de Graaf.
- Visit to the Red Light District, meeting with a (female) window brothels owner in Amsterdam
- Finally, meeting with Sandra Classen, coordinator of BLinN (Bonded Labour in The Netherlands)

Thanks to the efforts of the organizers, the schedule was very rich, touching on all aspects of this issue problem, showing the situation in different cities, providing a complete picture of the phenomenon as well as the support activity of NGOs in this field. The program was excellently organized. During the visit, we had the opportunity to discuss the legislation on prostitution as well as trafficking in human beings, and the practical legal and social questions, connected with. We have studied the migration issues, the working methods and principles of social work dealing with the prostitution, the tasks of the institutions, authorities and the interests, problems of different actors of the sex-business.

It was a very rich program, providing a series of information and experiences and possibility to discuss certain questions in an informal, good atmosphere.

## **HUNGARY / executive summary**

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The new law on prostitution has proven to be ineffective. The law has resulted in an increase of street prostitution. The prostitution scene remains very mobile and varying. During Tampep 6 the national network of NGOs/service providers has been consolidated and further developed. The CD-Rom was a very helpful instrument in this process. It was highly appreciated by the receiving organizations. The bilateral visit with TAMPEP in the Netherlands was a very rich experience.

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# ITALY

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## **Comitato per I Diritti Civili delle Prostitute / TAMPEP Onlus (Committee for the Civil Rights of Prostitutes)**

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## **Organization profile and remits**

**T**he Committee for the Civil Rights of Prostitutes is a non-profit association that undertakes activities to aid prostitutes and unfolds social/cultural activities to inculcate social policies finalised towards the improvement of the condition of those who prostitute themselves. The Committee also unfolds activities to raise society's sensibility towards respecting the dignity and rights of sex workers, conducts training interventions, and fights for the empowerment and improvement in the quality of life of women prostitutes, fights against discrimination, and fights for the human rights of all.

The Committee is the interlocutor for political forces and institutions. Our guiding principles are based on the following objectives: decriminalisation of prostitution, the prohibition of obligatory health controls and registration of any type and the outright rejection of any form of regulation over prostitution, the fight against the trafficking of persons for the purpose of using them for sexual exploitation and the empowerment of sex workers and their social integration.

The Committee unfolds street and workplace intervention for prostitutes, disseminates health, legal, and job information to male/female prostitutes and to other non-government organisations (NGOs), accompanies prostitutes to the health and social services, sheltering women victims of trafficking, offers cultural mediation, organises training courses for prostitutes and ex-prostitutes, social and health operators, male/female cultural mediators/trices, and acts as a consultant to NGOs and public institutions concerning the problems of prostitution.

The Committee is the promoter of various European projects, such as the Project Fenerate (peer education programme) described further on in the report.

The Committee is one of the founding members of TAMPEP International Foundation. Since the very beginning in 1993 it has implemented and promoted the TAMPEP methodology in Italy. They have started, carried out, assisted and monitored a wide range of multi-disciplinary projects for sex workers all over Italy.

## **Overview current national context**

The Government's Proposed Bill AC3826, is currently under discussion in the Justice Committee.

Bill AC3826 contains a fundamental flaw which concerns the way lawmakers regard the phenomenon of prostitution. Our impression is that this phenomenon is seen as a pathology which can be removed by means of a surgical operation (i.e. a repressive law).

In this Bill, the reference policy for migrant prostitutes is the Bossi-Fini Immigration Act, and more specifically the articles of this Act which provide for the arrest and expulsion of illegal immigrants.

The government's Bill carefully avoids classifying prostitution as work, and speaks in very generic terms of a "service" with a series of obligations, but without any rights. The exercise of prostitution is, in fact, prosecuted and removed from public view, given that once it has been excluded from public places, or places open to the public (Art. 1), only nominally is it permitted in apartments (Art. 1, paragraph. 2) because each individual condominium will specify in its regulations whether prostitution can be exercised within it (Art. 1, paragraph 3).

The idea that the streets can be emptied of persons who work as prostitutes is simply an illusion. The Bill may also be unconstitutional because it discriminates between prostitutes and clients in those cases where the same behaviour is punished differently. For the prostitute, the administrative sanction is a fine which ranges from 200 to 3000 Euro, with repeat offenders being punished with up to 15 days imprisonment, while for the client the fine ranges for first offenders from 200 to 1000 Euro, with a fine of up to 4000 Euro for repeat offenders, but no imprisonment.

The same discriminatory treatment is found in determining legal liability when a client is infected (Art. 2), given that, in the event of death or illness, the court considers only the clinical/medical exams of the prostitute, and never those of the client. Here, the degree of liability provided for by the Bill is determined based on the number and quality of the diagnostic exams undergone by a sex worker who is accused of having infected someone. However, this article appears as a clear violation of Art. 5b of Italian Law 135/90 (the AIDS Act), which guarantees that such testing shall be both anonymous and voluntary. In effect, the new Bill would introduce mandatory diagnostic tests for persons who work as prostitutes, even if only indirectly.

The Bill also stresses the fight against exploitation and trafficking, but thanks to the practice of immediately repatriating the "victim" to their country of origin, in reality no effort is made to either prioritise or facilitate the denunciation of traffickers.

## **Assessment of prostitution scene**

After identification of the key stakeholders, the questionnaire was sent out to 20 projects and association in June 2003. Twelve of them have answered, representing a 60% response rate.

The reported data refer only to some regions and cities, mostly of North Italy, except for Rome; they concerned especially street prostitution, since most of the associations involved in the query are active with street operators team, and they better know this kind of situation.

The high percentage of prostitutes working in the street that have been contacted from the operator depends on the difficulty for the associations to get in contact with prostitutes working in apartments or other kind of public places, as bars, massage parlour, and so on. Therefore it can be considered still valid the result of the last monitoring, which shows that there is almost the same number of women working indoor, as of women working in the street. Our demographic data concern higher percentage of women working in the street, while a very low (about 10-15%) percentage of prostitutes working indoor was contacted. An exception is represented from the situation in Trentino, where the percentage of women working indoor is higher of the percentage of the women working on the street.

In all the regions and cities tested with the query most of the prostitutes are migrants, coming especially from East of Europe and from Africa.

Our data shows that prostitution involve especially women; there is a very low percentage of men working on the street (1 to 5%, standing to the reported data), and also the percentage of trans is about 10-15%.

Our data bring to evidence that the situation of prostitutes and especially of foreign prostitutes, is very difficult, first of all because of the new immigration law. Most of them cannot get a residence permit, and as clandestine they are more exposed to the abuse of clients and pimps. Even if the art. 18, which guarantee a protection for those women who denounce their traffickers, just a very low number of prostitutes profited from this disposition of law. On the contrary there is an important number of prostitutes who are often migrating from one city to another one, or also to an other country, to avoid to be repatriated, because of the frequent intervention and controls of the police.

This is the reason why the approach of prostitutes to the health prevention services is becoming more difficult and discontinue. Especially among the migrants, there are many women, who even don't know about the existence of this kind of health prevention services, and the opportunity of acceding to them. Just in big cities as Rome and Turin, there is a higher percentage of women who accede to this services. Anyhow there is a strong mistrust on the side of the prostitutes towards health care or similar institutions, even when access to them is a right established from a law disposition, which is due also to the condition of clandestine and the fear of being repatriate.

### **Mapping data regarding prostitution in the city of Turin**

We have verified that the locations for prostitution in the area of Turin and its province have remained the same over the years, though with cyclic and transitory variations with respect to the number of women and their nationalities. These variations are due, in part, to the division of the territory and forms of collaboration or coexistence among criminal organisations. The actions of Law Enforcement agencies also influence the movement of women from one area to another due to the frequent raids or sweeps.

We have observed, for example, that after the arrest of their pimps, if the women do not have the possibility of entering social protection programmes, they are consigned to other organisations and transferred to different areas or to other cities. We should also point out that there has been an increase in the number of women who directly ask the Police or Carabinieri for help in order to abandon their life of prostitution and exploitation, or in order to report acts of violence and assaults by clients and common

criminals. We have noticed a serious decline in the living conditions of women who are victims of trafficking and forced to prostitute themselves. We have also noticed a significant increase in acts of serious violence used by the criminal organisations and pimps against these women, as well as an increase in the forms of control and constraint used in order to keep them in conditions of dependency and fear.

There have been many cases of Nigerian “madams” hiring bands of thugs to punish or intimidate women, in order to discourage any desire to rebel or escape.

Our project has verified a drastic decrease in the number of Albanian women in the territory of reference, and a progressive increase in women from Rumania, Bulgaria, Russia and the Ukraine. The number of Nigerians remains constant and continues to represent more than one half of the target group.

We have also noticed a significant lowering of the educational level of the women, especially Africans, with cases of women who are illiterate.

There has also been a reduction in the age of women we contact on the street, and some are probably minors.

The situation of health care prevention continues to remain critical, and we have noted a decrease in the attention that is given to this issue. The request on the part of clients for unprotected sex is constantly on the rise and the increase in STDs that has been reported by the specialised out-patient services in the public hospitals makes the issue of prevention an extremely pertinent one and one which underscores the need for a greater dissemination of information.

The information campaign is carried out primarily by the mobile unit which, in 2003, was active 3-4 days a week, during the afternoons and at night, throughout the year and in different areas of Turin and its province.

Access to health care services remains difficult because the women lack the awareness and information regarding their right to such care, and often because accessing this right – due to logistical, linguistic, cultural and psychological problems – is not a simple matter. In this situation, the role of the street operator and cultural mediator thus becomes decisive.

The living situations of these women is also problematic, because when they work on the street, they can generally only count on very precarious forms of shelter. Mostly they live in groups, crowded into apartments, attics, abandoned warehouses, or little hotels or pensions on the periphery, where they are forced to live and kept under strict control.

As regards the health care situation, there are two main problems: the first is abortion, which foreign prostitutes use as a method of birth control, often aborting repeatedly; while the second regards unprotected sex, a problem which is due to a lack of awareness concerning the risks in such behaviour, and because clients are willing to pay more for these types of services.

When faced with serious health problems, the women often use crude and inappropriate methods, or unknown medications which are taken in excessive dosages and sometimes together with alcoholic beverages.

As regards mental distress, for most women there is a situation of continuous stress and anxiety which is linked to their illegal status (constant fear of the police), working

conditions (fear of assaults and violence by pimps and clients) and isolation (female sex workers are generally not integrated with the local social fabric).

The updated version of the Legal Agenda for distribution among these women was inaugurated in 2003 and contains information in the language of origin on:

- Legal immigration in Italy, labour contracts, marriage, etc. (Italian Law 139, July 30, 2002);
- Expulsions;
- Health care and rights;
- Protection of minors;
- Working on the street, Art. 18, toll-free number against trafficking.

In addition, in 2003 TAMPEP produced a specific information brochure on the issues of political asylum and police raids. This brochure was prepared in response to numerous requests from women concerning these issues, but which was often accompanied by a general confusion regarding the real conditions of political refugees and their rights/duties when they are involved in a police raid (for example, do not provide false personal information, ask for a receipt for personal possessions which have been confiscated, etc.).

An informational brochure for the Nigerian women being hosted at the Turin Temporary Residency Centre CPT (centro di Permanenza Temporanea where illegal people are collected before to be deported) was also produced which focussed on the possibilities of repatriation, aspects of the Nigerian prostitution laws and indications on how to obtain an interview with Tampep operators in the Centre. The material prepared was also adopted by the Women's Red Cross which is responsible for managing the women being hosted in the Residency Centre.

More specific information was then given to the women who requested it during their visits to the service during opening hours (daily from 10am to 1pm).

In 2003, 56 new personal files were registered for Nigerian women who came to the service, and 126 Nigerian women were accompanied to the Turin health care services. Finally, the TAMPEP mediators were available throughout 2003 to work as operators for the toll-free number against trafficking.

Also involved in the local reference network was the Nigerian pastor of the Pentecostal Church in Turin.

The pastor was interested and willing to collaborate with the project and subsequently an agreement was made for verifying if the "La Vallette" Prison in Turin was willing to let us contact women in prison. Thanks to the pastor's personal efforts, it was possible to begin working in the prison to help the Nigerian women incarcerated there.

The collected data refer to the period from the 1<sup>st</sup> of November 2002 to the 30<sup>th</sup> November 2003 and they are drawn from the questionnaires filled in from the street operators. The information in table 2 to 5 refers exclusively to the Nigerian target group.

We made a specific study of this population because they represent the great majority of sex workers in Turin. All other mapping activities and data have a general character.



**Table 1: Nationality**

<b>Nationality</b>	<b>N.</b>	<b>%</b>
Albania	112	9.1
Bosnia	1	0.1
Brazil	9	0.7
Bulgaria	54	4.4
China	5	0.4
Colombia	1	0.1
Kosovo	1	0.1
Greece	6	0.5
Croatia	2	0.2
Cuba	1	0.1
Egypt	1	0.1
Guinea	2	0.2
Italy	15	1.2
Latvia	1	0.1
Lithuania	3	0.2
Morocco	21	1.7
Moldavia	30	2.4
Nigeria	749	60.6
Poland	1	0.1
Romania	169	13.7
Russia	29	2.3
Senegal	1	0.1
Spain	2	0.2
Tunisia	1	0.1
Ukraine	5	0.4
Hungary	1	0.1
Yugoslavia	1	0.1
Not declared	12	1.0
<b>TOTAL</b>	<b>1236</b>	<b>100.0</b>

In Table 1 are reported percentage and numbers of prostitutes on street contacted during the above mentioned period; on a total amount of 1236 contacted women, 749 were Nigerian (about 60%). This data confirm that there is a predominance of Nigerian women in the area of Turin, whereas the rate of women from East Europe has changed in composition: some years ago most of them were Albanian, nowadays most of them are Rumanian.

**Table 2: Entry and stay in Italy of Nigerian SWs**

<b>Stay</b>	<b>N.</b>	<b>%</b>
Less than 6 months	149	19.9
From 6 months to 1 year	193	25.8
From over 1 year to 2 years	125	16.7
More than 2 years	60	8.0
Not declared	222	29.6
<b>TOTAL</b>	<b>749</b>	<b>100.0</b>

There is a high number of Nigerian, who have stayed in Italy just for short periods, and this confirm that there is a very frequent turn-over. It can be noticed that there is a balance with the number of women who has stayed for longer periods, so that it can be assumed that the number of women working on the street is enough constant.

Table 3: **Age**

Age	N.	%
17	3	0.4
18	5	0.7
19	8	1.1
20	77	10.3
21	68	9.1
<b>22</b>	<b>130</b>	<b>17.4</b>
23	83	11.1
24	83	11.1
25	60	8.0
26	34	4.5
27	25	3.3
28	22	2.9
29	7	0.9
30	5	0.7
over 30	4	0.5
Not declared	135	18.0
<b>TOTAL</b>	<b>749</b>	<b>100.0</b>

The most declared age is 22 years old (17%). In comparison to previous reports, it is to point out that there is a high number of minors (women) or just became of age. The collected data shows that there is a higher numbers of minors women working on the street, and a different way of target, within which women are recruited for prostitution. (probably due to the ingenuousness and vulnerability of younger people).

Table 4: **Have you ever been to a Health Care Service?**

Servizio sanitario	N.	%
Yes	153	20.4
No	423	56.5
Not declared	173	23.1
<b>TOTAL</b>	<b>749</b>	<b>100</b>

The percentage of women who has been to an Health Care Service is still very low, just 20% of the contacted women. More than a half of the interviewed women couldn't get access to health services.

Table 5: **Have you ever been robbed or attacked?**

Robbery and aggressions	N.	%
yes	135	18.0
no	216	28.8
Not declared	398	53.1
<b>TOTAL</b>	<b>749</b>	<b>100</b>

Very often women working on the street are robbed or attacked. Also Nigerian women point out that the situation in the street is very dangerous: almost 20% of them say that they have been robbed or attacked.

## National capacity for policy and strategy development

Of course we are still networking with the numerous projects assisting prostitutes in Italy. We invest a lot of our resources in sensitising NGOs and GOs for migrant sex workers' issues. We are participating in a national platform promoted by trade union CGIL to oppose the governmental law proposal at a social and legislative level. TAMPEP project Italy and the TAMPEP Onlus are very active in dissemination of

TAMPEP methodology. Numerous NGOs and GOs are using the TAMPEP materials, particularly the projects working on the streets and doing outreach with the prostitutes. Below is a non-exhaustive list of events that TAMPEP Italy organized or participated in. A list of the organizations in the national platform can be found in the annex.

#### **Events organized by Tampep/Comitato Italy**

- 3<sup>rd</sup> of February 2003 We were invited by the Commission for Justice of the Italian Parliament to give our expert opinion about the new law proposal.
- 1<sup>st</sup> of April 2004 TAMPEP experts held a conference in Rome, at the seat of the Italian Parliament in Palazzo S. Macuto, to an audience of members of the Italian Parliament and of representatives of interested associations.
- 22<sup>nd</sup> of May 2003 we organized the “Prostitution Day”, with a sit-in in Rome in Piazza Farnese and a conference in Pordenone with a lecture on the work of Victor Hugo, to claim against discrimination and social exclusion of the prostitutes.

We have presented the TAMPEP position, philosophy and methodology concerning the situation of migrant sex workers, and stressed the necessity to broaden intervention strategies in health prevention activities, social assistance; the presentation of the TAMPEP CD ROM has taken place at national and international conferences such as:

- 19 august 2002 Trento- Orizzonti di cittadinanza; training organized by AIFO
- 7-11oct. 2002 Roma corso per Operatori Psico-socio-sanitari per un approccio multiprofessionale integrato a tutela della salute del migrante, organized by Istituto superiore di Sanità
- 23 october 2002 Brescia corso di perfezionamento in Malattie a Trasmissione Sessuale e AIDS- training organized by Istituto di Malattie Infettive e Tropicali
- 16-17 dec. 2002 Roma conference Poveri e Invisibili Diritti e Salute, organized by Istituto Superiore di Sanità
- 18 dec 2002 Sassari conference Prostituzione, ordine pubblico e Salute, organized by Sinistra federalista Sarda
- 3° Congresso Nazionale “SIMAST – le malattie sessualmente trasmesse, nuovi orizzonti dalla ricerca alla clinica”, Roma 22nd March 2003;
- “Quanto vuoi? Riflessioni sul fenomeno della prostituzione, Almese (TO) 11th April 2003
- Annual Meeting of AIDS & Mobility – National Focus Point, Roma 15 May 2003
- Annual Festival of GLBT, Roma 21st June 2003
- July 2003 we were present at SunSplash, an International Festival of Reggae Music held in Osoppo, which gave us a great opportunity to present the situation of migrant prostitution and the interventions projects for the prevention of AIDS to the general public.
- “The prostitution scene”, Cassero Bologna, 16th July 2003
- “Oltre le terre di mezzo. Conferenza sulla prostituzione e il traffico di donne e di minori, interventi sociali e aspetti legislativi.” Associazione “On the Road”, San Benedetto del Tronto 22nd / 23rd September 2003
- Turin, 24th / 25th October 2003
- Conferenza su “Femminismo e prostituzione”, Firenze 4th April 2003
- “Donne e AIDS, la vulnerabilità delle giovani immigrate e i modelli di intervento TAMPEP”, Gorizia 3rd December 2003
- Forum delle Associazioni contro il Trafficking, Roma 12th Februar 2004
- “Oltre la Strada”, seminario, Modena 13th Februar 2004
- “Non solo signore della notte”, dibattito, Prato 20th Februar 2004

- “Prostituzione e interventi sociali nel contesto bolognese”, Zola Pedrosa (BO), 22nd March 2004
- Hong Kong sex workers conference “Out in the Sun”, workshop in Zi Teng Association, discussion about health and prevention on sex work in Asia and Australia, 30th April 2004
- Jornadas Taller “Derechos Humanos y Prostitucion”, Departamento de Salud Publica, Historia de la Ciencia Y Ginecologia, Universidad Miguel Hernandez, Madrid 12th June 2004

#### **National and international training and workshop activities:**

- June 2002 TAMPEP seminar: training dedicated to the personnel of the NGO, of the medical doctor, of the police lieutenant, involved in the work against trafficking in women settled in Valona-Albania.
- October 2002 TAMPEP International sponsored by world learning programme-USaid- Training dedicated to the personnel of the Croatian anti-trafficking Commission: for any additional information see: [www.usaidtraining.net/databases.htm](http://www.usaidtraining.net/databases.htm), settled in Venice Italy
- September 2002-2003 witness project, sponsored by Phare programme (EU). TAMPEP training programme dedicated to the personnel, of the Slovenian NGO involved in this sheltering programme: witness project is a project dedicated to fight the trafficking in women, and we work in the field of exploration of the sheltering strategy.
- In January 2003 TAMPEP organized a 6-day training seminar in Turin for street operators, cultural mediators and volunteers with a great participation from various NGOs.

#### **Evaluation of the CD-Rom and other TAMPEP material**

The CD-Rom has been sent out to over 80 service providers, covering the network of associations and projects working with migrant prostitutes all around Italy. Several experts of different disciplines have received the CD at one of the many seminars we attended, or at the public presentation. We have distributed a total amount of 600 CD copies.

The distribution of the CD Rom and of other informative materials has always encountered the favour of the operators, who consider them very useful for their interventions of health prevention, even if sometimes there are some difficulties on the side of the contacted women, because of their insufficient knowledge of the language, and their generally low grade of education. The most requested materials are the more simple ones, as the ones with strips and comics, and the ones with more drawings. Therefore many operators are asking for more of this kind of materials with many drawings, because they are more easy to understand for illiterate people, as many of the migrants are. There has been a request to translate the informative materials in more languages, as Chinese, Arab, Pidgin Rom English, and some languages of ex-Yugoslavia, as Serbian and Croatian.

#### **Actions with relevance for TAMPEP**

Tampep Italy has done various specialized projects implementing the TAMPEP methodology and expertise. Following are descriptions of three projects that we consider to be examples of good practices: Project Fenarete, Stella Polare and

Turnaround. Fenarete is the most complete example of a peer education method. Stella Polare is our model for health promotion activities integrated in protection programmes for trafficked women. The Turnaround project of Tampep Onlus Turin is a good practices example of a bilateral project between the country of origin of migrant SWs and the receiving country (in this case Nigeria and Italy).

## **Project Fenarete**

The project Fenarete is a pilot project realized within the Leonardo da Vinci program. Prime objective of the project has been to plan and to realize a course for peer educators in the field of prostitution, with the aim of establishing a methodology and guide lines based on the collected data. The project has been realized in partnership with others associations of the TAMPEP network, both of west and central and eastern Europe. This has been occasion for a confrontation with the different social and legal contests of the different countries, and within the partner associations.

The project started in December 2001 and finished in February 2004. It consisted of six phases, in which the course for peer educators has been realized (consecutively) in the different partner countries by organizations belonging to the Tampep network (Comitato per i Diritti civile delle Prostitute, Autres Regards, Lithuanian AIDS Centre, Hydra e.V., La Strada, Tada, Amnesty for Women, TAMPEP International Foundation), alternatively with some training workshops for the trainers and meetings for the implementation of the methodology and guide lines. The promoters of the Fenarete project have also diffuse the results of the training course and all the related data within the TAMPEP network, and the project has been presented to national or international workshops or meetings on theme regarding health prevention or prostitution, etc.

Many of the associations of the TAMPEP network have specifically asked for the material produced, also with the intention of proposing a professional training course in their countries.

The innovative idea of the course for peer educators has been to provide this figure, which has already proved to be of fundamental importance for services addressed to prostitution and aimed at the prevention of AIDS and STI, as is the case of the TAMPEP network, with a specific training. In this way enabling the trainees to better perform their role within the host associations or services, and making their interventions more efficacious. The presence of peer educators facilitate the contact with the target and help to create and maintain a relationship that is based on a significant offer and acceptance of help. The peer education has been implemented through many years of Aids prevention among migrant prostitute in the TAMPEP network. The training course is focussed on the re-working of the prostitute's self-experience, finalized to using it as a resource in the intervention of help towards the target, and on a basic knowledge regarding health, legal and social aspects of the interventions and projects addressed to prostitution.

A very important outcome of the project is the guideline containing the methodology of the Fenarete project, which is the result not only of the prime idea of their Italian inventors, but also of a continuing comparison and exchange of data between the partner or the Tampep network, which has taken part to the project. The guideline has been diffuse in Italian, English and French, and is also available in Russian and Lithuanian on the web site of the Fenarete project, and it is at disposal for every TAMPEP

associated organizations. The guideline and the methodology represent a precious instrument for all the Tampep network, and it resume also the results of the activities of the activities of the associations of the network itself.

The Fenarete project can be considered an important contribution to the policies in favour of a wider use of the services aimed at the prevention of STI and AIDS, since it offer a professional and standardized course for peer educators, which is proved since decades to be a fundamental resource for projects and services that intervene with the field of prostitution.

## **Project Stella Polare**

*Stella Polare* is one of the Projects of the Committee for the Civil Rights of Prostitutes and is based on one of the articles of the Italian Immigration Law, which gives women who were smuggled or trafficked into Italy the opportunity to gain a permit of stay for humanitarian reasons in exchange for a collaboration with justice. After which they follow a program of social protection with a project like ours.

People that are victims of trafficking and that decide to make use of the forms of social protection and tutelage foreseen by the Italian Law (Art.18 D.L. 286/98) generally present different issues, not only due to their individual characteristics but also on the base of their personal life experiences, their country and culture of origin.

The work done in these four years by the *Progetto Stella Polare*, brought us to develop in particular the sensibility in communicating with immigrant women that prostitute themselves, as well as to develop finer intervention methodologies, to recognize which resources were the ones more useful. The joint efforts with foreign staff members that belong to the same linguistic and cultural areas as the women in our project was fundamental, and gave us the possibility to develop relationship of mutual understanding and communication.

Our work takes place on different levels:

A service window working on small numbers for the diffusion of:

- Health information, through the cultural mediators, with the aid of multi-language material
- Civic information, through the mapping of the different of the services accessible to immigrants without a permit of stay
- Legal information regarding the National Immigration Laws

A Mobile Unit enables us to reach women on the streets and establish first contact, followed by harm reduction activities.

The staff of Stella Polare is made up of one educator, a social worker, a psychologist and cultural mediators of different nationalities. They have the task to intervene in order to:

- Give shelter to victims of trafficking that desires to begin a program to leave prostitution
- Support those who do not wish to leave their work on the streets, encouraging their self determination.

- Debate with the public the phenomenon of prostitution, favouring a civil co-existence aimed at fighting racism and social exclusion that immigrant sex-workers often have to suffer.

The giving shelter to women is divided into two phases:

First comes the Emergency Intervention, where the woman is taken in, in a protected environment and is given time to consider the three options that they are given.

- Begin a Program of Social Protection
- Return home through a Repatriation Program
- Return to the street

During this important time of decision making the woman is followed closely by an operator who supports the woman decides to relationship, that in case the woman decides to enter the program, will last for the entire duration of the social protection.

Once the decision has been made and the woman has decided to do the Program of Social Protection the second phase of the take in takes place.

The second phase lasts generally around one year. During this year the staff together with the woman decides on the program that will be pursued. Such program always include the striving those goals that will guarantee the increasing independence of the women.

Such goals include:

- To completely regularize the position of the woman in Italy by means of obtaining their permit of stay, the papers that enables access to all health services and the reconstruction of their national identity papers.
- Better the knowledge of the Italian Language as well as familiarize the means of access to the services present on the territory in terms of work opportunities
- Professional training with the aid of a training scholarship
- Autonomous housing solution.

Each program is developed together with the woman and responds to all the conditions prescribed by the law (art.18 D.L. 286/989) It is however flexible and open to changes along the way to best respond to the needs and desires of the person.

At the end of the project, that terminates with the application for a change in the motivations of the permit of stay from Social protection to work. A report is written regarding the results achieved during the year. Further on, a follow –up will verify the stability of the integration process.

*Stella Polare* works in tight collaboration with the territorial health Services, the Police and the various representatives of the work market, in particular Cooperatives whose contribution has been fundamental in the more difficult job placements.

## **Turnaround**

In Turin the TAMPEP Onlus Association, which runs the Turnaround project, financed by the Piedmont regional government and the provincial government of Turin, has proposed an awareness campaign to inform women immigrants of the various forms of deception and exploitation to which they fall victim, that operate directly in the country of origin. Turnaround focussed its aims on the case of Nigeria. It should be remembered that the presence of Nigerian women in our country is proven to be permanent and long lasting, with a constant annual growth.

During the course of the project, TAMPEP worked in coordination with private organizations, public authorities and the ONG in Nigeria, adapting to the reality of the country by means of various forms of cooperation, one of which saw the success of the mission carried out in April 2002 alongside representatives of Police Headquarters and the Public Prosecutor's Office of Turin. In fact, it was able to define and establish an exchange of information between the Forces of Law and Order and Law Court representatives from both countries.

Experience gained from the Nigerian mission gave immediate results and provided the starting point for imagining the likely prospects of Turnaround; thus we found ourselves all in agreement in our belief in the importance of providing continuity to the exchange experience,

Exploitation and organized crime know no boundaries, and for this reason a bilateral seminar Italy/Nigeria, addressed to Police Forces, Local Organizations and social workers, we offer a confrontation arena to deal with the topic in a new way, considering the evidence provided by those who, in their own country, ought to identify the tools and laws necessary to stem the phenomenon proven to be ruthless abuse of an aspect of humanity.

## **Bilateral field visit**

The team of TAMPEP Italia could take advantage of its visit by the Coordination Centre of the Network in Holland. This visit has been an occasion to see and to learn how legalized prostitutes organize themselves, and what kind of services have been implemented to answer to social and health needs of sex workers.

It has been possible to learn how legalized prostitutes organize themselves in a Trade Union for their category.

The Team had the opportunity to see what kind of influence the legalization of prostitution has on migrant sex workers, coming from outside the European Union.

There has been the possibility to visit clubs, windows, health care services, and the Information Centre for Prostitutes (PIC).

The Team also had the possibility to learn a methodology to contact prostitutes who work indoor, that will be applied in the next intervention project in Italy; this will be much more useful now, since many prostitutes, especially among migrant women, are forced to work indoor, because of the repressive methods of the Italian police towards migrant prostitutes on the street. At the moment there are in Italy no intervention of health prevention for prostitutes working indoor.

## **ITALY / executive summary**

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The *Committee for the Civil Rights of Prostitutes* is a non-profit association that undertakes a range of activities to aid prostitutes. A founding member of TAMPEP International Foundation, the Committee today effectuates various multilateral projects. The Italian reality in the prostitution scene with many migrant sex workers coming from Eastern Europe and Africa, makes these programmes of invaluable importance.

The Committee is a strong promoter of the TAMPEP philosophy. Many workshops and other events are organized and attended to disseminate the TAMPEP methodology and share experience and expertise.

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# LITHUANIA

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## **Lithuanian AIDS Centre**

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## **Organization profile and remits**

**T**he Lithuanian AIDS Centre is a governmental organization. It was established in 1989. The AIDS Centre includes a laboratory, dispensary unit along with anonymous testing site, public education unit, drug users' social rehabilitation department, and Social Ailments Consultation Site. The Centre also operates the AIDS Hot Line. Responsibilities of the Centre are: public education, laboratory testing (the laboratory functions as a reference, the only in Lithuania performing confirmatory tests), anonymous testing and counselling, epidemiology surveillance and data evaluation, social rehabilitation of drug users, launching of AIDS prevention programmes.

The AIDS Centre has been very active in recent years. It has reached a high level of media visibility and has thus stimulated public awareness of the HIV/AIDS problem. The following gives a summary of the Centre's activities with regard to education of the public:

- Development and distribution of a wide range of educational material including flyers, posters, and an electronic monthly bulletin;
- Translation and adaptation of both audio and video materials, which are available at Centre Public Education and Information department and nationally distributed on request;
- Organising a number of conferences, training courses, discussions and exhibitions on HIV/AIDS, drug use and prevention of infectious diseases;
- Staying in close co-operation with the mass media to distribute all kinds of important and urgent information obtained through various channels, both national and international;
- The Centre's staff does lecturing throughout the country for different audiences: students, teachers, medical workers, journalists, etc.;
- Publishing of expert articles in both central and local dailies, developing radio broadcasts and television spots.

With an active advocacy and lobbying of the AIDS Centre, changes in laws and regulations, such as infectious disease control, homosexuality and testing policy, have been implemented, increasing the opportunities for preventive activities and making the testing more efficient. Approaches to STD control, highlighting the early diagnosis and comprehensive treatment, including counselling, have been introduced in some

institutions. Condom programming has been adopted as the only strategy to prevent HIV transmission, comprehensive approaches to drug user problem, including the harm reduction strategies such as syringes exchange programmes, have been initiated. The AIDS Centre beneficially prioritises primary prevention and exploits existing structures to establish co-operation with local bodies. As the driving force, it operates as co-ordinating body with representatives of various sectors, regions and NGOs.

Prevention of HIV among vulnerable groups was given a priority attention by the AIDS Centre and other stakeholders. The AIDS Centre introduced innovative initiatives, such as street trust point for CSW and IDU. In 1998 the Social Ailments Consultation Site was established. Through the Site located at the Vilnius railway station CSW obtained an access to anonymous testing, treatment, condoms and psychological support. AIDS Centre operates its own anonymous facility that provides services to CSW.

## **Overview current national context**

No significant situation changes have occurred since the adoption of the *National Programme for Control and Prevention of Trafficking in Human Beings and Prostitution* in 2002. Some corrections and adjustments were made to the legislation.

Lithuania is not just a so-called ‘sending’ country of migrant prostitutes. It is also a transit country between the CIS (Commonwealth of Independent Countries) and Central Europe. This is because Russia and Belarus have not signed readmission agreements with Lithuania. Practical experience shows that women from CIS usually come to Lithuania for various reasons on their own, involve into illegal prostitution business, some of them are brought to the West. Official data show that most women from Lithuania have recently been taken to Germany.

The Laws of Lithuania determine criminal amenability (deprivation of freedom) for trafficking in human beings, and of other crimes related to trafficking in human beings (procurement, illegal transportation of persons through state border, etc.). Besides, trafficking in human beings was attributed to hard crimes and an obligatory punishment was determined for it, namely confiscation of property.

The Criminal Code determines also criminal amenability for procurement for prostitution, and for forcing a teenager, who is materially, by work or otherwise dependent, into prostitution, as well forcing into prostitution by means of blackmail, deception, or using psychological or physical violence providing punishment of deprivation of freedom. According to the Laws of Lithuania prostitution is not a crime. An administrative amenability (a fine) is determined the Code of Administrative Offences of Lithuania, for prostitution business.

Today, prostitution is understood to be as systematic activities, which are directed to get material profit from sexual intercourse with other person.

## **Assessment of prostitution scene**

The Mapping questionnaires were sent to twelve authorities and non-governmental organisations addressing issues of sex work and human trafficking. We have also questioned sex workers asking for their opinion on listed issues. Eight filled in

questionnaires were sent back. The presented data are based on these questionnaires combined with the assessment made by our centre. The summarising of results showed the following situation.

The working places of sex workers comprised:

- street 25%
- apartments 25%
- club and bars 30%
- massage parlours 15%
- There are no brothels or windows in Lithuania.

In opinion of our respondents, national sex workers make 75-80% of all the sex workers. Working places of migrant sex workers (20-25%):

- streets 60%
- apartments 30%
- massage parlours 10%

Regarding the structure of migrant sex workers, 97% come from Middle and Central Europe (usually from Russia and Belarus), and, which is a quite new phenomenon, from China. The vast majority of sex workers are women.

Three main vulnerability factors of sex workers were defined:

- Lack of legal security
- Lack of social security
- Lack of emotional security

Prostitution in Lithuania is considered a negative social appearance, in most of cases related to crime, transmission of STI, drug use, and discrimination and exploitation of women in this business. This group is hard to reach since usually they are marginalized people. Thus to limit negative consequences of prostitution, it is purposeful to legally regulate this appearance:

- Legalisation of prostitution would take away any possibility of control.
- Administrative Code of Lithuania directly bans prostitution. Direct ban is not purposeful because of the following reasons:
  - Stimulates women to look for a job abroad, where they gain experience of colleagues working abroad to hide from state control and acquire STI. Prostitution ban deprives of women any right to social or other protection from aggression of pimps and clients.
  - Illicit activities dive underground, and state budget loses incomes of unpaid taxes, which might be allotted to effective prostitution control and social prevention.

As mentioned before none significant policy or legislative changes with impact on local or migrant sex workers occurred.

The majority of the respondents knew migrant sex workers who have worked in another country before though data in percent is unavailable (about 100 women). There are many cases of manifold deportation of Lithuanian women. Analysis of trafficking situation shows that Lithuania is not only a country of women export but also of transit between Eastern and Central Europe countries. Main countries of destination are

Germany, England, Norway, Japan, Turkey, Italy, France, etc. There is also a high mobility within the countries borders. At least 70% has worked in several larger cities and near the state border.

The three most important reasons for mobility are:

- Fear to be recognised and caught
- Search for clients
- Looking for higher payment.

During the past five years significant changes have occurred in migrant sex workers access to:

- Health care services occurred while medical workers are trained to work in this group, and further medical services established;
- Social care services established and social workers trained;
- There still are problems with housing, since only temporary housing is provided;
- Sex workers are still not apt to report crimes against them because of inactive witness and crime victim protection laws and inability to assure personal protection;
- Information about available services has improved; both medical and social services provide all kind of information
- Number of programmes supporting trafficked women has increased; services in active programmes are available upon request.

## **National capacity for policy and strategy development**

The Government of Lithuania seeks to join up efforts of jurisdictional and other state institutions, together with NGOs to struggle against violence against women and against trafficking in human beings for the purpose of sexual exploitation. Following experience of foreign countries, the Lithuanian University of Law is working on the preparation and implementation of a specialised programme for working with teenagers and little children. The Consular Department of the Ministry of Foreign Affairs prepared methodical recommendations for employees of Lithuanian diplomatic representations and consular institutions in foreign countries, on the matter of fighting the trafficking in human beings. The list of NGO, which could provide help for victims of prostitution is to be prepared.

The Ministry of the Interior Affairs along with other Ministries and NGOs takes an active part in educational programmes and events in this field, a number of seminars and round tables were organised to consolidate efforts in fighting the trafficking in human beings. Persons, who have suffered from trafficking are integrated and reintegrated in Lithuania by initiative of governmental and non-governmental institutions. It is a pity, there is no general system for solving those questions in Lithuania yet – in accordance with competence the following organisations provide support:

- on social questions (employment, professional orientation): the Ministry of Social Security and Labour,
- on legal and victim protection questions: the Police Department at the Ministry of the Interior and the Ministry of the Interior,
- on health care questions: the Ministry of Health and the Lithuanian AIDS Centre.

The Foreigners Registration Centre of state Border Guard Service at the Ministry of the Interior solves question of reintegration in accordance with its competence. Now in Lithuania there are following NGOs, which provide social, medical, psychological and other help for trafficking victims: Missing People's Families Support Centre, Women Crisis Centre and some other ones (see Annex).

## **Evaluation of the CD-Rom and other TAMPEP material**

As the survey of the organizations involved into servicing and dealing with sex workers performed recently by the Lithuanian AIDS Centre showed, there are only few both government and non-government organizations active in this field all over Lithuania. The methods of the survey were as follows: we took the list of organizations ever mentioned in regard of the above and tried to contact them by phone, and, in failed, asked other people in the field about those organizations, which did not answer the phone. It turned out that majority of them stopped functioning.

Most of those that exist operate in the capital Vilnius. Women's Information Centre focuses more on collection of information about missing women and girls, which usually is being forwarded out to consular missions and embassies of different countries and various women organisations in other countries. The Missing People's Families Support Centre within the framework of its available financial resources, organises practical assistance to the women who managed to escape from being forced to prostitute abroad: a shelter and food. However, according to the head of the Centre, the activities are limited by a shortage of funds and humans resources.

The Lithuanian AIDS Centre provides all kind of assistance to victims of trafficking and sex workers working mainly on the streets (medical examination, education, information, advisory support). Since 1999 the NGO "Steps of the past" has taken part in the project devoted to the problems of prostitution – more precisely – to prevention of engagement into sex work. However, due to the complete lack of resources, this NGO practically is not active anymore. The Women's Union of Lithuania and the International Migration Organisation's (IOM) representation in Vilnius have been basically more focused on organisation of conferences on the issues of sex work and human trafficking prevention.

The CD evaluation questionnaires have proved the following. Educational leaflets and comics used to be distributed on the streets (among street sex workers), in women clinic, in AIDS/HIV/STI anonymous testing site, syringes exchange site, shelter, Dependence Diseases Centre, Lithuanian AIDS Centre, Women Crisis Centre.

All those leaflets and comics were in: Russian language (95%) and Polish (5%). The leading opinion of the people, who have received CDs, was that all the printed matters should be in Lithuanian language due to the major demand. The CD users also indicated usefulness, good and detailed composition of the information. They have stressed a need for all kind of legislative information. Majority of answers to the question "In your opinion, what should be changed?" focused on desirable changes in form: more varying, attractive, user-friendly forms and design were requested

## **Bilateral field visit**

On January 30th – February 2nd, 2003 we have visited the Norwegian partner of TAMPEP project Pro Sentret. The aim was to gain experience in providing medical/social/educational services to sex workers and in HIV/STI prevention in this target group.

Issues of great interest were: work organisation and schedules, staff, budgeting and related problems. We have talked to social workers, doctors working in Pro Sentret, policemen and individually to the sex workers. Pro Sentret has reach high public visibility and acceptance in the field of addressing the drug dependent sex workers through their harm reduction programme and provided social services: e.g. warm meals available three times a day, and even in the night. Organisation is accessible 24 hours in a day, closing, medication, doctor's consultations are available, and there is a rest room. We have also done some outreach work with organisation social workers around the Oslo streets in places where sex workers solicited for clients, and watched actions of social workers: distribution of condoms, lubricants, personal consultations, evaluation of the needs, registration with a doctor, etc.

We were also provided an excellent opportunity to visit the Oslo STI clinic – the only medical institution in the city where HIV/STI care services including treatment of sex workers are available free of charge. The head of this Clinic has introduced the whole HIV/STI care system in Norwegian.

## **LITHUANIA / executive summary**

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Lithuania is not just a so-called –sending' country of migrant prostitutes, but also a transit country between the CIS (Commonwealth of Independent Countries) and Central Europe. No significant policy or legislative changes with impact on local or migrant sex workers occurred. About 70% of sex workers migrate inside Lithuania – around larger cities and near the state border. Main countries of destination are Germany, England, Norway, Japan, Turkey, Italy, France, etc. Regarding the structure of migrant sex workers, 97% come from Middle and Central Europe (usually from Russia and Belarus), and, which is a quite new phenomenon, from China. During the past five years significant changes have occurred in migrant and local sex workers access to health care and social services.

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# LUXEMBOURG

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## **DropIn, Croix Rouge Luxembourgoise**

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## **Organization profile and remits**

**T**he DropIn-Centre opened its doors October 22nd, 1998. It is supported by the Ministry of Women's Promotion and is supervised by the Red Cross of Luxembourg. Before the DropIn opened, Aidsberodung and Stop Aids Now had been doing street work with prostitutes since 1989. The volunteers informed the women about the risks of Aids and other sexually transmitted diseases. They also started distribution of free condoms. In 1995 a program of vaccination against hepatitis B was realized. This project uncovered a large demand for a permanent service. Today an increasing number of prostitutes benefit from the different services at the DropIn and its human touch.

The DropIn Centre is a very large and welcoming place for all the sex-workers. A cafeteria with television is open from Tuesday through Saturday from 6 p.m. until midnight. Tuesdays and Fridays the DropIn opens already at 3 p.m. The cafeteria is the main place for discussions, recreation and to buy condoms, lubrication jellies for reduced rates.

A small private room is available for personal talks, as a place to take a rest and a totally equipped doctor's practice.

The clientele of the services consists of female sex-workers, drug-users involved in prostitution as well as transgenders, transsexuals and transvestites.

The DropIn provides a wide range of services, including:

- Presence of a gynaecologist and other specialist physicians once a week;
- Medical treatment (diagnostic, prevention and treatment)
- Social advice;
- Psychologist presence on demand, as well as a lawyer;
- Information about safer sex;
- Left-luggage boxes, showers, toilets, washing-machine, telephone;
- Condoms and lubricating jellies;
- Syringe exchange.

The following services are offered outside DropIn:

The team of the DropIn and the volunteers covers the street work in the prostitution milieu. The days and hours of the street work change from week to week in order to as many sex-workers as possible.

Information, condoms, lubricating jelly and Soft tampons are distributed to the sex-workers. In winter we even offer coffee.

Every first Wednesday of the month, an ambulance with a doctor, a nurse and a social worker from the team are covering the medical treatments directly on the street in the milieu of the prostitution.

Since 2001 in the framework of TAMPEP 5 and TAMPEP 6, we published an add in different languages in a weekly journal (advertisement under “beautiful hours”). This add promotes our DropIn centre and its services for sex workers. This is a way to reach some of the sex workers working in private flats.

### **Overview current national context**

In Luxembourg the street prostitution under 18 years isn't allowed by law and upper to 18 years prostitution is not mentioned. Punished by law are violence against women, pimping and trafficking in women.

The working conditions changed a lot since 2001, as a result of a new police regulation in the city of Luxembourg. This change in the sex work context continues to complicate the situation of prostitutes.

Today prostitution is tolerated only in two very small streets. This area is very exposed to the general population, as there is a bus stop nearby. This is uncomfortable for both the sex workers and passers by. The tolerated working hours have been fixed on 8 pm to 3 am.

In Luxembourg street prostitution and the prostitution in private flats are tolerated. The prostitution in Cabarets and Clubs is not officially acknowledged by the public authorities. Women in cabarets are in majority from non EU-countries (Belarus, Russia). They usually had a visa from one to six months as an artist. This changed on the 1 May 2004. A new law was passed, which surprised everybody. These special visas will no longer be allowed. This means that:

- no more possibility for non-EU women to come to Luxembourg to work as an artist,
- non-EU women still working in a cabaret had to stop immediately before 1 May.

As a result, some cabarets had to close its doors causing great changes in the prostitution scene.

### **Assessment of prostitution scene**

Luxembourg is a very small country and the street prostitution is only in Luxembourg town (+- 83 000 citizens). Approximate 653 prostitutes were working there last year.

The structure of prostitution scene changed in our country:

- There are more and more sex-workers on street, an increasing number of Africans/Latin Americans and Middle and Central Europeans.
- There is also a frightening rising number of drug-users involved in prostitution. (main nationalities: Luxembourgian, Portuguese and more and more Eastern Europe!)

We count about 78% migrant sex workers: most of the sex workers are women, about 90%. 10% of the sex workers are travesties and transsexuals. There's no male prostitution on the streets.



## **National capacity for policy and strategy development**

In Luxembourg there's only one service working especially with sex workers: the DropIn Croix-Rouge. However, some other services are also in contact with prostitutes, and so we created a small Luxembourg Network. The core network consists of:

- The Planning Familial (gynecologique questions)
- The Youth and Drug help (for drug using sex workers)
- The Abrigado (for drug users)

A list of additional contacts can be found in the annex.

## **Evaluation of the CD-Rom and other TAMPEP material**

In the area of TAMPEP 6 and one of its new project, the CD-Rom, the DropIn had the possibility to involve other services and organisations dealing with sex-workers and/or migrants, in the framework of the TAMPEP programme. This was a hard job and took a lot of time. We first contacted the associations per phone, and if they agreed to participate, we offered them two possibilities: first they had the opportunity to come to DropIn, where we explained TAMPEP and the CD-ROM and gave a overview of our work and centre, or secondly we went to their association.

The project was a great success. Many services and organisations are still working with the TAMPEP material. For example the Ministry of Health, the Ministry of Women Promotion, Juridical Help Services, different Health Services and a lot of NGO's dispersed in the whole country.

There were 90 evaluation forms given to Health Care Services and NGOs dealing with sex workers and/or migrants. A total of 49 questionnaires returned, representing 54% of feedback.

From the 49 institutions/associations who returned their questionnaire, 12 do not work with migrant sex workers in the country. The manner to spread TAMPEP information material: 34 centre, 8 elsewhere, 6 outreach work.

The mainly used languages of the material were French, Portuguese, English and Russian. Following were Polish, Thai, Czech, Bulgarian, Rumanian, Spanish and Hungarian.

Evaluation of the material was 'good' from 26 organizations, 'very good' from 15, and 'reasonable' from only one.

What sorts of other information would be of use:

- Legislations & Health Care Services for each country
- How to react in dangerous situations
- Abuse of medicaments, drugs and alcohol

Other requested languages are primarily Serbo-Croatian and German. Others are Turkish, Luxembourgian, Dutch, Yugoslav, Moroccan, Italian and Vietnamese.

Three institutions asked for additional technical/methodological support.

Other remarks concerning TAMPEP material:

- The need of material for male sex workers.
- Without target group mentioned very useful for sexual education in schools
- User friendly CD and the ease of printing the documents

## **Bilateral field visit**

From the 12 till the 17. of April 2004, we visited the German Partner of TAMPEP: *Amnesty for Women* in Hamburg..

We went to Hamburg in order to share information about the services provided by their social organisation and to find out if these methods might be useful for Luxembourg too.

We visited there different services and they presented us their way of working in the medical as well as in the social context.

TAMPEP Germany explained us their approach to get in contact with sex workers working in flats. We had the possibility to escort their social workers in flats and watched actions: for example: distribution of condoms and lubricants as well as exchange of information. We appreciate the collaboration between the different service providers for example in outreach work.

Considering the target groups of DropIn:

- Sex workers
- Drug added sex workers
- Transvestites
- Transsexuals
- Migrant sex workers

We visited the following organisations

- Amnesty for Women/TAMPEP (migrant women/migrant sex workers)
- ZB/Zentrale Beratungsstelle für sexuell übertragbare Erkrankungen (Health Office)
- Koofra (trafficking in women)
- Ragazza (drug addicted women)
- Basis Projekt (Male prostitution)

## **LUXEMBOURG / executive summary**

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In Luxembourg there's only one service working with sex-workers: the DropIn from the Red-Cross, agreed by the Ministry of Women Promotion. Luxembourg is very small and there is only street prostitution in Luxembourg Town, where we count about 78% migrant sex-workers. Officially there's only prostitution in private flats and on the street and not in the Cabarets. Since the first of May 2004 artists visas are no more given to non-EU women to work in cabarets.

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# THE NETHERLANDS

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## **TAMPEP International Foundation (Stichting TAMPEP)**

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## **Organization profile and remits**

**T**AMPEP International Foundation got started in 1993. Its partners are *Stichting TAMPEP* in the Netherlands, *Amnesty for Women* in Germany, *Comitato per i Diritti Civili delle Prostitute* in Italy and *LEFÖ (Lateinamerikanische Emigrierte Frauen in Österreich)* in Austria. In 1997 the participants of TAMPEP's network founded a federation of NGOs called TAMPEP International Foundation, in Amsterdam, which became a European centre for assistance, consultation, training and advice on health, prostitution and migration and anti trafficking policy. At this moment the network of TAMPEP is based in 21 European countries.

### **The aims of the Foundation are:**

- Coordinating the international activities of TAMPEP;
- Promoting actions and policies based on the respect for the individual human rights of all trafficked persons;
- Protecting and improving the human and civil rights of migrant sex workers and of all those who are socially marginalised or discriminated against;
- Developing non-discriminatory policies on prostitution and migration;
- Creating and developing a structure for a broader network of health care and social support for migrant sex workers;
- Creating and developing a structure of NGOs and GOs organisations in Europe for the protection of trafficked women.

The TAMPEP project is financed by the European Commission, DG V- Public Health- and co-financed by national governmental organisations. Besides coordinating TAMPEP, the Foundation also promotes other European projects.

### **Some of the most recent programs are:**

- "Cultural mediators in the area of prostitution. Transnational training", financed by the European Commission, DG XXII-Education, Training and Youth- Leonardo da Vinci Program (1999-2002);
- "Moonlight. Safe Prostitution", a project aimed at female sex workers in Latvia by the Latvian Gender Centre, an NGO in Riga. This project is financed by the Dutch Ministry of Foreign Affairs through its programme MATRA (2000-2003);
- The European project "Femmigration" Legal Agenda for Migrant Prostitutes and Trafficked women on the Internet", financed by Daphne Programme (2001-2003);

- The European project “Fenarete” Vocational Training for trafficked women, financed by Leonardo da Vinci Programme. (2001-2003);
- European project in the framework of Daphne and Stop Programmes;
- “Improving future job opportunities for victims of trafficking in persons” in the framework of the European Equal program (2001-2003).
- “Hey girl, take care of yourself” a project aimed at female sex workers in Lviv and the region of Lviv, Ukraine by the Charitable Foundation Salus, an NGO in Lviv. This project is financed by the Dutch Ministry of Foreign Affairs through its programme MATRA (2003-2005);

TAMPEP International Foundation also collaborates with international agencies and NGOs outside Europe, especially in the countries where migrant sex workers and trafficked women come from.

TAMPEP health promotion work is based on direct contacts with migrant sex workers that are initiated during intensive fieldwork. TAMPEP initiates and runs specific projects for support of migrant sex workers victims of trafficking in co-operation with organisations in the countries of origin. These programmes of social protection are integrated in our health promotion activities and are based on the principle of empowerment of the person in the process of self-determination. Our manner of work is based on creation of a paradigm of options tailored to the individual situation of these persons and with full respect for their free will and choice.

## **Overview current national context**

The Netherlands was the only European country besides Germany to adopt a law on prostitution that legalises the exploitation of prostitution and at the same time aims at the improvement of the position of the sex workers. For this reason this report describes in some detail the (political) context and the long process of the implementation of the law in the Netherlands, presented as a case study.

TAMPEP started its work in the Netherlands in 1993, which means that we could closely observe the changes of policies towards prostitution in the Netherlands and the effects they had on the position of migrant sex workers.

The context of prostitution in the Netherlands has drastically changed over the past few years. From the beginning of our work we have been confronted with various phases of these changes that varied from at first tolerance towards the presence of undocumented women in prostitution, then a transition period when ad hoc policies were applied as an introduction to the new regulation in prostitution (which resulted in more controls regarding the legal status of migrant sex workers and in setting up of conditions for running of a sex business), towards finally a practical application of the new legislation in prostitution.

### **The prostitution scene in the Netherlands before introduction of the new law**

According to rough estimations, there were about 25.000 persons working in prostitution. About 70 to 80% of them were migrants, many of them working in window prostitution and sex clubs.

Of the total amount of the sex workers, 90% were women, 5% men and 5% transgender, with 45% working in sex clubs, 20% in ‘window’ brothels, 15% in escort services, 5%

on the street, 5% at home and 10% in other forms of prostitution such as hotels, bars and discotheques. In 2000 it was estimated that 6,000 sex workers were active daily in the major areas: window brothels, sex clubs and street prostitution. As regards the structure of the sex business, according to some estimates there were approx. 550 sex clubs and 630 buildings with window brothels, while according to other sources there were 600-700 sex clubs, 2,040 window brothels, 260 escort services and 240 street prostitutes working on a daily basis. These estimates were based on data provided by local authorities and service providers.

However, from observations and mapping carried out in the field, the total number of sex workers seems to be much higher. Just in those cities where TAMPEP does outreach work, there were at least 2,700 window brothels and 300 women working the streets nightly. Official sources estimate that two thirds of these women were migrants, while TAMPEP estimated that in the four cities where it conducted intensive outreach activities among 'window' prostitutes, the percentage of migrant sex workers was 90-95 % of total.

The majority of these women worked "illegally" – this is the official term the authorities apply to the situation in which a person works without a residence permit that also authorises her/him to work in The Netherlands. The Netherlands is no exception: in all EU countries the majority of sex workers are migrant women, despite any system of prostitution and anti-trafficking policies. For example, Greece and Austria have a strict registration system for sex workers. Still, the number of non-registered migrant sex workers amounts to 80 to 90% of all sex workers. That is a similar percentage to Italy, which has no registration system at all.

**The situation changed drastically after the introduction of the new law that came into force formally per 1 October 2000.**

This date was preceded by a transition period during which police controls were carried out in the majority of prostitution scenes and many migrant sex workers were forced to leave their working places. The police controls were also aimed at those sex business owners who rented a working space to undocumented persons. This period was characterised by an even greater mobility of sex workers than before because some municipalities still tolerated the presence of migrant sex workers while others did not. Therefore the women travelled continuously amongst the various towns. Some entered other forms of prostitution, which for many of them meant more dependency of third persons who could organise their work.

**Then the first of April 2001 came...**

This was the moment when the municipalities started to implement the regulation on prostitution in their cities in reaction to the legalisation of sex industry.

When the commercial exploitation of prostitution was taken out of penal code and was thereby considered a legal business, it became subject to all kinds of regulations. However, there is no consistent policy from the side of the municipalities regarding the maximum number of brothels, their types and the rules that are applied. In general these differences in policies lead to situation where brothel owners (and the sex workers) are confronted with very contradictory rules and limitations. The general trend is that most of the municipalities try to reduce the volume of sex industry in their area. This also concerns the "tolerance zones" for street prostitution, which are areas appointed by municipalities where street prostitution may be exercised. The Dutch law regarding the

running of an enterprise and our labour law, now includes the conditions for licence system for brothel owners (regulated by municipalities), taxes for sex workers and brothel owners, application of labour law, control of establishments concerning their hygiene and safety conditions and the defining of the position of the sex industry in the cities, etc. It also means that various institutions with different competences are involved in the regulation system. This, in turn, meant that it was getting increasingly difficult for undocumented women to work in prostitution. In the Law regulating work permission for aliens (WAV) a specific article number 3 states that it is not possible to apply for work permit in prostitution.

**As a result of these changes, the position of migrant sex workers became even more complicated: they are now not only illegal aliens but also illegal prostitutes.**

This double illegalisation has disastrous consequences for the well being of the women and their independency. The indirect effect has been that these women had no choice but to go underground and enter clandestine (i.e. invisible and not regulated by the public authorities) forms of prostitution. Some women entered street prostitution, working in so-called tolerance zones (once created for drug using prostitutes). Recently, however, these tolerance zones have been subject to police raids that resulted in mass deportation of illegal women. As a result of this, two zones (in Amsterdam and Rotterdam) have been closed. Some women have tried to legalise their presence in the Netherlands by using all means such as marriage, etc. These situations bring a high level of dependency and few options.

For non-EU citizens all possibilities to work in legal prostitution in the Netherlands were closed. However, the persons from countries associated with the EU could not be totally excluded from self-employed sex work. These women have to apply at the Dutch Embassy in their countries for so-called MVV- a permission that would permit them to receive an authorisation for self-employed work in the Netherlands. This procedure is complicated and juridical experiments have been done in some towns in order to make it easier. In spite of all these difficulties, new migrant women kept on coming to the Netherlands, mostly from associated and access countries.

## **Conclusions & Recommendations**

1. The ban on "illegal sex workers" is especially controversial because the authorities have not taken into account that since the eighties migrant sex workers have constituted the majority in of sex workers in the Netherlands. It is unrealistic to think that banning them from work in the sex industry (while not offering them any economical/social alternatives) would eliminate their presence. This repressive policy has resulted in a big shift in work places, causing migrant sex workers to become even more isolated and vulnerable to exploitation. Another consequence is the creation of new (clandestine) and occasional forms of prostitution, more territorial spreading of prostitution and more mobility among the women. Numerous women come in the hands of malafide brothel owners who take advantage of their (illegal) position.
2. Worse even, the exclusion of "illegals" is contradictory with one of the main objectives of the new law, namely to decriminalize prostitution, to improve conditions of sex work and to further acceptance of their profession as a normal occupation. This particular paragraph of the new law appears to be only applicable to sex workers from EU countries. "Illegal" sex workers will remain

unprotected and will therefore be further criminalized and forced to live and work in inhumane conditions. The risk that organised crime will take over the facilitation of work of undocumented persons is very real. One of the goals of the new regulation is to take prostitution out of the criminal sphere. Clearly, this goal will not be reached if the majority of sex workers (i.e. migrants) are excluded from legal protection.

3. Another goal of the new law is to combat trafficking in persons. Many (illegal) sex workers are victims of trafficking and should have access to special protection measures from the authorities. The Dutch program awards special rights to witnesses in traffickers' prosecution cases: three months reflection time, possibility of receiving a temporary residence permit, right to shelter, financial and legal assistance. However, this is often not enough for the women to denounce their pimp. Their status as a witness does not give them any possibility for entering a social integration process (for example access to the labour market) and does not respond to the complex reality and the needs of the victim. Therefore, only a small percentage of the women affected by trafficking enter the B9 procedure. According to the Bureau of National Reporting on Human Trafficking, only five to ten per cent of all women affected by trafficking come forward to testify against their traffickers<sup>8</sup>. One sixth of the persons benefiting from the B9 procedure are from Bulgaria, followed by other European nationalities and West Africa.

Care should be taken that the impact of the counter trafficking policies are not weakened by perceiving trafficking as a form of illegal migration or illegal prostitution. The risk is that the victims of trafficking are treated as criminals, while the traffickers go unpunished. The authorities frequently pursue restrictive immigration policies while mixing smuggling in persons, trafficking in persons and prostitution. This causes that they focus primarily on combating organised crime and the presence of undocumented women while neglecting the protection of their individual human rights.

TAMPEP presented these conclusions and recommendations during the evaluation of the effect of the legalisation of prostitution in the Dutch Parliament. The Ministry of Justice is preparing new guidelines for this future change in context. They have set up a special working group of experts to advise them in this process. TAMPEP is the member of this group.

#### **Situation of the women from the New EU States.**

Per May 2004 10 new countries joined the EU. With regard to work the persons from Malta and Cyprus received the same rights as the rest of the citizens of the "old" EU States. For the women from other 8 countries (i.e. Poland, Czech Republic, Slovakia, Lithuania, Latvia, Estonia, Hungary and Slovenia) it is possible to work in prostitution only in the form of self-employment as there is no possibility for the citizens of these countries to enter the labour market in the Netherlands during the first two years of the membership at the EU. But the procedure of establishing oneself as a self-employed sex worker has been simplified and the duty of arranging the MVV has been abolished. All the formalities regarding self employed work can be undertaken in the Netherlands. The

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<sup>8</sup> A. Korvinus, Trafficking in Human Beings, presentation at the NGO Conference on Human Rights in the OSCE Region, Maastricht, December 2003

women from associated countries however, are still subject to MVV and have to arrange it their country.

As the result of the enlargement, the make up of the groups of migrant sex workers from CEE countries changed in the towns where women from associated countries used to be allowed to work. For example in Alkmaar where mainly women from Bulgaria and Romania worked until 1<sup>st</sup> of May, they are being now replaced by the women from the New EU States. The Bulgarians and Romanians are not allowed to work anymore in this town and had to leave the Netherlands in order to arrange the MVV in their countries. It is known that a big part of these women moved to the town (Leeuwaarden) where the presence of the women from associated countries is still tolerated. It is also suspected that a big part of the Bulgarians and Romanians went underground and work from there which means dependency on the third parties.

The women from the New EU States can exercise their work as self employed prostitutes. The formalities are simple and are of the same nature as in other forms of self employment. The woman has to register herself in the Chamber of Commerce in the place where she lives and plans to work. In order to be registered she needs a contract from the (window) brothel owner and the excerpt from the bank account and where her address in the Netherlands is stated. She also needs a short declaration about expected earnings and spending. Afterwards she has to receive a stamp in her passport either from the local municipality or from the Alien Police (it depends on the town) stating that she is a member of the EU and as such is allowed to stay for a certain period of time (usually 6 months) in the Netherlands. The last step of the formalities is to register at the local tax office where she receives a tax identification number and where she is instructed how she has to fill in the tax forms and how to keep her book of earnings.

## **Assessment of the prostitution scene**

Due to the very unstable situation in prostitution it was very difficult to carry out a comprehensive assessment of this situation at the national level. As said before, the Dutch municipalities are free to implement the law in the way they find the most optimal for their region. This leads to the situations that are unpredictable and often contradictory: in some towns the presence of migrant sex workers is being tolerated while in others the women are chased away. Therefore the groups of (migrant) sex workers are continuously on move looking for the places where they still can work. These movements made it difficult to carry out a nation-wide mapping of the situation in prostitution. Much information regarding the situation on the national scale was exchanged during the meetings of the national platform and through the periodic assessment of the prostitution settings carried out by the network of service providers. In this report we limited ourselves to the city of Alkmaar that has been since many years a sort of “case study city” for TAMPEP.

### **Locations for outreach work**

TAMPEP outreach activities concentrated as in previous years mainly in the city of Alkmaar with 126 window brothels where mostly prostitutes from CEE work. In Alkmaar there are two sex clubs that were regularly visited by TAMPEP workers too.

Also, TAMPEP two Eastern European cultural mediators carried out outreach work in other cities in the Netherlands, where they were invited by local service providers.



These visits were preceded by the short trainings for the service providers about the techniques of work with women coming from CEE countries, the principles of cultural mediation in the field of prostitution and the (efficient) use of multi-linguistic information material of TAMPEP. The Latin American cultural mediator carried out outreach work in 2003 in the city of Nijmegen where mostly women from Colombia and Dominican Republic work. She did this job in close cooperation with the local municipal health services. On many occasions the cultural mediators were accompanied by the peer educators who had been formed in the project Fenarete. The peer educators carried out their work also independently of TAMPEP cultural mediators and their services were hired by the municipal health services of Alkmaar.

## **Alkmaar**

### **The prostitution scene**

During the last two years the prostitution scene in Alkmaar has changed significantly. Until recently, Alkmaar was one of the two towns in the Netherlands (another one is Leeuwarden) where sex workers without a residence permit were allowed to work. The Municipality of Alkmaar tolerated the presence of these women as long as they came from one of the associated countries and were registered at the local police. Most of the women (about 80%) came from Bulgaria and Romania. The rest of the group was formed by prostitutes from Czech Republic, Hungary, Poland, and Slovakia (and two – or three from Latin America). All sex workers were united in the *Association of Achterdam* and were in the procedure of arranging a permission to work as self-employed prostitute with the help of a lawyer specialised in migration law. The membership of the *Association of Achterdam* was obligatory for all the women coming from associated countries and was bound to high costs for the juridical procedure and the assistance of the organisation.

On the 1<sup>st</sup> of May the Alkmaar municipality decided to change the regulation and to allow only the presence of the women from New EU States who would have to arrange their papers for the work as self-employed prostitutes. As a result of this change of policy all Bulgarians and Romanians had to leave Alkmaar and for some time most of the windows stayed empty for a short time. At the present moment the windows start to fill in: apparently the news about the empty places spread quickly in the world of prostitution. The newcomers are: Latin American women and (older) Dutch sex workers who used to work in some other places in the Netherlands; the women from New States who used to work in some other countries in Europe; the women who come directly from their countries and who are newcomers in prostitution.

### **Outreach work**

The outreach work was carried out on regular base by two cultural mediators: Polish and Bulgarian. In the period of two years some 800 sex workers were contacted. The outreach work included spreading information about HIV/STI prevention, organisation of workshops on safe sex and negotiation techniques with clients, spreading information materials, referring to medical and social services, giving psychological support, mediating between the prostitutes and the sex business owners, giving juridical information etc. Special attention was put on contraception because many (CEE) women are reluctant to use it and do not know much about the comprehensive methods of contraception. Another important work was assisting the women who are in the situation of dependency from the pimp or a trafficker and guiding them towards the

situation of autonomy and self determination. The Bulgarian cultural mediator who is a psychologist carried regular (individual) psychotherapy sessions for some of the Bulgarian women.

As in periods before, TAMPEP cultural mediators worked closely with local Municipal Health Services (GGD) who hold a medical consultation hour on the prostitution street. The workers of TAMPEP cooperated and assisted the GGD in the execution of various (common) activities on the street. They included campaign for Hepatitis B vaccination, carrying out questionnaire on evaluation of the consultation hour, activities in the framework of promotion of contraception, etc.

### **Results of interviews with the groups of Bulgarian sex workers in the city**

One part of the assessment work was effectuated with the newcomers to the street in order to assess their situation.

All of the interviewed women were currently working in window prostitution in Alkmaar and were of Bulgarian nationality. Their age varies from 22 to 35, with average age of 26.

#### The backgrounds of the women.

Most of them have studied till undergraduate level of school education. The most common occupation before starting working in prostitution and before leaving their home country is: waitress, sales and trades, small enterprises, owning a private business. They all keep contact with their families. Exception makes one woman who lived in care center and doesn't have family.

The length of the period the women are working in prostitution: from 1 to 5/6 years. 70% of them have been doing this work only in Alkmaar. The rest 30 % worked in other countries too (Bulgaria, Belgium, France) and have experiences from different forms of prostitution also (street prostitution and escort). Half of them want to continue with working in prostitution. 60% of them do not hope to return to their country of origin.

The way of leaving Bulgaria: one of the women said she was trafficked to the Netherlands. The rest didn't meet any difficulties leaving Bulgaria. The most common way was to enter as a tourist; one woman came to the Netherlands with student visa.

Health condition: almost all women ( 90% of the excerpt) at the time when the research was conducted were feeling healthy. Most of them go for medical check-ups to the medical consultation on the prostitution street. The medical consultation hour is open for check-ups every second Tuesday and is specially organized for the women working in prostitution in Alkmaar. Even though when asked if they thought they had good access to medical services in the Netherlands half of the women answer negatively and express dissatisfaction from their doctor. 30% would prefer to pay for the medical services they need in this way hoping to be treated more professionally. For most of the women the last medical examination was 1 month ago but still for some of them it was longer before the date of the interview. The biggest percentage of them have regular check-ups against STI's- every 3 months is pointed from the women as equal to regular. All of them feel able to recognize if they have contracted most but not all types of STI's and affirm to know enough about HIV and AIDS. 80% of the women do not take any

medicine constantly. The rest 30 % take oral contraception, which were prescribed by the doctor.

All but one had an incident with broken condom. The procedure in such a situation is to wash up and to go for check-up later. Some of them mentioned taking morning after pill. All of the participants admitted that they put themselves the condom. Most of them use condom in their private life with partners and husbands too.

Clients: all of the women say that they select their clients and the most common criteria on the base of which this is done are: how rich the clients are, what nationality they have, race, if they are sober, clean, their age. According to the women most of the clients have normal positive attitude towards the use of condoms but still there are clients who propose sex without condom. Half of women claim that it happens often/very often when the clients ask for unprotected sex. The other half say that this happens rarely in their practice. This might mean that the clients themselves do not ask all of the women working on the street for this kind of services but choose some of them whom they find attractive and/or likely in their perception to agree to do it. Half of the women who have been interviewed have had problems with clients.

Average working time: 10 hours per day.

Contacts with the various persons on the street: women have good contact with the persons from whom they rent the windows and with their colleagues who have the same nationality. Most of them live with friend. 30 % live alone.

Most of the women didn't have any contact with social workers and if they have any problem will call at the office on the street or will ask a friend to help or will go to the police.

Plans for the future: are very vague and there are rarely concrete ideas. Women describe their future plans in more abstract and general terms like – “ to have a normal life”, “ to have happy family”. Still some of them stated some very concrete and clear ambitions and plans like: collecting money to start own business in Bulgaria, wanting to study, planning to buy an apartment for her and her son in Bulgaria.

When asked where they would go if they are not allowed in the future to work in Alkmaar big diversity of alternatives was brought: Amsterdam, Utrecht, Belgium, Spain, Bulgaria. 40% of the women said they have no idea.

Majority of the women feel well informed about their working conditions, about their rights and about their health. The area where they lack information is possibilities to get juridical and/or social help but most of the women did not express need to be informed more about this topic.

## **Evaluation of the CD-Rom and other TAMPEP material**

During the period of TAMPEP 6, Stichting TAMPEP and TAMPEP International Foundation carried out a broad publicity campaign. The national and international networks have been used to disseminate the CD-Rom and its accompanying material. About 500 copies of CD-Rom have been disseminated through various channels.

The dissemination occurred in two ways:

- following a list of national and international agencies that had been prepared beforehand and which included all relevant organisations
- at various national and international gatherings and conferences where the CD was handed out to organisations for whom the information on the CD would be relevant and who expressed their wish to have the CD.

The CD –Rom was accompanied by a letter with request for an evaluation from the side of the user. About 10% of these forms have been returned to the office in Amsterdam. We also received the feedback during the contacts with the service providers and while monitoring the use of the material. All reactions were very positive and stressed the usefulness and the accessibility of the information placed in the information folders. Some of the users suggested that the CD should include more languages, such as Ukrainian, Slovak, Lithuanian and Latvian; others suggested other subjects that could be treated, for example: the Anti-viral therapy, PEP, etc.

## **National capacity for policy and strategy development**

The national platform of service providers to sex workers consists of 30 organisations. These include: Municipality services for HIV/STI prevention, social services for victims of trafficking, national representatives of sex work organizations such as “De Rode Draad” and research institutions such as Mr. A de Graaf Stichting.

The platform convenes on a regular basis and aims to monitor the changes in the prostitution scene in different cities in relation to the changed legislation. Further, we aim to formulate policy advice for local and national government and support organizations in their lobbying activities in their municipalities. During TAMPEP 6 period we set up a mailing list through which the platform can communicate. Every month each organisation sends data from the field. These are collected and used as a monitoring device at the platform meetings. Some of the platform meetings are dedicated to a theme that is especially important at the given period of time and the external experts are being invited to the meeting. Latest meeting was dedicated to EU enlargement and its consequences for the situation and the position of the sex workers from the New EU States and associated countries. A high functionary from the Immigration and Naturalisation Office, a functionary from Ministry of Internal Affairs and a policeman in charge of anti-trafficking forces were invited to the meeting and explained what the EU enlargement means for the sex workers from CEE countries.

## **Bilateral field visit**

TAMPEP Netherlands received the visits from four partner countries: Hungary, Portugal, Slovakia and Denmark.

Three of the visits lasted four days and one two days. The programme of the visits included:

- visit to prostitution street in Alkmaar:
  - visits to the windows - accompanying the cultural mediator in her outreach work with CEE women
  - meeting with one of the sex business owner: learning about the implementation of the licence system from the side of the user of the licence

- meeting with the physician and the nurse who run the health consultation hour on the prostitution street in Alkmaar: learning how the system of health care system is organised for the sex workers in Alkmaar
- meeting with the functionary of the Alkmaar Municipality who is in charge of prostitution issues in Alkmaar and in its region: learning about the rules of license system imposed by the Municipality
- meeting at PIC (Prostitution Information Centre) in Amsterdam with the founder of the organisation and learning about the rights and duties of the sex workers in the new system that is in force in the Netherlands
- visit to HAP (Mobile Unit for sex workers) in Utrecht:
  - meeting one of the workers of the project and learning about the principles of work with prostitutes working in the tolerance zone and in the boats,
  - visiting one of the prostitution sites (the boats) in this town
- visit to Mr. A de Graaf Foundation (Institute for Prostitution Issues): meeting the policy adviser of the Institute and learning about the process of the preparation and implementation of the new law on prostitution in the Netherlands and about its consequences for the position and well being of sex workers
- visit to the Red Light district in Amsterdam: meeting with the sex business owner

## **Actions with relevance for TAMPEP**

### **Special activity: Dutch language course**

The authors of the report decided to include an extensive report about this event, because it is an excellent example of how important is to integrate additional programme in health promotion activities.

As a result of participation of TAMPEP in Equal programme (BLiN project<sup>9</sup>) it had been possible to allocate some external resources in the vocational training for sex workers who are in situation of dependency. Given that many of the women in Alkmaar are to some extent in such a situation, TAMPEP decided to offer the sex workers a possibility to learn a (foreign) language. After the consultation with the prostitutes it was decided that it would be the Dutch language. Given that the major population at the street consisted of the women from Central and Eastern European countries, it was decided that only these women would be approached as possible participants.

The course had been prepared with lots of attention, care and planning and the preparations were divided in different phases. The most of the work around the organisation and the execution was effectuated by the two TAMPEP cultural mediators who had been contact persons for the teaching institute, the teachers, the participants and the BLiN.

At first the teaching institute (ROC) in Alkmaar had been selected, approached, and sensibilised to the issues of sex work what was needed in order to select two teachers with adequate and relevant qualities. After the teachers had been selected, they were trained in (migrant) prostitution issues, labour migration, trafficking in women, life in CEE countries.

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<sup>9</sup> BLiN: Bonded Labour in Nederland (cooperation between Humanitas and NOVIB): the project offers vocational possibilities for the victims of trafficking

Afterwards the planning of the course was effectuated: duration of the course (8 months, from November until end of June), frequency (once a week), place (preferably at the prostitution street), techniques of teaching (multimedia and active participation), sorts of certificates that would be handed at the graduation ceremony at the end etc. The sex business owners had been informed about the course and asked for cooperation. At the same time the participants of the course were selected. They were informed about the contents and expectations with regard to the course, they were requested to reflect if they had enough motivation and time to follow the course and do the homework, they were asked where they would want to have the lessons: on the street, or at the teaching institute etc. The advantages of the course (knowledge of the Dutch language that will be useful in the Netherlands as well as in their country of origin) and the duties (discipline in attending, the need to make a home work) were thoroughly discussed.

After the first rough selection it was decided that the participants would be divided in two groups: the beginners and the advanced and that the lessons would be carried on the prostitution street in the premises lent by the sex business owners. The sex business owners who were very much in favour of the language course also offered to supply some teaching helps, such a flip chart, portable TV and cassette recorder.

40 women expressed their wish and readiness to follow the course. They were mostly of Bulgarian origin, followed by Romanians, Polish, Czechs, Slovaks and Hungarians. The first two lessons consisted of tests evaluating the level of knowledge of the Dutch language of the women, dividing the women into 2 groups and on setting up and agreeing on the ground rules of the course: no late coming, three times no show up would mean exclusion from the course, etc.

As expected, during the course the number of the participants has diminished. It was due to the fact that some women moved (or were moved) to other prostitution places in the Netherlands or abroad; some of them decided to return to their home country; some of them found the course demanding too much of their time; some of them in anticipation of the change of the policy in Alkmaar went into hiding and did not dare to attend the course. But most of the women attended regularly the lessons and made the homework.

When the news of the changes of policy of the Alkmaar Municipality towards the presence of the women from associated countries had been made known, the organisers of the course decided not to wait until the end of the course and to replace the graduation ceremony to an earlier date. The graduation ceremony was attended by all graduates (18), two teachers, the head of the teaching institute, TAMPEP 2 cultural mediators, the representative of the BLiN project and the representative of the sex business owners. The graduates were handed two certificates: one was issued by the teaching institute, the other issued by the Equal programme. During the ceremony the women were asked if they wanted to continue the course after the departure of the Bulgarian and Romanian participants and the majority of the women stated that they wanted to be until the end of the course. So, after departure of the Bulgarian and Romanian participants, the course had been continued, until the end of June as planned although with much less participants than anticipated.

### **Short evaluation of the course**

This course was meant to improve the position of the migrant women working in window prostitution in Alkmaar. While learning Dutch these women were able to come out of their isolated position and to better control their situation in prostitution. The fact that they now can communicate with various actors who operate on the street such as the colleagues, clients, sex business owners, various salesmen, run boys etc, leads to their empowerment and acquiring of self determination. Knowing Dutch will help them to better understand how the life in the Netherlands is organised and how to find their way in the Dutch society. Moreover, back in their countries the knowledge of this language can be very useful as it can form a possibility for an alternative profession other than prostitution.

This example has shown how health promotion activities can be combined with educational training and how it can be effective instrument in intervention in the field of migrant prostitution. This specialised training in prostitution setting can serve as a case study of relation between health promotion and acquiring of control of the working situation.

### **Integration of Central and Eastern European countries**

Since November 2003 TAMPEP International Foundation has been carrying out a project “Hey girl, take care of yourself” - a project aimed at female sex workers in Lviv and the region of Lviv, Ukraine. The local partner is the Charitable Foundation Salus, an NGO in Lviv. The project is financed by the Dutch Ministry of Foreign Affairs through its programme MATRA. Project is planned for the years 2003-2005. Its goal is to develop comprehensive and multi-faceted interventions in the field of female prostitution in Lviv and its region. The instruments of this intervention are: carrying out of outreach work with the help of mobile unit, running of a drop-in centre with multi-faceted activities, facilitating access of the women to health services while running a special consultation hour at the drop-in centre, sensibilising the law enforcement authorities and other actors in the public life to the issues of prostitution, etc.

### **THE NETHERLANDS / executive summary**

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Since 2000 in the Netherlands have a law legalising the exploitation of prostitution. The law excludes the presence of the women without work permit in the (official) circuits of prostitution. In the country where in the moment of the implementation of the law, 80 % of all sex workers were migrants without legal papers, it means for many of these women going into hiding with the consequences such as more dependency on third parties, lack of access to health and social services, lack of future perspectives.

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# NORWAY

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## PRO-Sentret

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## Organization profile and remits

**P**RO-Sentret was founded in 1983. Today the organization has 15 staff members and is funded by the municipality of Oslo and the Ministry of Health. It deals with all matters of prostitution: counselling, dissemination of information, social work, etc. The social work consists of support for women, men and children. A strong focus lies on healthcare and young people.

### PRO-sentret's outreach work in prostitution is divided into:

- Health program on the indoor market. A nurse and a social worker are actively visiting the indoor market that mostly consists of working from flats or massage parlours. They do all kinds of preventive health work, for example hepatitis vaccination. They also give advice in social, economic and legal matters. They work closely with Thai cultural mediators.
- In the streets a Russian cultural mediator has been added to the team. They do outreach work and refer to our office for medical treatment if necessary.
- Weekly visits to a sex magazine where the women put in their ads. This is a great opportunity to meet a lot of both Norwegian and foreign sex workers. Condoms and lubricants are handed out, together with pamphlets on health issues in many languages.
- Bi-weekly gynaecological examinations have been offered at our premises. This offer has become very popular and will hopefully be expanded in the autumn.
- Weekly drop-in at a general practitioner at our office.
- And of course a nurse every day.

## Overview current national context

Neither selling, nor buying sex is illegal in Norway. As prostitution is not considered to be work, foreigners can engage in prostitution without obtaining a working permit.

Forbidden by law is:

- Buying sexual services from anybody under the age of 18
- Pimping and procuring, including renting out premises used for prostitution and explicitly advertising for prostitution (selling, buying or acting as intermediary)

Norway has ratified the Palermo protocol, and has also added a new § 224 in the Civil Penal Code on trade in human beings (2003). As an effect it is now forbidden by use of force, threats, abuse of a vulnerable situation or other abusive acts to exploit another



persons, or to facilitate or assist in the exploitation or pay some to obtain the consent for these acts. This includes forced service for war in other countries, removal of organs, forced labour and prostitution or other sexual acts.

The ban on advertising has made it more difficult for us to get in touch with the sex workers working in apartments and escort. We used to be able to locate them through their advertisements but now this is obviously not possible anymore. The major barriers in health promotion activities lie more in the enforcement of other laws, like foreign laws (a restrictive immigration policy). Lately anti-trafficking regulation has been used in Oslo in order to move prostitution from certain areas, jeopardising health and safety of sex workers by pushing them to more unsafe areas. Happily some of the national sex workers have mobilised against the regulations and worked out alternatives that have been accepted.

The three major challenges in the area of (migrant) sex work at the moment are:

1. The largest and most important feminist organisations together with the official appointed office for equality have formed a network against trafficking and prostitution. Their most important aim is to implement the Swedish law in Norway. The prohibiting of buying sexual services will reduce demand and consequently trafficking, they argue – using trafficking as a momentum for criminalisation. There are strong forces in Norway for a law like this. As a reaction, a network against criminalisation is formed, including politicians, researchers, service providers and sex workers.
2. There has been an increased discussion on public nuisance. It is a trend to harass not only street prostitution, but also drug use, begging, etc. Police actions lead to unrest, tension and more violence in the street scene, and it also affects the capacity to negotiate health and safety.
3. The discussion on trafficking has naturally raised the debate about who are the proper victims. The Plan against Trafficking is primarily reaching out to “The repentant sinner” - she is a real victim and will be offered help and assistance under the plan. The authorities and the public are given the impression that all migrant women are trafficked and want to quit the business.

## **The Action Plan on Trafficking**

The political focus upon trafficking within EU and the increasing number of migrant sex workers have induced the Norwegian Government to launch a plan of action to combat trafficking in women and children for sexual purposes. The Ministry of Justice says in the Plan: “the government is launching measures to protect and assist the victims, prevent human trafficking and prosecute the organisers. The plan will be implemented over a three-year period, and will have a total budget of approximately 12 million EURO

Under the plan, victims of human trafficking will be offered a 45-days reflection period, during which they will be given an opportunity to assess their situation and to decide whether they wish to co-operate with the police in investigating and prosecuting the organisers. During this period, they will be provided with practical assistance and counselling, and safe places to stay... The new plan also contains measures to curtail the demand... “

One year after the plan was launched, very many intentions are not implemented. The slowness is probably due to a very bureaucratic way of thinking plus a lack of knowledge on how trafficking is in Norway and also believing in many myths on migrant prostitution. In addition Norway is too much depending on other countries and how they are dealing with the issue. Another critique of the plan is that few of the resources in the plan are available for new measures.

Pro Centre has publicly and otherwise criticized politicians for not implementing the Plan of Action. We have also told other bodies like the police and others to do their part, but it takes time. In the meantime we are glad to say that we have had the knowledge of TAMPEP methodology to rely on. For us it meant first and foremost to hire cultural mediators to help us get along. The last year we have employed women from Russia, Albania, Thailand and The Dominican Republic. Our work is otherwise concerned with:

- Building up a specific section at our centre for all migrant prostitution in Norway, organising our work towards migrant sex workers.
- A particular health program both for women working the streets and women working indoor. Hiring nurses and doctors specifically interested in this field.
- We do outreach work in the streets, massage parlours and flats.
- We have established a North- East Network on Prostitution, health and trafficking with bodies from Norway, Finland, Murmansk, St. Petersburg, Lithuania, Latvia and Estonia. And we arranged a 3 days seminar in Oslo last June. These are bodies that we have a partnership with and do exchange visits and learn from each other's work. Hopefully we will be able to arrange a conference in Helsinki or Tallinn this autumn.
- In September last year our centre arranged an international conference on Prostitution Control and Globalisation with 200 participants from all over Europe. The Dutch and the Swedish model were debated and also the development of migrant prostitution in Europe.

## Assessment of prostitution scene

We estimate that there are 2500-3000 sex workers in Norway during one year. About one third is street prostitution. Indoor prostitution is mainly prostitution from private apartments, but also massage parlours and escorts. More than 50% are migrants.

Over the last years there has been a rapid growth in migrant prostitution in Norway. The migrant women in prostitution were up to recently Thai women and women from The Dominican Republic. They were married or divorced from Norwegians and many had a rather safe residence situation. They amounted to a low percentage of the total sexmarket.

### Pro Centre is in contact with:

	2003	2002	2001
Sex workers	1336	1300	847
of which Migrants	644	400	161
% migrants	48%	31%	19%

In 2003 the women came from 42 different countries.

Over the last three years we have seen a big change in this market. Many more women from CEE countries and the Balkan come to Norway for selling sex. Most of the business is organized by small and bigger criminal networks. The women from the Baltic's can also come on their own. Depending on how we define trafficking, some of these women are trafficked. But a recently launched Norwegian study states that "Even in the most brutal cases of forced prostitution and slavery, there are few recent stories of women or men who are transported out of their country against their own will". This report you can read in English on [www.fafo.no](http://www.fafo.no). The title is "Crossing borders: An Empirical Study of Transactional Prostitution and Trafficking in Human Beings."

Migrant prostitutes are in Norway often on either a tourist visa or seeking asylum. We will probably see other ways developing following the EU enlargement, but also because Norway intends to shorten the process time for so-called groundless asylum seekers. Today we assume that 45% of the migrant sex workers come from East and Central Europe, 25 % from South East Asia and 20 % from Latin America.

This period we have seen a growth in migrants in street prostitution, especially in Oslo. While they were hardly present in the street scene a couple of years ago, they now make up to two thirds of the street scene at a given moment. As migrant sex workers are more visible, it has also lead to more attention on migrant prostitution in the public debate. In other major cities migrant sex workers are more accidentally in the street scene. There are parlours and private flats in the major cities. Also we see some mobile prostitution: sex workers travelling around Norway, advertising their services in special magazines or internet, staying one or two days in small towns.

Norway is probably one of the last countries that have this growth in migrant prostitution. We notice that repressive measures – mainly on street prostitution – in other European countries often make the sex workers look for other markets. Thus we have – from time to time – met sex workers that formerly have worked in France, Italy, Holland, Sweden and Finland. Most notably is the recent increase of Estonians after Finland has crashed down on public nuisance.

It is far too early to assume any effects of the EU enlargement. One may wonder if some of the women and men who come to apply for other work may turn to sex work for a period.

## **National capacity for policy and strategy development**

There is no national platform for service providers. However there has been an established network among health- and social services for sex workers in Norway, having annual meetings. A list of network participants is to be found in the annex. Migrant sex workers have been an issue discussed only the last two years, as it has mostly been regarded an "Oslo-phenomena". The services that have worked in this field up to last year have been Pro Sentret (a national resource centre on prostitution) and PION (Prostitutes Interest Organisation in Norway), both well aquatinted with TAMPEP methodology.

Now several services plan to address migrants. Not all of these will agree with the TAMPEP position paper or will use TAMPEP methodology like cultural mediators/peers, but all have expressed an interest in using the information material. Pro Centre managed a national conference at 21<sup>st</sup> April in Oslo for NGOs and GOs involved

in the Action Plan. This conference summed up our experiences so far, our expectations of the EU extension and further implementation of the plan.

## **Evaluation of the CD-Rom and other TAMPEP material**

As we have a small network, dissemination and evaluation has been done by personal contacts. So far 30 CD-Roms have been distributed.

We got little feedback. The obvious reason for this is that not many organisations work directly with migrant sex workers (only 4 of the above mentioned, and two of them have just started last year).

Some comments:

- The material, mostly leaflets, has been distributed both in the centres and in outreach (both streets and in-door).
- Most used languages: Russian (30-35%), Albanian and English (ca. 20% each), Spanish and Thai (ca 10% each), the rest Bulgarian and Rumanian.
- We could use some in Baltic languages. So far most know Russian, but the younger generation does not necessarily read Russian.
- The ones that have answered find the material very useful, in particular the leaflets. Health information can usually be used without any change. The sex workers interest organisation has considered copying some to be published in their magazine (of course with a proper announcement of the source). The CD-Rom is also useful as a model for the development of local material. It has also been used for training of health providers.
- It might be useful to have some database on different legislation throughout Europe. The TAMPEP coordinators know where to find this, but it is not as accessible for other services. I am a bit hesitant upon this point as the legislation changes often.

A list of recipients of the CD-Rom can be found in the annex.

## **Bilateral field visit**

Our team of three cultural mediators and their leader visited *Amnesty for Women* in Hamburg, Germany for five days last February.

We achieved the 3 goals for the visit: Getting to know how other cultural mediators work, to exchange experiences and ideas and to start a discussion at Pro Sentret on the role of the cultural mediators.

Our cultural mediators achieved a better understanding of -and pride in- their important role as mediators between the two cultures and the fact that they partake in our work as specialists in their own right.

An important lesson learned by talking with more experienced mediators, was to be at ease with the limitation of the help that they can offer to the women.

The trip was also an important step in team building and awareness rising in methodological issues.

For a detailed report of the visit please refer to Pro-Sentret.

## **Integration of Central and Eastern European countries**

Pro Sentret has joint projects with three services in Lithuania and Latvia, two of them we know from TAMPEP networking. We also have projects with Russian partners. The

financial sources for this are from different health programmes and sponsors, among others “The Baltic Sea Task Force”.

We have established a North-East Network on Prostitution, health and trafficking with bodies from Norway, Finland, Murmansk, St. Petersburg, Lithuania, Latvia and Estonia. And we arranged a 3-day seminar in Oslo last June.

## **NORWAY / executive summary**

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The period of 2002 – 2004 has brought considerable change in the Norwegian prostitution scene as a result of the increasing number of migrant sex workers. We face more organised prostitution, and in some arenas more competition and tension between the women involved.

There is a political climate for more restrictive regulations and legal action against the visible aspects linked to prostitution (and drug use, begging etc.). The arguments used are often related to “law and order”, but can also be protection of public moral or prevention of prostitution. There are strong reactions to these tendencies, so we expect further debate on this.

The TAMPEP methodology of cultural mediators is an established part of Pro Sentret’s work. The challenge is to encourage other services to use this methodology. We also want to have more systematic work on peer-education.

As for the expansion of the EU, we are following the developments closely. Pro Sentret has established good networking/ relations with service providers in the Baltic States. Most migrant sex workers in Norway from the new member states come from these countries up to now.

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# POLAND

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## **TADA / Association for Prevention HIV/AIDS and other Sexually Transmitted Diseases**

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## **Organization profile and remits**

**T**he “TADA” Programme for Prevention of HIV/AIDS and Other Sexually Transmitted Diseases was introduced in Szczecin in September 1995. In the years 1995-1996 attempts were made to start similar programs in Zielona Gora, Poznan, Warsaw and Gdansk. Now the “TADA” programme is widespread in Poland and being implemented in five Polish cities: Warsaw, Gdansk, Szczecin, Zielona Gora and Bialystok. The Association for Prevention HIV/AIDS and Other Sexually Transmitted Diseases “TADA” is a Non-Governmental Organization.

We use mainly street work, which means that we try to reach our clients directly. Our street workers are working in the places where sex workers work (including migrant sex workers): in gay clubs, in parks, on railway stations, along highways and border-crossings. During summer we also work at big music festivals (e.g. Przystanek Woodstock, Jarocin, FAMA), where many young people behave riskily in many ways.

### **TADA’s objectives**

The principal aim of the association’s activities is the counteraction towards spreading out of HIV and other STIs through popularization of safer sexual behaviors (especially among sex workers, migrant sex workers and homosexuals)

### **Particular aims**

- Informing about HIV and STI;
- Co-operation with social groups riskily behaving in context of HIV/STI infections;
- Popularization of safer sex;
- Informing about possibilities of free HIV-testing;
- Creating of psychosocial support groups for riskily behaving people;
- Co-operation with associations, organizations, foundations, institutions and other non-formal groups, both nationwide and foreign, which are realizing targets similar to the Program;
- Carrying on activities as ordered by the State and self-governmental administrative agencies, being in conformity with the Program;
- Organization of congresses, symposiums, meetings with organizations, associations and other formations which are able to act or, are already acting, in the field of HIV/AIDS prophylaxis;
- Improving personal qualifications related with the activity of the Association;
- Organization of social welfare;
- Diminishing of anxiety level of both infected and healthy individuals.

## **Overview of current national context**

Persons who work as prostitutes are not punishable in Poland, due to Poland's adherence to a series of international agreements. Poland is also a signatory of the 'Convention for combating human trafficking and the exploitation of prostitution' (1949), an agreement which obligates Poland to abolish all forms of punishment for persons who work as prostitutes.

This means that an individual prostitute is not punishable unless the person in question violates other parts of the Polish legislation. However, it has never been possible to legalize prostitution as Catholicism dominates in Poland. So even though the sex business is developing it remains a taboo and the related problems continue to be marginalized by public opinion.

### **The relevant articles of the Polish Penal Code are:**

- Article 204, paragraph 1 - Whoever induces other persons to prostitute themselves, or facilitates prostitution for financial gain, may be punished by up to 3 years of imprisonment.
- paragraph 2 - Whoever benefits materially from the prostitution of other persons may be punished as per paragraph 1.
- paragraph 3 - If the offences described in paragraphs 1 and 2 involve victims who are minors, then the offender may be punished by up to 10 years of imprisonment.
- paragraph 4 - Whoever lures or abducts other persons abroad for the purpose of prostitution, may be punished as per paragraph 3.
- Article 253, paragraph 1 - Human trafficking, even if voluntary, shall be punished by not less than 3 years of imprisonment.

### **Polish immigration law**

The Aliens Act of June 27 1997, defines an alien as any person that does not have Polish citizenship.

In order to enter Poland legally, one must have either:

- a valid passport, or a valid visa if the person comes from the country with which Poland does not have a no-visa entry agreement;
- sufficient funds to cover the costs of entering and staying in Poland.

An alien can be expelled if:

- they possess no formal permission for entering or staying in Poland, or do not have sufficient means for remaining in Poland;
- for other reasons not specified by the Aliens Act (paragraph 3). For example, under certain circumstances prostitution could be considered a 'danger to public health' or a 'threat to public order'.

## **Assessment of prostitution scene**

The surface area of Poland is 312,685 km<sup>2</sup>. It borders on Russia, Lithuania and the Ukraine to the east, Slovakia and the Czech Republic to the south and Germany to the west and has a population of 40 million. The unemployment rate is about 15%, the majority of which are women. Despite the harsh economic situation, there is considerable immigration from the former Soviet Republics into Poland. It is also the transit country to Western European countries.

According to the TADA estimations based on the mapping of Tampep 6, there are about 20,000 sex workers in Poland. According to Police Headquarters data, there are only 1,500. This discrepancy can be explained because the Police only sees street prostitution. The real number is definitely much higher. However, this type of estimations is extremely difficult to make because of the problems with reaching prostitution minorities. Also the fact that Poland is a transit country and not just a country of origin or destination, further complicates the mapping process. As a result, estimates vary.

This is also true for the estimates about the number of migrant sex workers. The Police Headquarters informs that nowadays in Poland there are about 1,500 women migrant sex workers, which would be 100% of the total population. Again, we are sure that this national police estimate is much too low. La Strada and IOM estimate about 15,000 of migrant women work in prostitution in Poland, which represents 50-75% of the estimated sex work population. TADA's own mapping results indicate a lower percentage of migrant sex workers of 30-40%. This resembles the figures given by the Warsaw Police. They estimate that there are approximately 7,500 prostitutes in Warsaw, the majority of which are Poles.

Until 1999 Bulgaria used to be at the first place in number of migrant women who were working in prostitution in Poland. At present the largest group of migrant sex workers are women from Ukraine, the next are Belarusians, Romanians and then Russians.

Some estimates indicate that each year up to 10,000 women from Poland leave or are taken away and become victims of trafficking in women. Polish women are taken to Germany, then to the Netherlands, Belgium, Italy and Greece, seasonally to Spain and Portugal and also to Scandinavian countries (Denmark, Sweden).

Prostitution in Poland is practised in the following ways:

- Hotels, roadside bars
- Escort Agencies (call-girls) , location chosen by the client, developing intensely over the past few years
- Independent call-girls (though often girls work through an agency)
- Prostitution in womens' own flats
- Street prostitutes
- Highways outside of major cities, especially near borders ('lorry girls').

Clients are increasingly being attracted through the internet. This form is popular among younger prostitutes, who are sometimes minors.

In addition to Polish women, the agencies offer a growing number of Russian, Ukrainian, Belarus, Romanian and Moldavian women. Foreigners now constitute 50% of agency prostitutes.

Only 3% of the 'lorry girls' are Poles. The majority is from Bulgaria, followed by the Ukraine and Belarus.

There are various categories of sex workers:

- Clandestine prostitutes (assistants and hostesses who are employed to attract business clients)
- Luxury prostitutes (those that have a regular and limited number of clients and work on their own)



- Agency prostitutes (mainly providing services in agencies or massage parlours)
- Street prostitutes, young and often supervised by a ‘sponsor’
- Street prostitutes, older and mainly working on their own (without a pimp); due to their age they are earning less money than their younger colleagues
- ‘Lorry girls’
- Non-professional prostitution, mostly young women who contact their clients in bars, pubs or discos
- Male prostitution. This has a similar typology to female prostitution (though lacking the figure of the ‘lorry girl’). Transvestites and transsexuals do not form a significant group. Six years ago a significant group of male prostitutes, mostly boys and young men, arrived from the former Soviet Republics, but this group now seems to have diminished considerably.

## **National capacity for policy and strategy development**

TADA is constantly investing in educating local authorities and mass media on HIV/AIDS related problems. The association organizes press conferences and workshops for people responsible for health policies in different Polish regions. The staff sees this as an important part of the work as the educational activities raise journalists’ and policy makers’ awareness and knowledge about HIV/AIDS issues and sex work.

Our participation at conferences and seminars served to present the TAMPEP methodology and philosophy concerning the situation of migrant sex workers.

National network of “TADA” Association with all six departments (in six Polish cities: Warsaw, Gdansk, Szczecin, Zielona Gora, Poznan, Bialystok) is the base for the national platform where TAMPEP’s materials are distributed in TAMPEP’s target group – minority of migrant sex workers. Every city has a different situation in their prostitution group, although in every city a substantial percentage of the women working there are migrant.

- In Warsaw we cooperate with La Strada. Warsaw has a large number of agencies (about 600), sex workers on the streets, highways, railway station, hotels and call girls;
- In Poznan street workers find their clients on the streets, along highways and they also work in a few agencies;
- Szczecin department cooperates with the German organization Abendrot at the Polish-German border (Szczecin and Swinoujscie) and we work on the streets, highways, hotels and agencies (including Swinoujscie, a harbor, summer season resort and border town);
- Gdansk (with Gdynia and Sopot) has street workers, prostitutes in agencies and several private homes where women sell their sexual services
- Zielona Gora has prostitution in agencies and on highways near the Polish-German border;
- Bialystok department works mostly on the highway Bialystok-Warszawa and the Eastern border in Kuznica. In every city we meet with sex workers (including migrants) in our offices during duties.

**We are also strongly co-operating with many international organizations, e.g.:**

- United Nations Development Program, a harm reduction program, preparing the seminar “Healthy and social dangerous in eastern Poland”;

- National AIDS Center, informing about HIV and STI, popularization of safer sex techniques such as using condoms and lubricants, preparation of educational and information materials, internal trainings;
- Comitato per i Diritti Civili delle Prostitute, this Fenarete Project is preparing and training a group of peer educators (female sex workers) to work with their own community as one of many ways of harm reduction;
- ‘Abendrot’ Mecklemburg Vorpommern is a co-operation at the Polish-German border area. The goal is AIDS/STI prevention among sex worker minorities, trainings, realization of PHARE Baltic CBC project;
- “MONAR” Association is a co-operation in harm reduction program. Together we undertake common trainings and street working activities, in cities where Tada’s and MONAR’s departments exist.

We also co-operate with many women’s organisations (list in annex) and with NGOs for HIV positive people.

## **Evaluation of the CD-Rom and other TAMPEP material**

TAMPEP materials were already being used in all of our six departments. During TAMPEP 6 the “TADA” Association has engaged in activities to disseminate and implement the TAMPEP CD-Rom as well. First the the flyer, letter of intent, mapping questionnaire and the evaluation form were translated and adjusted to the Polish context. Then a list was prepared of relevant organizations throughout Poland focused on issues ranging from violence towards women and families, to social politics. (This list can be found in the annex) The CD-Rom and other Tampep material was sent out to all of these organizations.

From the evaluation forms it became clear that the educational/information material off of the Tampep CD-Rom was mainly distributed on the streets and in the centers of the different organizations. In some cases the material was distributed elsewhere, such as along highways, to escort agencies, in private flats, in border areas, in HIV testing centers and on cultural events.

The flyers were handed out in: Russian, Polish, Bulgarian and Romanian.  
Other requested languages are: Ukranian, Belarusian and Lithuanian.

The material was evaluated as very useful. It was often mentioned that the Tampep material really fills a gap, because there is a lack of good material for sex workers. The information is also easy to print and distribute, and are therefore very easy to work with for outreach workers and other service providers. There is a lot of very useful information available on the CD-Rom.

There is need for more informational flyers on how to prevent sex violence, how to negotiate with clients, and a list of NGOs and GOs. In addition, more condoms, condoms for women, lubricants and hand books for sex workers are needed.

## **Actions with relevance for TAMPEP**

### **TADA projects during TAMPEP 6 period**

- UNDP- international meeting in Lublin and in Tykocin, (“Cooperation in area of harm reduction in Belarusian-Polish border zone”) realized by WHO sponsorship (cooperation in HIV/AIDS and STI field between Belarus, Lithuania and Poland);
- OŚKA FOUNDATION – seminar „Femininity in United Nations” and training for TADA participants in Mikuszewo;
- WHO - opening consultation sites STI in Lublin and Białystok;
- PAUCI - in cooperation with ”SALUS” from Lvov, centralize trainings, making new materials and exchange the experiences;
- GAIN/CAIR - United States organization working with Medical College of Wisconsin, engaged on medical HIV/AIDS research.
- At present project POL (population opinion leader) and rely on propagating peer-education in different social groups;
- National AIDS Centre - Buying condoms and lubricants, printing new leaflets, streetwork and outreach work, training for TADA participants, teachers and volunteers;
- LUW (Lubuski Voivode Office) - streetwork and prevention action during Woodstock festival – program realized in Zielona Gora;
- PAUCI PROJEKT - Cooperation between Poland (TADA) and Ukraine („Metamorphoses” from Lvov) in HIV/AIDS and STI field, exchange the experiences, trainings, streetwork, promoting campaign;
- Task Force Projekt- Cooperation between Lithuanian, Russian and Polish associations, information campaign (leaflets, billboards), seminars, trainings, exchanges the experiences, streetwork
- Many presentations at prevention and cultural events (e.g. Summer Festival “FAMA”, Music Festival “Woodstock”, AIDS World Day, AIDS Memorial)

### **FENARETE Peer Education Project**

in co-operation with „LA STRADA” Foundation and TAMPEP;

TADA, together with the NGO ‘La Strada’ coordinates the Polish part of a European project called ‘Fenarete’ through which active and former sex workers receive professional training and support to become peer educators. Three staff members of La Strada and two staff members of TADA are involved. The project is carried out in 23 countries of the EU, Central and Eastern Europe and funded by the European Commission for the period between January 2002 and December 2003. It aims at creating professional employment opportunities for sex workers who were trained as peer educators. The project was developed on the basis of the practical experiences and theoretical knowledge gained in a project by TAMPEP. An existing curriculum was adapted to the specific Polish context. Two extensive training courses, with eight days each cover the following topics:

- Health issues including safer sex methods, contraception, pregnancy, abortion, STIs, and the system of health protection;
- Legal issues including existing laws and its effects on prostitution, opportunities on the labour market (either as self-employed or employed sex worker), legal aspects of migration and sex work, and rights of victims of trafficking;

- Social services, including information on the social welfare system, job market organization, developing career prospects, and different types of social insurance.

## **Integration of Central and Eastern European countries**

TAMPEP Poland has invested a lot in its relationship with Russia. For example, from 27 to 29 February 2003 the seminar “No AIDS, no Drugs” was held in Kaliningrad. Olga Melechina presented and represented the seminar from the Russian side. UNDP, National AIDS Centre and Association TADA represented the Polish side. The seminar is the result of a longstanding relationship and collaboration with our Russian colleagues. In our two meetings: Warszawa and Biasystok we have been able to exchange a lot and to find common targets. During the meeting in Kaliningrad we have strived to formalise our collaboration within the context of HIV/AIDS and other STI prevention activities.

A range of other activities and projects listed above, such as the Fenarete project, had the added benefit of intense cooperation with both Western EU members and associated countries.

## **POLAND / executive summary**

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The “TADA” Programme for Prevention of HIV/AIDS and Other Sexually Transmitted Diseases has departments in five Polish cities. This national coverage helps to spread safer sexual behaviour throughout the country. In addition, it provides a good base for the mapping activities which are needed to monitor the highly complex and changeable prostitution scene in Poland.

The Polish legislative and political context of prostitution did not change a lot since TAMPEP 5. Sex work is still neither legal nor illegal in Poland. There is still a high presence of sex workers from CEE countries, many of them illegal, high mobility, trafficked and/or with no social and health support.

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# PORTUGAL

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## **M.A.P.S.**

### **Movimento de Apoio à Problemática da SIDA**

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## **Organization profile and remits**

**T**his NGO exists was founded in 1992. MAPS activities include:

- HVI/STI prevention among both high risk groups and the general population
- medical care and psychosocial support for infected people
- harm reduction programme
- health promotion activities targeted to sex workers
- public information
- trainings for volunteers and specialists
- social and psychological services
- day and night shelters
- outreach work
- social integration projects
- hotline

## **Overview current national context**

Portugal still does not have a law regulating prostitution. The authorities and the general population pretend that this activity does not exist.

Prostitution is not forbidden; to sell sex is not considered a crime; it is only penalized if it occurs at the same time as a crime of moral offence. However, Portuguese law does forbid facilitating or obtaining profits from another person's sex work, as well as leading somebody to prostitution in another country, through violence, threat, or manipulation (trafficking of human beings).

Although prostitution is not punished by law, it is not recognised as a profession or a legal commercial activity either. This means that the Portuguese legislation does not attribute a legal code to sex work as it does to other commercial activities. As a result sex workers are not eligible for a work contract. Anyone that works in the sex business does not have any right as a worker or to receive social security benefits. However, some sex workers register themselves with the financial services without specifying their type of work. This way, they are able to hand in receipts, pay their taxes and pay their contributions to the Social Security system in order to assure their social benefits.

### **Barriers for intervention**

We encounter various barriers in contacting our target group. First of all we have difficulty getting inside the brothels and the apartments where migrant sex prostitutes work because the majority of them are under the control of organized crime.

Their legal status also constitutes an obstacle to our relationship with them, because they are always afraid of being caught without documents and sent back to their home country or even being arrested. This is particularly true for those who speak nor understand Portuguese.

Finally our lack of male staff is a factor that sometimes complicates our relationship and negotiations with the brothels owners.

### **Assessment of the prostitution scene**

The results of the mapping revealed that in Portugal there is mainly street prostitution. However, there are almost 1000 houses with sex business like bars, pubs, apartments and brothels, all over the country and especially in northern Portugal. The migrant sex workers are mainly found in the brothels and apartments where they are better protected from the authorities; 95% of sex workers in these houses are migrant sex workers. The national ones work mostly on the streets (about 90%). Almost all of them are women. According to our survey only 6% of sex workers in Portugal are men.

Most migrant sex workers come from Latin America (especially Brazil), and Africa. For Brazilian women Portugal is their destination of choice, obviously because of the language. According to the results of the questionnaires, the issues that affect sex workers in Portugal the most are: legal status, the exploitation and control by pimps.

The effects of the EU enlargement are not yet represented clearly in this mapping of prostitution in Portugal (2002-2004). For European sex workers Portugal may not be a first choice country to work in, because of its low economic conditions compared to other western European countries. The Portuguese are not considered very good clients. Most of the European migrant sex workers in Portugal get in the country through trafficking organizations or started to prostitute themselves as a consequence of drug abuse. Sex work related to the tourist industry is maybe one of the biggest phenomena in Portuguese prostitution.

The assessment of the prostitution scene reveals that, compared with the period of TAMPEP 5, there has been an increase in the number of migrant sex workers, especially from East European countries and Brazil.

### **National capacity for policy and strategy development**

Over the past two years we have kept in close contact with CNLS – Comissão Nacional de Luta Contra a Sida (National Commission against Aids) as well as with IDT – Instituto da Droga e da Toxicodependência (Institute of drug and drug addiction). These are Governmental Organizations with great influence on the political authorities as well as on public opinion. They have done recognized work in the field of AIDS prevention, among the general population and in particular among sex workers.

During the period of Tampep 6 some of our recommendations, including the legalization or regulation of prostitution, were taken to parliament to be voted on. All

were vetoed. In Portugal, there are no organized groups of sex workers. This makes the defence of their own rights even harder.

Although there is no real platform, we are in direct contact with a group of organizations that, like us, work with migrant sex workers. It is through them as well and through our own work in the field that we are to reach the migrant sex workers with the TAMPEP material and at the same time effectuate the national mapping of the prostitution scene. During Tampep 6 we have done some workshops and seminars attended by these organizations to discuss human rights protection and issues related to prevention of STD's and Aids among migrant sex workers. There is also a national platform of qualified entities on STD prevention, of which MAPS is a member.

In this last two years we effectuated one meeting to explain in detail the TAMPEP Network to the organizations that work with migrant sex workers, as well as to present the educational and information material available in the CD-Rom. We also discussed the guidelines for the dissemination of the material and the importance of the questionnaires as a national survey that helps to identify the needs of this population and allows us to delineate the action strategies to work with migrant sex workers.

We also organized a workshop to discuss the migration, legislation, prevention and health in TAMPEP context. This workshop was carried out by MAPS, with the celebrations of 1<sup>st</sup> of December – The Day against AIDS and gathered some of the national experts in this area as well as some national and International members of TAMPEP Network. In the following of this workshop we concluded that in these last years Europe has attended an enormous increase of immigration and that exists a legislative trend to difficult the regularization of the immigrants, that lead direct or indirectly to social exclusion and poverty. We concluded that their irregular situation tends to isolate these people, which makes them more sensitive to health problems and risk behaviours.

Regarding human trafficking we agreed that it is necessary to distinguish between the victims of violence and traffic and those who choose to be a sex worker. We also discussed the legal situation of prostitution in Portugal, making a comparison with the other countries represented in the workshop (Germany, France and Spain). Concerning prevention and health, we concluded that there exists a strong necessity for health services to be proper to work with these persons, with the acceptance of different cultures and new languages. We considered it very important to carry out some training programs to help the workers of these services with these competences. About this issue, we also concluded that it is really important to create a real platform with efficient strategies in the intervention with migrant sex workers to guarantee that they have access to the health care system (including the preventive programs). We also concluded that the potential clients of sex workers should be a target of preventive campaigns about transmission of STDs.

Furthermore, MAPS promotes street teams. Their work stretches down for all Algarve and their approach intend to reduce risk behaviours among drug addicts and sex workers and minimise the damage of their behaviours. Their work in the field consist to implement a program of needles and the distribution of condoms and lubricants and information and educational material, including TAMPEP material.

## **Evaluation of the CD-Rom and other TAMPEP material**

### **Dissemination Campaign**

We already had some good contacts with national organizations in the area. In the last two years we have made new contacts with different organizations (NGO's and GO's) that work direct or indirectly with migrant sex workers to explain in more detail about the TAMPEP network and its activities. The CD-Rom and the questionnaires were presented and sent to all de organizations that showed interest to cooperate with us.

### **Evaluation of the CD-Rom**

We consider the TAMPEP CD-Rom to be a precious resource in the intervention with sex workers because it is really complete and the fact that it is translated in so many languages greatly facilitates their comprehension of the message. However we think that the CD-Rom should also be translated in other languages, not only the leaflets and manuals, also the directories, as the English language is still a limitation for some users.

The feedback that we had from the associations that received the CD-Rom and spread the material in the street and brothels or apartments are generally positive. Most of the organizations that received the CD-Rom said that its contents are a very useful instrument and considered as crucial the information in different languages. According to the organizations who answered to the questionnaire the most used languages were Portuguese and Russian, followed by English and Bulgarian. Some organizations also recommended African dialects (e.g. Nigerian) as a needed language for the CD-Rom.

## **Actions with relevance for TAMPEP Network**

In the last two years, MAPS has organised a meeting with all the national TAMPEP Network members to discuss the contents of the questionnaires and present some guidelines for disseminating the material to the sex workers. Subsequently we organised a few workshops in the context of celebrating the Day Against Aids (1<sup>st</sup> of December). One of these workshops was dedicated to TAMPEP, discussing prostitution, migration, legislation and prevention. In this workshop we represented some of the national members of the Network and some of the national experts in this area as well as our German partners, represented by Veronica Munk, the French partners, from PASTT, represented by Claudia Anjos Cruz e Assia Ravier and the Spanish partners, from Miríadas by Manuela and Alicia. The results of this workshop were presented later, in the seminar organized on the 1<sup>st</sup> of December, open to all the community.

We organized another seminar in the context of the project – SIDATECTO with the presence of some organizations that acts in the field of AIDS prevention among sex workers. In this seminar one of the national members of the network was invited to present the project and their work in the field. We are also planning a final seminar in July to get all the national members together to make a balance of the results and limitations of the TAMPEP Network in Portugal, and also evaluate the real needs of the migrant sex workers and delineate a role of strategies of intervention.

### **Bilateral field visit**

We chose to visit the Netherlands because their legislation and specially their practice in the field are really different from the majority of other countries. Furthermore, the



specific issues linked to the organization of prostitution were of interest to us. The goals of our visit were to exchange experiences and meet a reality very different from the Portuguese one.

First of all, we went to visit the TAMPEP Coordination Centre where we met Dr. Licia Brussa and Hanka Mongard. The programme of our visit was presented and some preliminary issues were discussed, like the Tampep training program to cultural mediators. Later we were introduced to the spokesperson and researcher Van Doorninck of the *Mr.A. de Graaf Stichting* who explained to us the political context of prostitution and the recent changes in the law.

In Alkmaar, we visited Achterdam, which is a prostitution street with window brothels. Mrs Mongard took us to meet one of the migrant sex workers (from Poland) from the windows. She explained the main problems and difficulties of migrant sex workers in Netherlands. Then we met a social nurse from the GGD (municipal health service) who talked about the public health care system of sex workers. In a meeting with a functionary from the Municipality of Alkmaar, we discussed the documents, taxes and arrangements to get a license for sex workers. He also told us about a political decision that would complicate the permanence of migrant sex workers in Alkmaar. A window brothel owner, gave an explanation about the conditions of the windows, the prices, shifts and other facilities like the security system and Dutch classes.

In Utrecht we met with a social worker of the tolerance zone, with whom we talked about the tolerance zone, the mobile unit and their services. We concluded that this kind of bus could be a very important project in Portugal. The issues about sex workers addicted to drugs were also discussed and we could understand how drug consumption is related to sex workers in that area.

It was a very interesting experience for us to be in such a different prostitution environment. We were amazed by the boats, window brothels, the kind of clients and the dynamics of this place. At night, we went to Red Light District in Amsterdam. We had the opportunity to see several windows and meet a window brothel owner that talked with us about the management of her windows, security systems and pimps. Finally, we went to BLIND (Bonded Labour in the Netherlands) and listened to their spokesperson. She told us about trafficking victims and the work they do with these victims. We also discussed with the Tampep Coordination Centre some important issues in terms of the projects (for instance about EQUAL) as well as some future proposals of partnership.

## **PORTUGAL / executive summary**

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We consider it a priority to not only change the law concerning prostitution, but also the public opinion. In a country with strong catholic influences sex workers feel repressed in their work place and in their social life by the authorities and the general population, even though prostitution is not a crime.

There is still a lot of work to be done in Portugal. Not only in STD/AIDS prevention, but also in the defense of sex workers' rights. The dissemination of information among both sex workers and the general public should be a key strategy in attaining this goal.

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# ROMANIA

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## ARAS

### The Romanian Association against AIDS

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## Organization profile and remits

### **M**ission statement

- To inform and educate all population categories on HIV/AIDS and on the means of prevention, with a stress on the need for respect and protection of human rights and dignity;
- To promote an attitude of support, tolerance and compassion for PLWA, to defend their rights and interests, to offer psychosocial and material assistance;
- To draw the government's attention on the importance of mobilizing the necessary human and financial resources for the public health.

### Target groups

- General public;
- Children and youth living in the street or in orphanages;
- Young people (school, high-school, university students);
- Drug users (mostly IDUs within the commercial sex workers community);
- Roma people;
- Women (in rural and urban areas);
- Commercial sex workers;
- Men who have sex with men;
- Medical personnel;
- HIV/AIDS affected persons and their families.

### Permanent HIV/AIDS and STIs prevention programs (IEC program)

- SIDA Help line (free of charge, 24 h/24);
- Harm reduction - outreach interventions among: drug users, commercial sex workers, street children, Roma people, IDUs;
- Information sessions in high-schools and universities (for youth, teachers and parents), orphanages, day centres for street children, hospitals, rural areas; information sessions for the general public;
- Training for peer educators (youth, Roma women, children and youth living in orphanages and in the street, IDUs);
- Drama project (education through theatre), concerts;
- Media campaigns, web site on HIV/AIDS, the Names Project, International AIDS Candlelight Memorial;
- Summer campaigns on the Black Sea coast and in mountain resorts for youth;

- Social marketing campaigns;
- Development of information/education materials for different target groups;
- Documentation and reference centre for HIV infection – open for general public and professionals

#### **Advocacy for human rights of people affected by HIV/AIDS, sex workers etc.**

ARAS is member of European networks for human rights, TAMPEP and ENMP, and member of the European Network of Aids Help lines.

ARAS is founding member of the Romanian Forum for children and families affected by AIDS.

ARAS is trying to establish a network with other Romanian NGOs in order to create a strong non-governmental sector in Romania and to cover all the needs expressed by different social categories.

ARAS is raising authorities' awareness about the real situation in the field of HIV/AIDS and about the problems and needs of different vulnerable groups.

ARAS is in charge of the Secretarial activities for the National Inter-ministerial AIDS Commission, where it is a permanently invited member.

ARAS is the coordinator of the Romanian Harm Reduction Network (set up in January 2002 and including 11 NGOs and a GO working in the field of harm reduction for injected drug users)

#### **Institutional Development**

- Continuous process of opening new branches;
- Continuous activity of fund raising and project writing.

#### **Training**

- Training for medical staff, other NGOs, public institutions (in HIV/AIDS and STIs transmission, universal precautions, counselling, testing);
- In-house training for volunteers and staff.

#### **Research**

- Research activities related to the target groups on topics such as sexual behaviours, reproductive health;
- Innovative methods of information and education.

#### **Counselling and Testing Centres**

ARAS runs VCT centres (Bucharest, Iasi and Constanta) where people receive pre and post test counselling on HIV, AIDS and STIs (the only sites providing these services) and are referred to other medical services. The testing is free of charge and anonymous or paid and confidential. The centres are organized in collaboration with the local Public Health Authorities and with financial support from USAID, UNICEF, and UE.

### **Overview current national context**

In Romania, the legal system has suffered no changes in the last time, and prostitution is still criminalized and punished in the Penal Code, as hereafter mentioned:

Article 328 – “The act of the person who secures a living, or the main means of living by performing sexual activities with different other persons is punished by three months to three years' imprisonment.”

Art 329 – “instigation or constraint to prostitution, or facilitating prostitution, or gaining any profit from another person’s prostitution, as well as recruiting any person for prostitution or trafficking in persons for this scope are punished by two to seven year’ imprisonment and liberties restraining (...).

The law does not make any specific reference to prostitutes as women, penalizing any person who lives form such practices.

### **Trafficking**

Romania is a source and transit country primarily for women and girls trafficked from Moldova and Ukraine to Bosnia, Serbia, Macedonia, Kosovo, Albania, Greece, Italy, and Turkey for the purpose of sexual exploitation.

The Government of Romania does not meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Government’s efforts stood out in the past year as it continued to establish itself as a leader in regional law enforcement cooperation and maintenance of comprehensive records. The government showed relative weaknesses in securing final convictions against traffickers, and while it made efforts to root out official corruption, this area needs further improvement, especially among the ranks of law enforcement.

### Prevention

All relevant ministries participate in an IOM-coordinated Counter-Trafficking Steering Committee. Together with IOM, the government developed and distributed course materials on trafficking to schools, taught an anti-trafficking course for teachers of various subjects and levels, and conducted mass media prevention campaigns targeting the public at large. A related preventive effort involves a two-year ILO program, supported through international assistance, to alleviate child labour and to keep children in school. The government continues to improve its ability to monitor its borders and keeps statistics on illegal migration and movements of persons.

### Prosecution

Trafficking is criminalized aimed at special anti-trafficking law prescribing sentences from 3 to 28 years, depending on aggravating factors; however, no convictions were brought under this law during the reporting period. One hundred and fifty persons were convicted for an aggregate 168 offences under various provisions of the law, and 303 victims were identified during the course of these criminal investigations. A number of related crimes in the criminal code were used to prosecute, convict, and sentence traffickers, such as 190 charges for slavery and 329 for pimping. The Ministry of Interior has a specialized unit devoted to trafficking, migration, and adoption with seven persons at headquarters and investigators in 15 regions throughout the country. The Prosecutor General’s office assigned prosecutors throughout the country specifically to prosecute trafficking and related crimes. The Government of Romania played a substantial role in organizing and coordinating the SECI-led Operation Mirage. Border monitors have procedural guidelines for identifying and responding to trafficking situations, and police interdicted several trafficking operations at the borders. The police have travelled to destination countries on occasion to bring victims home and conduct investigations. In the past year, Romania and France agreed on cooperation on prosecution of child trafficking rings and protection of Roma children trafficked to France.

### Protection

The government drafted regulations for implementing the victim protection aspects of the anti-trafficking law. The regulations were finalized in the latter part of the year, but without budget allocations, law enforcement conducted victim referrals and protection during investigations without financial support. Due to some changeovers in the government agencies tasked with anti-trafficking, some NGOs complained that referrals and protection mechanisms suffered. The government provides space and police protection at a refugee centre turned trafficking shelter, although the shelter did not operate consistently throughout the year. The government actively assists in preparing documents for repatriations but relies on IOM to carry out repatriations from destination countries. The Government generally respected the legal prohibition against punishing victims for crimes committed through the course of the trafficking. Foreign and domestic victims are provided with support services, including rights presentations and legal assistance. Foreign victims' right to work is regulated by domestic law on work permits and they are free to leave unless they are participating in a criminal proceeding. The full transcript of the report can be found at:

<http://www.state.gov/g/tip/rls/tiprpt/2003/>

### **Assessment of the prostitution scene**

Regarding the mapping of the prostitution scene, we have noticed an increase in the number of CSW coming from small villages or from the Republic of Moldova.

This is due mainly to the fact that living conditions in small villages are worsening and young people cannot find work and, on the other hand, Bucharest is the capital city of Romania and offers many job opportunities. Prostitution continues to be combined with drug use and dealing, as most pimps are also drug dealers.

Regarding the places where prostitution can be found – highways and parking areas near the important towns in the southern Romania, where truck drivers stop on their way through our country, tend to be more and more prone to prostitution.

In Bucharest, another interesting phenomenon is the one of the prostitution services offered for parties or different events – usually, one of the participants in the party knows the pimp, who provides the number of girls desired. The sex is with or without condom, as the clients wish.

As always, the summer resorts on the Black Sea Coast are place preferred by drug users and commercial sex workers during summer months.

### **Sex work setting and HIV/AIDS risk assessment**

Commercial sex-work by women in Romania gets more and more visible. The spots where they work and meet their customers are quite well known. A country such as Romania, where law forbids the commercial sex-work and the public morally condemns prostitutes, has struggled finding ways to deliver support to commercial sex-workers. Sex workers should be able to protect themselves from HIV and other STD infections. They should have safe working conditions. These include the power to turn down abusive or uncooperative clients, and to refuse engaging in practices likely to transmit HIV and other STD, including any penetrative sex performed without condom. Exposure to unprotected intercourse exposes the health of women involved in commercial sex and their partners at higher risk in getting HIV and STDs.

The number of infected adults (over 18y.o) in Romania is continuously increasing. According to the Ministry of Health (M.S.) statistics, in 2002, 73,5 % of the HIV

infected persons had between 10 and 20 years, most of them about 14-15 years, infected during their childhood.

Only a few studies are available regarding young people's knowledge about HIV infection and their attitudes towards adopting behaviors with low risks of infection.. Condoms' use, as prevention method, is quite low, mostly in rural area (according to the studies regarding Reproductive Health in Romania). The schools are not able yet to ensure complete information during the health education classes and those teenagers that are not included in the school system or have already finished school do not have access to enough health education services or information on HIV infection (mass media, medical cabinets, programs developed by NGOs).

Geographically situated at the crossing of the roads that connect the consumers countries to the producing ones, Romania represented a real turning place and continues to be a quasi-compulsory transit place for illicit drugs. If presently only between 10% and 20% of the entered drugs stay in Romania, in the future this percentage will increase according to the police statistics. In order to form a market the traffickers sell the drugs for promotional prices even accept soft local currency. It is obvious that in a large proportion the Romanian drug traffickers are the same with the "sex traffickers". The underground, interlope world manage both the sex trade and the drug traffic. Since there are pimps that also sell and use drugs, their families, their children and their sex-workers are at high risk for drug use.

On one hand, the 1999 "Qualitative Research on HIV/AIDS/ STD Behavioral Determinants among Sex Workers", showed poor working conditions for the majority of the street female sex-workers. Poor reproductive health of street workers and the low-level sanitation of venues where they perform the sex work illustrate these conditions. Although, all interviewed women reported having protected sex at least once, only thirteen out of sixty-one women reported having protected sex all time.

The study showed also that the prevalence of positive attitude toward alcohol use is 0.49 (95%CI=0.43; 0.53) and the prevalence of positive attitude toward injecting drug use is 0.09 (95%CI= 0.02; 0.16). It also showed that in a large proportion the commercial sex-workers arrived in Bucharest during the last two years. The commercial sex-workers migration in country and abroad is another risk factor for drug use and HIV/STD infection. Many Romanian commercial sex-workers work in countries like Turkey, Cyprus or Italy, countries where the drug use is more common than in Romania. Another groups of commercial sex-workers, about 10%, are born in Moldavia, Ukraine and other countries from CIS, where the main HIV transmission is through intravenous drug injections.

The lack of available information for sex-workers makes difficult to improve their working conditions. Consequently, it hinders opportunity to obtain physical and psychological well being. By the side, the AIDS prevention campaign, which takes place in Romania, is very basic and it does not specifically target sex-workers or their meeting spots.

The HIV/AIDS epidemic spread, together with the possibility of infection through sexual intercourse, explain the necessity to look at prostitution in a different way. Undertaking support activities for the street sex-workers would prevent HIV and STD among them as well as among general populations. Prostitution may be seen as a new

way of earning the living, while the traditional connotation of a prostitute would be replaced by the new definition of sex worker.

Most sex-workers experience increased vulnerability to HIV/AIDS due to a very low level of education, drug use, pimps “protection” - which in fact means liberties limitation, poor living conditions, and limited accessibility to health care services and general health information. Since they have multiple partners and live in promiscuity, they have also high risk for HIV/STD infection. Moreover, there are many other persons involved in commercial sex, such as pimps, clients, middlemen and other persons who live in communities where commercial sexual activities are practiced.

Usually the sex-workers are females who are under a pimp “protection”. The pimp negotiates with the client the characteristics of sex sessions, so the pimp is the real decision-maker. Since unprotected sex is quite frequent among clients, the pimp forces the sex-workers to have unprotected sex. Usually the pimps are male, but there are female pimps too.

There are many venues of commercial sex: “in house”, on the street, in hotels, bars, public toilets, etc. In North Station area there are many “red light spots”, located in houses and in cheap hotels. Due to the poor hygienic conditions and promiscuity, poor Roma families who share their houses with sex-workers are at risk for HIV/STD infection. Many males from these families are involved in commercial sex as pimps, middlemen and clients.

## **National capacity for policy and strategy development**

ARAS is the only Romanian NGO working with commercial sex workers. Our main office is in Bucharest and we already had a satellite in Constanta. Since March 2004 we also have offices in Craiova, Timisoara, Iasi, Bacau and Piatra Neamt.

As a coordinator of the Romanian Harm Reduction Network, ARAS has strong links with NGOs working with intravenous drug users and, as a member in the National Multi-sectoral AIDS Commission, with NGOs working with other vulnerable groups (street children, men who have sex with men, homeless).

As such, ARAS has got involved in several task force groups working in the field of HIV/AIDS/STIs prevention among vulnerable groups and has managed to create an informal network of these NGOs. A list of members can be found in the annex.

Also, ARAS members have been active members in several task force groups of the Commission: vulnerable groups, legal changes, social assistance, and, as such, have managed to bring up problems arising from the direct work with vulnerable populations, their real situation, their needs and problems.

## **Evaluation of the CD-Rom and other TAMPEP material**

ARAS distributed TAMPEP CD-Rom to 35 institutions, both private and state-owned (see appendix). We received 5 answers, all of them coming from non-governmental entities, saying that the CD-Rom is a helpful resource for them and congratulating us for this work.

In the summer we carry out a specific campaign using the TAMPEP material. We expect a higher level of commercial sex work in the summer resorts on the Black Sea Coast, accompanied by a bigger number of intravenous drug users. ARAS Bucharest, in collaboration with ARAS Constanta and Stay Alive Constanta, have been working on a

plan of information/education campaign in Vamp Vice and Costliest, two resorts famous for the big number of youth going there during summer. This campaign will include distribution of information/education materials on HIV/AIDS/STIs prevention, condoms, sterile injecting equipment.

## **Actions with relevance for TAMPEP**

Due to ARAS lobbying activities, in Bucharest, we managed to receive, for the third year in a row, money for a social assistance project from the Ministry of Labour and Social Protection. This money is invested in the acquisition of sanitary products for commercial sex workers, as this was one of the greatest needs identified during the regular needs assessment performed by the team.

Since January 2004, **ARAS has been one of the most active implementers of the Global Fund Projects in Romania.** The project which is relevant for TAMPEP is an outreach project dedicated to CSW in Bucharest, Constanta, Craiova, Iasi and Timisoara. In Bucharest, the outreach activities have been expanded to 4 new areas of commercial sex work, and in the other four towns, these will be new projects. They include several activities based on TAMPEP methodology: mapping of the prostitution scene, training of outreach workers, identification and training of peer educators, outreach activities. ARAS organised several meetings with decision makers regarding commercial sex work, drug use and human rights.

In 2003, ARAS managed to sign an agreement with the Brigade Against Organised Crime and Anti-Drug in Bucharest, agreement which permits ARAS outreach workers to run their activities without being afraid that the police will arrest them (which was the case before).

## **Integration of Central and Eastern European countries**

An extra benefit from participating in the TAMPEP network as a CEE country is the opportunity to work closely with Western European countries, which are the destination countries for so many CEE sex workers. For example ARAS has a bilateral working contract with the Austrian TAMPEP partner, Lefö. Our main aim in this exchange is to observe, compare and evaluate the reality of the working and living conditions of migrant sex workers, both in the countries of origin and of destination and to establish and improve contacts with them.

Another important benefit is the chance to carry out advocacy and lobby activities in Romania for the promotion of the protection of individual human rights of SWs, using the material and guidelines of the TAMPEP project.

## **RUMANIA / executive summary**

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During TAMPEP 6, ARAS has managed to improve its services, enlarge its area of activity to five other towns and strengthen its role as representative of vulnerable groups. The activities which took place under TAMPEP's umbrella have empowered ARAS. The methodological support was important for the implementation of our activities and the backup of this acknowledged European Network has also helped us in our lobby work with Romanian decision makers.

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# SLOVAKIA

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## **C.A. Odyseus**

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## **Organization profile and remits**

**C**.A. ODYSEUS is a non-governmental organization established in 1997 to prevent HIV/AIDS and other blood-borne infections and sexually transmitted diseases in the populations of drug users and sex workers.

The mission of the organization is to help drug users and sex workers to regain the dignity and to struggle for the acceptance of them as equal members of society.

Until C.A. Odyseus started with the harm reduction outreach project "Protect Yourself" in Bratislava in 1998, there had never been such an activity in the Slovakia before. All there was, was one needle-exchange program run by the state centre for drug dependencies treatment.

The project is an outreach program conducting needle-exchange. The target groups are injecting drug users and commercial sex workers. The main goal is to prevent harms and risks related to drug use and sex work (e.g. HIV/AIDS, blood-borne infections, sexually transmitted diseases etc.).

### **Objectives**

- Establish and maintain relations with the target groups;
- Increase access of target groups to relevant information on sex work, drug use, HIV/AIDS and STIs, and to means of protection;
- Reduce the frequency of re-use of syringes and needles;
- Reduce the frequency of unprotected sexual intercourse;
- Increase contacts between IDUs and SWs and the health care system and social services.

### **Activities**

- Provision of condoms, lubricants etc.;
- In case of drug use equipment for safer use is offered;
- Counselling, discussion related to safer sex and other relevant issues;
- Educational brochures and information leaflets are disseminated;
- Twice a week there is a possibility to test for syphilis anti-bodies;
- Social assistance (accompanying SWs to the official institutions, health check, police etc).

## Overview current national context

### Legal situation

In the period of Tampep 6, there have not been any legal changes regarding sex work. So the situation remained as before. However, the parliament is currently in the process of agreeing on some changes (recodification) of the general penal code. This means that, although there is no new law directly related to sex work, the legal environment is getting tougher. As the penal code gets more restrictive, the penalties for violations get higher. Indirectly this will most likely effect the legal context of prostitution.

At the moment prostitution is neither illegal nor legal in Slovakia. The legal codex has these paragraphs related to sex work or migrant issues:

### The Penal Code (Act No. 140/1961 Coll. Of Act, as amended)

The penal code recognizes the following criminal acts relevant to the issue of prostitution:

- Spreading of an infectious disease.

A/ All persons who knowingly cause or increase the threat of spreading of an infectious human disease can imprisoned for up to 3 years.

B/All persons who negligently cause or increase the threat of spreading of an infectious human disease can imprisoned for up to 2 years, or punished by a pecuniary sentence.

- Procuring

A/ Whoever persuades, moves, or seduces anyone to prostitute , or whoever plunders from prostitution performed by another , is punished by imprisonment of up to 3 years.

B/ If the act mentioned under A/ is conducted by violence, threat of violence or threat of other serious injury or by exploiting the distress or addiction of another, the perpetrator is sentenced to 1 to 5 years.

C/ To 2 to 8 years of imprisonment will be punished anyone, who

- i. gains considerable benefit from the act mentioned in A/ or B/,
- ii. commits an act under A/ or B/ as a member of an organized group,
- iii. commits an act under A/ or B/ to a person under 18 years of age, or
- iv. commits such act abroad.

D/ To 2 to 8 years of imprisonment will be punished all, who

- i. commit an act under A/ or B/ on a person under 15 years of age, or
- ii. in connection with an organized group operating in more countries.

- Endangering by a sexually transmitted disease or HIV

A/ Anyone who endangers, even out of negligence, another by the transmission of a STD or HIV, will be punished by a sentence of imprisonment up to three years or a pecuniary sentence.

B/ If the act under A/ endangers the life of another, the sentence will be 1 to 8 years.

- Kidnapping abroad

A/ Whoever kidnaps another abroad can be sentenced to 3 to 8 years.

B/ The sentence for A/ may be 5 to 12 years if the perpetrator

- i. commits the act under A/ as member of an organized group,
- ii. commits such act to a person under 15 years of age or a person with a mental disorder or with decreased mental capacity, or

- iii. thereby causes a heavy physical injury, death, or other particularly serious consequence.

- Trafficking of women

A/ Anyone who persuades, hires or transports a woman abroad, with the intent of her being used for sexual intercourse with another, will be sentenced to 1 to 5 years.

B/ The sentence for A/ is 3 to 8 years if the perpetrator

- i. Is a member of an organized group,
- ii. Commits such act to a woman under 18,
- iii. Commits such act with the intent, that the woman should be used for prostitution.

Minor Offences Act (Act No. 372/1990 Coll. Of Acts, as amended)

- Offences against public order

A/ Anyone who violates generally binding legal regulations, including the generally binding decrees of municipalities or local government can be punished by a penalty of up to SKK 1000,- (cca 20 USD).

Some local self-government authorities have issued decrees against prostitution (especially in the parts of Bratislava, where prostitution is most widely spread), where the offering and providing of sexual services is defined as a minor offence. These decrees should be enforced by state and city police. It is difficult these regulations and the amount is not significant enough to deter any eventual violators.

**Alien Residence Act** (No. 73/1995 Coll. Of acts)

All aliens, with the exception of those from countries, with which the Slovak Republic has concluded a treaty on visa free relations, need a visa to enter the Slovak Republic and can remain on the territory of the Slovak Republic only while the visa is valid. Aliens need a visa issued by a Slovak embassy on entry, and it can later be prolonged by the competent police department.

Aliens are allowed to remain in Slovakia for over 90 days only based on a long-term or permanent residence permit.

Without a valid visa and residence permit aliens are extradited from Slovakia.

Other relevant information regarding legal regulation:

The police is allowed to detain anyone for a period of 24 hours to determine the identity of the person, if this person is unable to prove his/her identity by a valid ID. This is something often checked by the police, because it is easy to find out, if a person has an ID or not.

Prostitution, although not defined as a criminal act, cannot be performed as a business activity. A trade permit will not be issued, as a trade permit cannot be issued for an activity, which contradicts good mores.

All regulations connected with medical or social services, assistance and rights apply to prostituting persons as to all others, the decisive factors being the amount of income, employment, etc.

There is no special law regulating prostitution.

## National capacity for policy and strategy development

During Tampep 6 there have been no changes the network of social and health services targeted to sex workers in the country with exception of low-threshold “Club Podchod” (drop in centre) provided by Odysseus and two outreach programs in Bratislava which cover the street sex workers, there are no other services for sex workers in the whole Slovak republic.

We opened the club on the World HIV/AIDS day. The “*Klub Podchod*” – the Slovak word for subway is located in the passageway of a central tram terminal where there is a high presence of sex-workers. The primary target group is female sex-workers. In the club, even the pimps and partners of the women are invited, because they often determine what the woman will do. Because our ambition is to bridge the gap between our clients and the general society, another target group is the public. They are invited to listen to talks on specific topics such as trafficking, domestic violence, human rights, and others.

At first we were open every Wednesday between 6 pm and 10 pm. In the first month we had opened 3 times and had 5 clients. After the first month we evaluated the needs of our clients and changed our opening hours. We now open the Klub from 7 pm to 11 pm. A lot of our clients are drug-using people but in the Klub the use or sale of drugs is prohibited. We do not provide needle-exchange inside.

Women can have a cup of tea or coffee, and read a newspaper or something from the library including our own educational materials or those from other NGOs. The Klub also provides the opportunity for the clients to chat in a safe environment with other members of the sex-working communities and with the Klub supervisors about any issues and problems they are experiencing. The clients are also invited to decorate the Klub.

On the first Wednesday each month, in response to the clients’ greatest needs, the Klub is supervised by a social assistant. The clients have the opportunity to discuss problems they are having, particularly in the relation to the official state organization systems, and to make appointments – for example with the aim to apply for new ID cards or health insurance cards. The clients can also ask for help with completing official paperwork, and writing CVs or letters.

From January to June 2004 the Klub was supervised by a native English speaker once a month. Together with the clients, she prepared a dictionary and phrasebook aimed at the needs of sexworkers. By understanding their customers, a significant number of whom are foreigners in Slovakia, the women have a greater ability to control their working life and their safety. Seeing the positive results of learning something new and participating in the creation of something for their own well-being will motivate the woman to study further and encourage more positive changes.

Since January, the Klub has been opened 23 times, for a total of 92 hours. We have established contact with 111 females and 29 males. Currently we have regular 30 clients.

### Most counseled topics were:

- clients relationships;
- drugs;

- social and legal problems;
- life security;
- safer sex;
- illnesses;
- trafficking;
- and also, human rights.

Since 30<sup>th</sup> April 2004 we organized six-week long English course done by English native speaker. This course has been every Friday from 7 pm to 8 pm. Since 19<sup>th</sup> April we are organizing self- help group. This group is running every second Monday from 8 pm to 9.30 pm. We would like to have the club open more often. Also having a computer will provide the opportunity for clients to prepare official documents and paperwork, access to the internet will allow the clients access to an infinite source of information where the clients can actively search for and exchange information. We want to run courses in hairdressing, fashion, just to name a few examples. The self-help group will strive to develop a sense of independence and empowerment in the women and will be the basis for encouraging the transformation of the Klub into a client-run facility. Of course, we are aware of the risks. The greatest at this time is funding. Secondly, the Klub is too small for activities and also for meeting all the clients' needs. Because of public opinion and prejudices, which are reinforced by the government, people may be opposed to having a club for sex-workers in the city centre. Finally, we have had bad experiences with skinheads, who terrorize our clients and disrupt the functions of our club. They could continue to inhibit our work.

## **Evaluation of the CD-Rom and other TAMPEP material**

The launch of the CD-Rom was very broad for our country. The letter with the information about possibility to receive the CD-Rom free of charge (even without postal coverage) was sent to 42 organisations in October 2003. With four organizations we now have an agreement, formulated in the letter of intent, about the use of the Tampep material following the Tampep methodology.

## **Actions with relevance for TAMPEP**

### **Seminar of slovak outreach workers – propagation of tampep cd-rom**

In the time period 12-13 June 2004 we organized a meeting of all (four) outreach programs which operates in the Slovak republic. Two of them (Odyssey, Prima) do target their work to the sex workers. With the aims:

- to exchange the knowledge,
- to inform about all the projects,
- Tampep network.

The participants were from:

Heureka: Jadronova Martina, Palenkasova Veronika, Latinakova Marta;

Odyssey: Javorkova Sona, Tesarova Zuzana, Jiresova Katarina, Lazovy Peter, Klimas Jan, Macekova Johana, Hudeckova Daniela (partly);

Prima: Rundesova Martina, Lackova Ivana, Babitz Richard, Vojtekova Slavka;

Storm: Palenikova Miroslava, Slovackova Dana, Bencurova Jana, Ciganekova Jana;

Association of Outreach Workers: Kulikova Marta (partly);

University of Matej Bel: Vavrincikova Lenka.

Among invited guests were:

- the director of General secretariat of ministers for drug dependencies and drug control – Blazej Slaby
- program manager from Open Society Foundation – Tana Hicarova.

The main outcome of this meeting is to organize an active working group which should be focused on lobbying and advocacy issues.

## **Bilateral field visits**

Below the reports of the bilateral visits held during the period of Tampep 6:

- to *Amnesty for Women*, Hamburg, Germany
- to *Scot-Pep*, Edinburgh, UK
- and participation on seminar in Palermo.

### **Amnesty for Women, Hamburg, Germany, 26-29 April 2004**

The goal of this visit was to get acquainted with the system and methods of work with sex-workers (male and female) and drug users within selected organizations in Hamburg, Germany.

Local sex work situation:

In Hamburg street sex work is concentrated in two areas: St. Pauli (Reeperbahn) and St. Georg. On the Reeperbahn and adjacent streets (David Strasse, Herbert Strasse, etc.), sex work is done on the streets, in night clubs, bars, etc. In the St. Georg area, sex work is mainly done by drug users and it is also found on the streets and in several clubs. The focus lies on foreign tourists.

Migrants work mainly in apartments, but because of continuous raids in the last years, the sex work in flats is now spread all over the city. Today there are about 500 apartments used for work by sex workers in Hamburg.

About 50-60% of sex workers are migrants, mainly from Eastern Europe, Latin America, Thailand and a few from Slovakia. From the male sex workers 50% are migrants, mainly from Poland, Bulgaria, Romania and Latin America. One man from Slovakia works in a night club.

Host organizations:

- *Amnesty for Women/TAMPEP-Germany*: Project TAMPEP, focused on prevention of HIV/ STIs among migrant SWs. Work is done in flats/apartments. These are located through the ads placed in daily newspapers, which usually give the address. Three outreach workers (from Central, Eastern Europe and a Spanish speaker) visit different areas by car. One field visit was made to a brothel on Max Strasse. One SW let us in because she already knew one of the outreach workers. Often SWs keep their doors closed out of fear for the police. A4W also gives mini-workshops on topics such as HIV/AIDS and contraception. They are short 10 to 20 minute sessions done directly in the apartment.

German and English language courses for migrants women/migrant sex workers are taught in Amnesty's office. There is also the possibility to get legal and social counselling.

- *Zentrale Beratungsstelle*: GO Health Care Service for HIV and STDs doing outreach work in streets, bars, clubs. Full services to SWs, including tests and treatment (except HIV).
- *Palette*: This project focused on young drug users introduced us to the DropIn centre which provides a user room and the possibility to sleep and eat. The *Sternschanze Drug Centre* has an anonymous needle-exchange service and social/drug/law counselling.
- *Ragazza*: Institution with an individual approach for young female SW using drugs. They provide a centre with food, TV, needle exchange, etc and do streetwork.
- *Basis Projekt*: project focused on male SWs, providing both basic needs (such as beds and food) and social counselling. They also do outreach work. They have made very good contact with male SWs.

The German approach was very interesting for us. The outreach workers have a very relaxed way of speaking with the SWs. This way they build good contacts and can give information more easily.

#### **SCOT Pep, Edinburgh, UK, 1-4 June 2004**

Host organizations:

- *SCOT-PEP*: organization working with SWs, focused on promoting health and dignity in SW, prevention of HIV, STIs. They do mobile outreach with needle-exchange, condoms, food and drinks. The most interesting aspect of this field visit was to see the cooperation between the police and outreach workers. The UGLY MUG report system, with which SWs can warn colleagues about violent customers, was another good lesson. We were introduced to a project worker about work with SW working through internet and about outreach in “saunas” (where also prostitution occurs).
- *HOP- Homeless outreach project*: providing an outreach services to homeless men and women, needle exchange, housing support, social counselling.
- *The EXCHANGE Harm reduction team*: offers a free and confidential services to all inject drug users; needle exchange, distributing condoms; low-threshold methadone clinic for opiate injectors, counselling.
- *ROAM*: service for male SW and cruising men. Most of the work they do in natural environment of SW and via the internet. Offer of free condoms, lubricants, individual support, HIV testing, information about STDs, drugs, housing.
- *TURNING POINT SCOTLAND*: free and confidential service for people who have drug related problems. Areas of work: finance, housing, prescribing, emotional, legal, family and health. They provide social counselling and crisis intervention, information and needle exchange; individual casework; Locality clinic.

The field visit to Edinburgh's organizations was very inspiring, especially joining the outreach work, getting acquainted with the work with police and through the internet.

#### **e.p.a. Congress Report, Palermo, 17- 24 May 2004**

The theme of the congress was “*Saltare per cambiare - Jumping for change*”. The key strategy at this congress was for all the participating organizations to learn from each other through the sharing of experiences. A field visit was made to community projects working with children, youth, women and homeless people in Palermo.

The congress was helpful in getting a wider perspective looking at the work in our community centre. It gave new ideas for future activities focused on youth and women

living in underprivileged communities preventing their further marginalisation and vulnerability to human trafficking. Valuable new contacts were made for sharing experiences and consulting problems.

## **SLOVAKIA / executive summary**

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The situation in the field of sex work has not seen any big changes over the past two years. Although we are obviously working hard to achieve improvements we are glad to see that we are not moving towards more restrictive policies, which puts sex workers in a more stigmatized, hard-to-access, underground situation.

There is a lack of funding for programs for sex workers. These projects are in danger of having to close down.

The public debate is focused mostly on trafficking in human beings. Prostitution is seen as the main purpose for trafficking. The separation between the issues of trafficking and sex work is not clear at all.

The situation with HIV/AIDS is quite optimistic. However, here again there is a lack of services for people living with HIV/AIDS (PLWHA), notably those from an underprivileged social background (problem with homelessness, little access to health care without ID).

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# SPAIN

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## **Cruz Roja Española-Juventud-Asturias (Spanish Red Cross, Youth Department - Asturias)**

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## **Organization profile and remits**

**T**he Spanish partner of the TAMPEP network, CRE-J is promoter and coordinator of the ROPP network, created during the period of Tampep 6. The ROPP is our national platform of service providers for prostitution matters in all of Spain. We have the following aims :

- Provide practical information and opportunities for information sharing among organizations and projects that provide services to men, women and transsexuals who work in the sex industry;
- Raise awareness of the health and welfare needs of sex workers;
- Advocate at regional and global level for policies and action that further the human rights of sex workers. These rights include the right to a healthy and safe working environment free from abuse, violence and discrimination;
- Develop and maintain links between service providers, sex worker organisations and relevant international institutions and agencies;
- Facilitate opportunities for the voices of sex workers to be heard in relevant forums.

### **Areas of work and services for our practical help:**

- Sanitary and gynaecological attention;
- Psychological support;
- Attention to victims of the traffic;
- Health education;
- Specific Attention Centres;
- Test HIV;
- Projects of research.

## **Overview current national context**

In Spain, prostitution and other forms of sex work are not illegal. They are not even penalized. Nevertheless, prostitution is considered to be in breach of public morality. For this reason, prostitutes do not enjoy workers' rights or social security benefits, and they face many restrictions. This is especially true for immigrants from non-EU countries, since it is impossible for them to obtain residency and work permits in order to work in the sex industry in Spain. Working as a prostitute is considered a contravention of public morality. It is an activity that is not recognised in any way and therefore the law does not cover it. It is neither an offence (an infringement of administrative law) nor a crime. Because of their weak legal status, migrant sex workers are likely to be subjected

to criminal investigations, e.g. they may be suspected of immigration offences, pimping or of facilitating prostitution

Foreigners, even migrants without legal status can apply for state-organized health care schemes, just like Spanish citizens, provided they are registered in their county of residence. Foreigners under 18 years always have access to the same health care scheme as Spanish citizens. Anybody who is not registered, receives treatment in hospitals only in case of emergency.

In Spain, a contract between a prostitute and her client is neither legally valid nor enforceable. This means that the woman does not have a right to receive payment from the client. There is no way of claiming the money before a court, either. As a result, women encounter all the practical difficulties imaginable when trying to enforce payment. The client is not penalised for not paying. On the other hand, nobody may force the woman to work if the client has paid her in advance and she does not offer her services either.

At present, in Spain, there is no a specific law concerning prostitution. However, there are a few associations fighting for abolition. Some feminist groups of women, for example, see prostitution as the most extreme form of violence. They do not consider prostitution as work or an option, but as exploitation of those that have no resources.

At the same time, organizations such as Hetaira, fight for legalization of prostitution with the goal of putting an end to the marginalization and the trafficking of women. These organizations consider prostitution to be work.

The Spanish government seems to be blind to this situation. Although we consider it a positive fact that prostitution is not penalized, the absence of regulation does create a situation in which sex work is done in the margins of the law. This makes it into a submerged business, ruled by the mafia as a result of which the women are in an extremely dependant position.

On the other hand, Spain has the Witnesses Protection Law. This law and the Law of Immigration guarantee the anonymity and regularization of immigrants that denounce to be victims of mafias and of exploitation in the prostitution. The worry by the theme of the legislation of the prostitution each time affects more to the population in general. As a result, we often see forums such as the one that took place on 19 and 20 March in Gijón (Asturias). This forum on “Prostitution and traffic of women” was organized by the Asturiano Institute for Women. Its purpose was to obtain an agreement among the participants whether to legalize or revoke prostitution. The forum did not attain agreement after listening to speakers of both positions, which shows the complexity of the theme.

## **Assessment of prostitution scene**

Concerning the structure of prostitution in our country we can say that most sex work takes place in brothels, followed by apartments and the street. A small percentage of prostitutes works in massage parlours.

82% of all sex workers are immigrants. The immigrants mainly work on the streets, followed by brothels.

The origin of sex workers is structured as follows:

- 54 %        Africa
- 33%        Latin America
- 9 %        Central Europe
- small percentage Asia

We estimate that 78% are women, 5% men and 17% transsexuals.

With regard to the mobility of sex workers, we can say that 26% has already worked in others countries, such as The Netherlands, Italy and Great Britain. Shorter distance mobility (within the country) is even higher: about 85% of the sex work population has worked in different cities, like Madrid, Barcelona and Bilbao. There are several reasons for this mobility. Some are looking for clients or better resources, others move for their own security in connection with their pimps or police pursuit.

The three most important vulnerability factors of prostitutes are the current (lack of) legislation, their personal and economic security, and their health.

There have been no great changes concerning the services and social politics of health services for sex workers. However, there has been some talk about whether prostitution should be regulated by law or not.

## **National capacity for policy and strategy development**

On the 22 of June 2001 there was a meeting in Madrid in which different representatives from organizations and studies of investigation of the national territory that work with sexual workers participated. From this meeting the State Network of Organizations and Projects on Prostitucion (ROPP) was developed; thanks to the support of TAMPEP (Transnational AIDS/STD Prevention Among Prostitutes in Europe) and ENMP (European Network Male Prostitution).

With the intention of consolidating the Network and establishing its guidelines of operation, communication and services, two more meetings were summoned: the second meeting was in 2001 in Gijón (Asturias) the third encounter in 2002 in Malaga. These two meetings allowed us to establish the basis of a future legal constitution. Later, a fourth meeting took place days on 5, 6 and 7 December 2002 in Gijón (Asturias). In this meeting the network was constituted legally. The complete ROPP network has held the V General Assembly on 25 and 26 October 2003, at which 30 people from different organizations attended. In this assembly the Internal Regime of ROPP was approved and the new permanent Commission was constituted, composed by five members of different associations from the North of Spain. The Presidency is held by the Askabide Association, Basque Country.

The new Permanent Commission has held its first meeting on 27 February 2004 in Vitoria, Basque Country. Work was done on the new sensitivity campaign, as well as on the next course of formation and the encounter of the ROPP. Presently ROPP counts nearly 30 members that represent organizations, groups and people who work from different perspective and aspects in the scope of prostitution and sex work related issues.

In Spain, through ROPP, different experiences of learning and good practices have been collected and shared among the members in various ways. These include:

### **Annual meeting**

The network gets together at least once a year. In these meetings the projects expose the situation of the city in which they work. By sharing our experiences we see similarities and learn techniques of other projects. Such was also the case in the last assembly in October 2003, which took place in Madrid. Some examples of these projects and their experiences are:

- *Collective Hetaira*: is a collective formed by sex workers and non-sex worker women. They operate in the streets of Madrid where sex work is frequent. This collective fights actively for the rights of sex workers. Their approach is to do work on the streets and to use peer education methods. This last element was especially interesting to us. Its objective is to promote the self-esteem of the women. Giving them the tools to fight against the social stigma, as well as to favour the ties of solidarity among sex workers. Hetaira helps to develop their capacity of negotiation and their empowerment. They give a great deal of importance to work with the administration, neighbors and other context. Their work demands dialogue with City Hall and with the media.
- *ACLAD*: Association of aid to drug addicts. They are situated in Valladolid. They work mainly in clubs, by the highway, on the streets and in their own localities. They do both individual and group sessions. Psychological attention and legal advice is provided.
- *Association Askabide*: this association has a centre for receiving women that want to quit sex industry. The intervention in the streets is done by peer educators and cultural mediators. A general remark is that in Spain and particularly Basque Country, five years ago the majority of sex workers was Spanish and now they are mainly immigrants.

### **Course of capacity building for members of the ROPP**

The course will be carried out in two days and the structure is as follows. On the first day two presentations will be held about the general framework of the stigma as an introduction.

On the second day the different projects of the ROPP will be divided in small working parties. Each group will debate on the following aspects of the stigma: discrimination, influencing factors (social, cultural and otherwise), collective effects on the sex workers and human rights. The results of the discussions will form the basis of a document about prevention and reduction of the stigma associated to sex work.

### **Data processing use of tools**

A mailing list was created, through which all the projects of the ROPP report on the work that each of them carries out. Also we report on external courses of formation to the Network, news and/or publications of interest in the field of sex workers. We feel this a basic tool for the learning of the good practices.

### **Creation of a document**

A document is being created to collect the different intervention methodologies of the projects that compose the ROPP. The following gives an indication of its contents:

- *Hetaira*: Intervention carried out by sex workers themselves. This is based on the peer education method.

- *El lloc de la dona*: Intervention on a local level and exhaustive knowledge of the local reality. Each person is attended to individually. Intervention also takes place with the Administration, neighbours and the owners of sex work locations.
- *Askabide*: Intervention is carried out through education of peers. The environment of action are the clubs, flats and the street.

### **Creation of a guide**

The Network has created a guide of mediation in sex work to facilitate the work, to try to respond to doubts and to help new projects that are being formed.

The guide contains the definition of mediator, the existing types of mediation, the definition of sex work, the types of sex workers, the environment of action, specific information for the mediators, state resources etcetera.

In the guide are collected all the projects that form the Network, with its directions, phone numbers and contact people. At the same time, the Foundation Triangle of Madrid is making a guide of resources on state level exclusively directed male sex workers.

### **Evaluation of the CD-Rom and other TAMPEP material**

The TAMPEP resources materials for sex workers have been distributed on the streets, in centres of work of the different projects, and in clubs throughout the country. We distributed leaflets and the CD-Rom. 70% of the materials were distributed in Spanish, 20% in Portuguese and 5% in English, some were distributed in Rumanian and Albanese. The general evaluation of these materials has been very good. However, the materials always needs to be supported by outreach contact. We feel there is a need for material with very simple language.

### **Actions with relevance for TAMPEP**

- Forum of Sexuality in the Faculty of Psychology of the University of Oviedo (Asturias).
- Sexual Meeting of Work in the Observatory of the Counsel of the Youth of Spain in Madrid.
- Both took place in December of 2003. They invited us to bring to light the ROPP and the different intervention and Sexual forms of Work in Spain on the part of the different projects.
- Forum of prostitution and trafficking in women, organized by the Institute Asturiano of the Woman in Gijón (Asturias).
- Forum by the defense of the rights of the sexual workers, 28.29 and 30 of May in Madrid organized by Hetaira

### **Participation in publications**

So much the ROPP as various of its projects components appear in different publications as the ones that are cited subsequently:

- Daily "EL COMERCIO", publication of Asturias.
- Magazine FT "MUNDO JOVEN".
- Guide of information and resources (Program of Prevention and Attention to the Persons Affected by the VIH-AIDS in Asturias).

- Document of Prevention of the VIH-AIDS and other ITS in persons that exercise the prostitution, of the Department of Health and Consumption of Spain. In that guide was the first time that ROPP and TAMPEP appear together in a guide.

## **Integration of Central and Eastern European countries**

Immigrants from the new EU countries will have an advantage over those from Latin-American or African countries. For example, they will be legal and therefore able to travel more or less freely through Europe without having to fear the police. However, the language will remain an important barrier in finding a job and making contact with people. We think that the work of the cultural mediators is very important. Mobility and migration are more and more important the sex work business. To be legal in Europe is an important factor for many prostitutes.

### **SPAIN / executive summary**

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Thanks to the support of TAMPEP and ENMP (European Network Male Prostitution) the State Network of Organizations and Projects on Prostitution (ROPP) was developed. We do research and provide services to sex workers. In Spain, prostitution and other forms of sex work are not illegal. Nevertheless, prostitution is considered to be in breach of public morality. Although we consider it a positive fact that prostitution is not penalized, the absence of regulation does create a situation in which sex work is done in the margins of the law.

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# SWITZERLAND

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## ASPASIE

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Switzerland is not an EU country and therefore we are not a direct member of the TAMPEP network. We have however been invited to collaborate as a participant since 1999. We think that this partnership is important as we are in the middle of Europe and we have a lot of migrant sex workers charmed by Swiss francs and a lot of Swiss men charmed by migrants.

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## Organization profile and remits

**A**SPASIE is an association created by sex workers and other people concerned with sex-work in 1982 in Geneva. It is financially supported by the local government.

### ASPASIE aims

- Deal with prostitution as a social reality, non-judgmentally;
- Prevent the discrimination and exclusion of people working in the sex-industry;
- Get together people with different approaches to prostitution;
- Offer a space for reflection, communication and action about sex industry;
- Defend the legal interests of sex workers, their rights and citizenship;
- Develop programs of health promotion and harm reduction.

### ASPASIE's activities

- Fieldwork in all the different places where sex work exists. Distribution of material and information about health prevention, rights, empowerment. Special programs for migrant sex-workers and drug users;
- Support, guidance and assistance for sex-workers who ask for help concerning health care, legal questions, social problems, work, etc.;
- Public relation with the authorities, medias, institutions and everyone concerned by sex-work;
- Networking at a local, national and international level;

## Overview current national context

### Legal situation

Sex work is legal in Switzerland: it is considered a commercial activity, sex workers pay taxes, can apply for health insurance and pension for their old days, but sex work has to be practised with the status of an independent profession. To work as an independent you have to be a Swiss citizen or established resident for at least 5 years. However, most sex workers are migrants, so their work situation is illegal, sometimes

without staying permit, or with short time permits like tourists, students, artists or just married...

Sex work is legal but each province (25) has its own regulations and laws and furthermore each city has its own policies regarding sex work. In major cities like Geneva, Lausanne, Zurich you find all forms of sex work: in streets, nightclubs, massage parlours, flats, escort, saunas. There are also towns that don't have street prostitution at all or only very hidden forms. So with the same basic law, there are many possibilities of implementation.

For example with a short time permit (B) there is no possibility to work in a legal way in Geneva for the moment (it might change with the bi-lateral agreements), but in other counties authorisations can be delivered by the local government.

If we take the situation of Lausanne: there was no regulation at all in this state, so Swiss and migrant sex workers could work in a quite independent way. Then the local government decided to legislate. They say they want to more control over the situation for the fight against the trafficking of women. We think it's just an excuse to intervene and expulse migrants. Thanks to the involvement of Fleur de Pavé, (an association for health and social promotion activities for sex workers in Lausanne) in the political debate over the new sex work regulation law during the past two years, several basic rights of the sex workers have been preserved. Also, the new law project contains a paragraph stipulating that the state should give financial support to sex work projects.

### **Health check**

In Switzerland there is no obligatory health check. But since 2001 a new law concerning night work stipulates that people who are working during the night have to have a health check up. This concerns also cabaret artists, but most states don't use it, only dancers who arrive through the town of Basel are obliged to get this control.

### **Health service providers**

There are no special clinics for sex workers. Every body has access to public or private health system, you just have to pay or be ensured.

The problem of many migrants is that they don't know their rights, or are afraid to use any official structure. In some regions it is very difficult to get treatment for a person with illegal status. The best way to inform them is outreach work. Some cities offer free and anonymous vaccination against hepatitis B, this can also be a way to build confidence and facilitate the accessibility to health services.

### **AIDS prevention for migrant sex workers**

A sex worker employed by the Swiss Aids Organisation ten years ago created a programme similar to TAMPEP. Now this program called APIS exists in 15 regions, with about 30 cultural mediators, financially supported by several providers (private or public resources). The local co-ordinators meet 3 times a year for networking or training and the mediators meet once a year for training and to exchange experiences.

### **Networking**

Another important network of about 20 sex work projects was born in 2000: ProCoRe (Prostitution Collective Reflection). Its aims are to exchange and collaborate; to have a national impact and visibility; to ameliorate the living and working conditions of sex



workers; to make political and media lobbying and to show the differences between sex work and traffic

### **Human trafficking**

Switzerland is a consumer of trafficked woman. In May 2002 the ministry of justice has elaborated a report concerning traffic of human beings and they recognised that something should be done.

The number of victims of organised crime in Switzerland is officially estimated at 3000, mainly woman (not only sex workers). Already two years ago a parliamentary motion, in collaboration with basic organisations from the field requested protection of victims and witnesses. For the moment, a woman who makes a statement of complaint can get a staying permit limited to the time of the trial, but no other protection. We know how difficult it is to complain, even for someone with a legal status, so for a trafficked woman it is almost impossible.

### **Assessment of the prostitution scene**

In the night clubs, artists come mainly from Eastern European countries (majority Ukraine, Russia, Romania) and Latin America; in champagne bars one finds mainly West Africans and Latin Americans but also from everywhere else (since last year even from China); in massage parlours we meet many Brazilians, Thai, Africans and many EU citizens from the countries surrounding Switzerland.

In 2002 ASPASIE had contact with 1260 sex workers in Geneva. The country of origin of these sex workers is:

▪ Africa	37%
▪ Eastern Europe	22%
▪ Switzerland and other EU countries	19%
▪ Latin America	16%
▪ Southeast Asia	6%

A report published by the federal police department estimates that there are about 14'000 sex workers in the country. The 27 associations working actively in the field with sex workers are aware that this number is far much higher.

# UNITED KINGDOM

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## SCOT-PEP

### Scottish Prostitutes Education Project

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## Organisation profile and remits

**S**COT-PEP seeks to protect and provide practical support to those involved in prostitution, through creating supportive environments, including the provision of appropriate services, which enable prostitutes to minimise harm to themselves and the community.

In order to create such supportive environments the project adopts a holistic approach, which seeks to impact not only on sexual health but also on personal development, self-esteem, and human and civil rights. Underlying the self-help ethos of the project is a committed belief in the value, worth and potential of all human beings, including those involved in prostitution.

The project does not see itself as the solution to all problems but as a means to inform those involved in the sex industry and support access to appropriate specialist services and agencies.

SCOT-PEP has the following aims:

- to empower prostitutes, through the creation of supportive environments, thereby enabling them to take full responsibility for their personal development, well-being, sexual health and to maximise their quality of life.
- to enable prostitutes, their sexual partners and others involved in the sex industry to minimise their risk of sexually transmitted diseases, including HIV and AIDS, through the provision of information and practical support around harm reduction.
- to give prostitutes a voice in the HIV/AIDS and human rights forums.
- to work towards the harmonisation of legislation, law enforcement and public health interests

## Overview current national context

Little has changed in the United Kingdom prostitution scene; migrant sex workers are still not seen in street prostitution due to high visibility and heavy law enforcement across the country. Migrant sex workers continue to be involved in the indoor sex industry with London reporting the highest level, despite high levels of police and immigration officers raiding indoor sex industry establishments. Cities near London, which had reported increasing numbers of migrant sex workers within their indoor sex industry, have recently reported that they are no longer seeing migrant sex workers

since police and immigration officers have conducted raids. Levels of migrant sex workers in the rest of the United Kingdom remain low. The NHS (National Health Service) within the UK is exerting further control in relation to non-UK citizens accessing health services and this has impacted upon all migrants' access to other than emergency and sexually transmitted infection health care. Within the UK there is little acknowledgement of the economic migration of sex workers and the majority of politicians and media portray all migrants as 'trafficked', this is compounded by a strong abolitionist lobby within the UK parliaments and media that defines all prostitution as coerced and violence against 'woman'. Sexual Offences Acts (2003) in both England & Wales and Scotland have amended prostitution related offences, increasing penalties and introducing new offences, in relation to having sex with sex workers under the age of 18, trafficking and procuring sex workers. The legislation introduced in relation to trafficking and procuring makes it difficult for migrant sex workers not to be perceived as 'trafficked'. Both the Home Office and Scottish Executive are currently undertaking a review of prostitution legislation and policy across England, Wales and Scotland - the outcome of which is at present unclear.

## **Assessment of the Prostitution Scene**

Prostitution occurs in various forms in the UK - street, sex industry establishments (saunas, massage parlours, private flats, bars, hotels, nightclubs) and escort, but the proportion varies from town to town as a result of differing local policies, attitudes and law enforcement practices. There have been no significant changes in the forms of prostitution within the UK since the last mapping exercise. Nor has there been any evidence from sex work projects of a significant increase in the number of sex workers within the UK over the last three years.

However, media representation and politicians have continued to confuse the separate issues of trafficking for the purpose of prostitution and migrant sex work in public debates announcing phenomenal rises in trafficking/migrant sex work in the last few years which are not born out by the evidence collected through the TAMPEP mapping exercise undertaken between June 2003 and January 2004 when compared to the TAMPEP mapping exercise undertaken three years ago.

The mapping questionnaire was sent out to over 100 agencies. However only four responses were received, and it was therefore decided to organise workshops through the UK Network of Sex Work Projects, one was held at the Annual General Meeting held in Birmingham, December 2003 and a further workshop was held at the UKNSWP Violence & Policing Forum held in London, January 2004.

The mapping exercise demonstrates that migrant sex workers are not found in street prostitution in the UK as no project working with street based sex workers reported any migrant sex workers involved. Migrant sex workers were reported within the indoor sex industry concentrated primarily in and around London. London projects reported 63% of their female contacts (66% of male contacts) being migrant sex workers, the mapping carried out in Phase 4 reported 80% of contacts in London were migrant sex workers. Brighton, who had initially reported the second highest percentage of migrant sex worker contacts, 10-20% in November 2003, in January 2004 updated their report as contact had dropped to 0% following immigration raids on the indoor sex industry in the city. Figures from the rest of the UK have remained relatively stable by comparison

with the previous mapping in Phase 4. Many projects in the rest of the UK reported little knowledge of or contact with migrant sex workers in their area, 0–8%. However, this may be due to the way in which some work as many provide a drop-in service which migrant sex workers may not feel confident in accessing. Those who reported undertaking outreach to the indoor sex industry establishment tended to report percentages between 1-5%.

Projects concurred that it should be recognised that

- migrants involved in the sex industry fall into three categories in relation to immigration status within the UK: legal (with the right to reside and work in the UK); semi-legal (with the right to reside but not work in the UK) and illegal (those with no right to reside or work in the UK);
- those affected by trafficking can be found in all three categories;
- not all migrant sex workers are trafficked;
- vulnerability is highest amongst those affected by trafficking, those whose immigration status is illegal and those whose immigration status is semi-legal

Projects reported diverse reasons given by migrants for coming to the UK:

- economic situation in countries of origin
- aspirations for future financial security, lifestyle and independence
- better working conditions, including earning potential
- access to education and learning English as a second language
- run out of countries to work in having been previously caught and deported, many of whom report mounting debts owed to smugglers
- trafficking, as defined by Palermo Protocol

Projects identified a number of factors which, continue to add to vulnerability of migrant sex workers and those affected by trafficking in the UK:

- language/cultural barriers which inhibit building trust and relationships
- lack of knowledge about their rights
- lack of access to services, support and information
- lack of access to health care
- exploitation and poor working conditions because of migrant status
- debt
- fear of ‘controllers’ – including partners, pimps and traffickers, including fear for family
- lack of control over own life

In addition the following changes in the UK were identified as having exacerbated the already high levels of vulnerability experienced by migrant sex workers since the Phase IV mapping:

- increase in repressive law enforcement of indoor sex industry
- increase in immigration raids on indoor sex industry establishment, driving migrant sex workers further underground
- tightening of access to NHS for migrants and overseas visitors
- increase in HIV diagnosis amongst migrant sex workers but no access to treatment

Projects identified a number of responses that would reduce the vulnerability of migrant sex workers:

- ensuring sex work projects, including health services, are accessible to migrants

- on-going development of multi-lingual written resources and cultural mediation
- provision of interpreters where cultural mediation not available
- access to legal rights and information in relation to sex work and specialist immigration advice
- access to personal safety and reporting crimes training and advice, including multi-lingual written resources
- access to language classes
- outreach to indoor sex industry establishments
- development of protocols for partnership working between law enforcement agencies, sex work projects and refugee agencies in relation to responding to victims of trafficking and smuggling and the deportation of illegal and semi-legal migrant sex workers
- legislative change re sex work and migration

## **National capacity for policy and strategy development**

The UK TAMPEP Coordinator is a member of the Board of Directors of the UK Network of Sex Work Projects and through that role has ensured that TAMPEP resources and methodology are promoted and disseminated to service providers and that migrant sex workers issues remain on the agenda for sex work projects across the UK. Details of the members of the UKNSWP are provided in Annex I.

Migrant Sex Work was included in the programme of the National Conference 'Prostitution in the 21st Century: pulling apart the myths and exploring the Realities' organised jointly by the UKNSWP and Mainliners and attended by policy makers, law enforcement agencies, NHS and local authority services, non-governmental organisations and sex workers.

Through the UKNSWP representation has been made to both the Home Office and Scottish Executive reviews currently being undertaken in relation to legislation and policy around prostitution in the UK.

## **Evaluation of the CD-Rom other TAMPEP material**

Promotional information was sent out to over 100 service providers and policymakers through the UKNSWP mailing list. 31 copies of the CD-Rom were distributed as a result of this promotion. Fifty plus copies of the CD-Rom were distributed to participants at the UKNSWP and Mainliners National Conference and a further thirty plus copies were distributed through participants at the UKNSWP Violence & Policing Forum. It was not possible to collect details of the majority of recipients of the CD-Rom at the National Conference or the UKNSWP Violence & Policing Forum. Details of those sent the CD-Rom as a result of promotion through the UKNSWP mailing list are provided in Annex II.

The CD-Rom and the resources within it have been well received by service providers and the UKNSWP has received positive feedback about multi-lingual resources for migrant sex workers being made available to sex work projects through TAMPEP. However, despite the enthusiasm of the verbal feedback received by the UKNSWP, and the UK TAMPEP Coordinator at various meetings, only seven UK agencies and the

International Union of Sex Workers in Canada who had requested a copy, completed and returned the evaluation forms despite repeated requests.

Of the seven agencies who responded five reported that they had distributed the TAMPEP educational materials to migrant sex workers through their centres and three had distributed them through outreach to sex industry establishments, only one of whom distributed the resources through both. One agency (IUSW Canada) had copied the CD-ROM and distributed it to sex work projects across Canada and had not distributed the resources directly to migrant sex workers.

Of the seven UK agencies six reported the resources provided were very useful, with one reporting them as useful. The benefits reported by agencies were:

- multi-lingual sexual health resources available for migrant sex workers in the UK.
- facilitated more effective communication and helped overcome language barriers with migrant sex workers
- improved trust and relationships with migrant sex workers, and they were more likely to access services and support on other issue

The number of agencies distributing resources in the available languages were as follows:

English	5
Spanish	4
Portuguese	4
French	3
Russian	7
Polish	3
Czech	4
Hungarian	3
Bulgarian	3
Albanian	4
Romanian	4
Thai	6
Italian	2

Additional languages requested by agencies included German, Lithuanian, Estonian and Korean, with a request that the sexual health leaflets as well as the comics be produced in Italian.

Additional resources requested by agencies were as follows:

- drugs and alcohol harm reduction leaflets
- CD-Rom resource to distribute to sex industry establishments as increasing numbers have computers that sex workers can access.
- Male sex work sexual health and other resources
- Personal safety leaflets (current leaflet not felt to be appropriate for distribution as advice provided could lead to criminal prosecution of sex workers following advice in some countries)
- More detailed information about the routes of transmission of sexually transmitted infections
- Rights and legal issues leaflets\*
- Leaflets about access to health care and conditions of access\*

those marked with \* would need to be produced at a national level as they will be country specific.

There were a number of recommendations made in relation to minor changes to the content and format of the resources and CD-Rom, which have been passed onto the Coordinating Centre for consideration when the CD-Rom is next being updated.

### **Evidence to EU Experts Group on Trafficking in Human Beings – May 2004**

Ruth Morgan Thomas, TAMPEP UK Coordinator, was invited as a representative of the Network of Sex Work Projects and sex workers to give evidence in relation to the impact that anti-trafficking measures have had on sex workers and the role sex workers and sex work projects can potentially play in combating the human rights abuse of trafficking for the purpose of prostitution.

### **Bilateral field visit**

SCOT-PEP, Edinburgh, UK visited LEFÖ, Vienna, Austria in December 2003

Aims:

- to gain a general understanding of the specific issues that face migrant sex workers
- to learn how LEFÖ integrates migrant sex workers
- to learn how peer education is used to spread information among migrant sex workers.

Main activities undertaken during the exchange visit:

- a visit to LEFÖ/IBF (Intervention Site for women who are affected by trafficking). This relates not only to prostitution but to domestic work and forced marriage; the key issue is that of exploitation. IBF offers temporary shelter (in a secret location) for female victims of trafficking. Support and counselling is provided in the woman's native language, and legal representation and accompaniment in court are available.
- a meeting at LEFÖ where we learned more about their work. LEFÖ was founded in 1986 by Latin American exiled women, and provides counselling, social support, legal representation and a homoeopathic doctor to trafficked women and migrant sex workers. They also do lobbying work around women's labour migration, and organise a yearly educational seminar with a changing focus, e.g. trafficking, migration, prostitution - individuals and organisations can attend.
- undertook streetwork, paired with a LEFÖ staff member. At first I was a little confused since when we talk about street outreach at SCOT-PEP, it refers to sex workers who actually work on the streets. At LEFÖ it meant visiting the different bars where women work. In the bars, clients may meet with women and have some drinks before going to a bedroom to conduct business. It is not unlike some saunas in Edinburgh except there is alcohol involved (women can easily wind up with alcohol problems from this working arrangement). As with visits to saunas, the sex workers are not always able or willing to talk to outreach workers for long, as they are at their work, may be surrounded by clients, and have little privacy. Typically during streetwork they receive condoms and lubricants (many did not seem to be aware what lubricant is) and sexual health leaflets in their native language. On Wednesday, before reconvening at LEFÖ to summarise the visit, we went to SILA.

- A visit to SILA, a low-threshold centre for female sex workers. Its name means “strength” in Czech. They have a drop-in space with shower and washing facilities, and offer German and computer courses. They also employ counsellors, a gynaecologist, lawyer and childminder. Service users can be anonymous and don’t have to meet any specific criteria. SILA’s biggest group of service users are asylum seekers, followed by other migrants, then Austrian women. There is no other place that Austrian sex workers can go to. SILA usually does weekly streetwork with cultural mediators, visiting every bar/brothel about once a month. In summer they do some outreach to street-based sex workers too. Distances between Austrian and migrant sex workers continue to be an issue. There may also be divisions amongst migrant groups, for example between Nigerians and Dominicans, or between Eastern European and black women.

### **Summary of lessons learned from the exchange visit**

At LEFÖ we learned more about the process and implementation of cultural mediation. In migration and sex work cultural mediation is especially important in terms of health and sexuality – cultural background may be an important factor as well as language. The role of the cultural mediator is not to tell women to assimilate into Western European culture, but to support them. It is based on the principle that there is a dominant culture and that these women are in a minority. LEFÖ’s cultural mediators respect these women’s culture, and share it. It isn’t always possible to have cultural mediators from every relevant country, but at least they try to cover regions or language groups. The cultural mediator has experience of racism and marginalisation as a migrant woman, if not as a sex worker. It is important that cultural mediators are listened to and valued, rather than keeping them on a lower level if. This issue is less about democratic structures and more about cultures, for example European consciousness vs Filipina consciousness.

LEFÖ defines the cultural mediator as a professional, and this must be recognised within the organisation. Some migrant sex workers are referred to as “cultural multipliers”, which is similar to the “peer education” system utilised by SCOT-PEP. These sex workers have a multiplying effect in passing information on to their colleagues. Cultural multipliers may have a difficult legal status themselves, and may go home for a few months at a time; they might be slow to call the office on their return. Regular workshops are conducted throughout the year with future cultural multipliers; these are liable to be country-specific, such as a workshop for sex workers from the Dominican Republic. These workshops serve to help with some of their problems as migrant sex workers but also to impart information that they can pass on.

The situation in Austria is quite different from that in Scotland; although selling sex itself is legal in Scotland, most activities connected with it, including those that would increase safety for sex workers, are not. In Austria however, legalisation involves regulation and while sex workers are expected to register and pay taxes and so on, in return they do not receive any particular benefits beyond being allowed to work – stigma still persists. It is therefore easy to see why many sex workers do not register, as in the future they may still find themselves penalised for their past involvement in sex work.

For many migrant sex workers their biggest problem is a lack of stability; also stigmatisation, the immigration process, racism, mobility etc. Sex work itself is often of



lesser concern. As so many sex workers in Vienna are migrants, it is impossible to address their issues without an understanding of immigration, asylum, racism and so on. Difficulties in these areas may well overshadow problems specific to all sex workers. In Edinburgh it seems that there are still few migrant sex workers, and those that I have encountered have mostly been from wealthy Western European countries. However, asylum seekers continue to be problematised and vilified by British press and politicians, and while Edinburgh is not currently a chief destination for them, this may well change and it is best that we are prepared for the shift in focus that could arise for our service users.

## **Integration of Central and Eastern European countries**

Peter Lazovy, Project Manager of ‘Protect Yourself’ from Bratislava, Slovakia visited SCOT-PEP and drug agencies in Edinburgh to share experiences of working with sex workers and drug users and to examine the ways in which health promotion and HIV prevention work is undertaken in Edinburgh, particularly drop-in facilities and outreach work.

### **UNITED KINGDOM / executive summary**

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There has been little change in the prostitution scene itself in the United Kingdom since TAMPEP Phase 4 despite the introduction of legislation, which has sought to tackle both prostitution and trafficking. Prostitution itself has not diminished within the United Kingdom and many policymakers fail to see the difference between migrant sex work and trafficking. Levels of migrant sex workers within the sex industry have remained relatively stable, with London reporting a decrease from 80% to 63%. The TAMPEP CD-Rom multi-lingual resources have been welcomed by sex work projects across the UK as a valuable tool for sexual health promotion work with migrant sex workers, which could be further developed in other languages and to cover other important health issues facing migrant sex workers.

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# EXECUTIVE SUMMARIES

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## AUSTRIA

Throughout the phase of TAMPEP 6 we could notice a change in the prostitution scene in Austria. The situation now also reflects the changes in the legal area: more restrictive legislation and more controlling measures. Migrant sexworkers have a very weak legal situation and are facing a double discrimination and stigmatisation. At the same time, in Austria, there is not enough information and hardly any resources for services for migrant sexworkers – neither with health authorities, nor with NGOs. There is an evident need for awareness-raising, information dissemination and sensitisation for the situation of migrant sexworkers, nationwide.

Through an *equal* project we could establish a low-threshold counselling centre for sex workers in Vienna. In this project we could implement our TAMPEP methodology and broaden our work.

The changes for migrant sex workers after May 1<sup>st</sup> still have to be evaluated.

## BELGIUM

Payoke, originally initiated to fight for the rights of the prostitutes, has now specialised in issues related to trafficking in human beings.

The Belgian government has started a discussion about legalizing sex work and recognizing it as a profession. E.U. and PECO citizens can work in prostitution with work permit. Progress has already been made in the Belgian policy on trafficking in persons. It can be considered a positive example, although much still remains to be done. Both the CD-Rom and the bilateral visit, provided by TAMPEP VI, were very useful tools and positive experiences.

## BULGARIA

In Bulgaria prostitution is neither criminalized, nor legalized. This seems to be an acceptable status quo for the time being. However, there is a lot of confusion between the definitions of prostitution and trafficking. This results in irrelevant measures in both directions.

The last two years have been crucial for prostitution in Bulgaria, as it has become much more migrant and currently 100 % of the SWs we meet plan to go working in Western Europe, where they earn more money and have better working conditions. The past two years have also been important for HESED as a TAMPEP member, because we succeeded to open our first mobile medical unit, to publish Practical Guidelines for STI/HIV/AIDS control among sex workers (for medical staff) and to carry out a series of trainings with police officers.

Health promotion activities among SWs have been endorsed as a national policy and currently there are nine organizations, which are being trained for working with SWs in nine cities of Bulgaria. Hopefully in two years time the services, offered specifically for SWs will be more in number and in better in quality and we will be able to gain a better picture of the actual situation.

## DENMARK

In Denmark approximately 45 percent of the women in prostitution work indoor and about 50 percent of the women prostituting themselves on the street are of foreign origin.

The Danish National Plan of Action against Trafficking in Women has been implemented. The prostitution Unit at VFC Socialt Udsatte is actively involved in the implementation of the plan.

TAMPEP material plays a crucial role in developing information material for foreign women in prostitution. The response to the CD-Rom has been very positive from all the institutions we co-operate with.

## **FINLAND**

The tendency to make strict prostitution laws and to establish restrictive policy seen throughout Europe, is also a reality in Finland. Finland has adopted abolitionist prostitution policy and no clear distinction has been made between sex work and trafficking. The media have linked together prostitution and organized crime and the public opinion has become more open to repressive actions. The police has been very active and many women have been fined and/or deported. Service providers' attitudes have changed in a more positive direction and the need for special services has been acknowledged.

## **FRANCE**

Given the more and more repressive policy, the defence of sex workers gets more and more important. Fragilised by the law concerning the inner security, by the restriction of the access to medical care as well as already marginalised by the public opinion, the defence of their rights and a prevention work adapted to their situation is essential as well for them as for public health in general. This work among the sex workers should necessarily be accompanied by lobbying for their rights and their full place in society.

## **GERMANY**

Germany has, since January 2002, a law on prostitution which no longer considers sex work immoral, which enables sex workers to sign contracts with brothels and to profit from the state social security system. However, as it does only apply for those having a residence and a work permit, it did not

affect the majority, i.e., migrant sex workers. Nevertheless, the EU-enlargement permits that persons coming from the new member state are now able to establish themselves and work as self-employed sex workers in Germany.

The amount of migrants in the German sex industry is around 60%, most of them coming from Middle and Eastern Europe. Sex work is conducted mainly in apartments, brothels, bars and clubs. Since January 2001 there no mandatory health examinations (*Bockschein*) for sex workers anymore.

## **GREECE**

The overriding attitude in Greece regarding prostitution is very conservative and fails to differentiate between the existing prostitution law and the high mobility related to trafficking in human beings. Our NGO has advocated (and continues to do so) for the distinction between the issues of trafficking in persons and prostitution. Secondly, we lobby for the development and implementation of appropriate policies on both subjects. We make it a point to be at the centre of the public debate about this.

The TAMPEP CD-Rom was widely disseminated and the evaluation of its use indicated a very positive response from the contacted organizations. However, very few organizations are in direct contact with migrant prostitutes. The bilateral visit was an extremely successful part of the Tampep 6 project.

## **HUNGARY**

The new law on prostitution has proven to be ineffective. The law has resulted in an increase of street prostitution. The prostitution scene remains very mobile and varying.

During Tampep 6 the national network of NGOs/service providers has been consolidated and further developed. The CD-Rom was a very helpful

instrument in this process. It was highly appreciated by the receiving organizations.

The bilateral visit with TAMPEP in the Netherlands was a very rich experience.

## **ITALY**

The *Committee for the Civil Rights of Prostitutes* is a non-profit association that undertakes a range of activities to aid prostitutes. A founding member of TAMPEP International Foundation, the Committee today effectuates various multilateral projects. The Italian reality in the prostitution scene with many migrant sex workers coming from Eastern Europe and Africa, makes these programmes of invaluable importance.

The Committee is a strong promoter of the TAMPEP philosophy. Many workshops and other events are organized and attended to disseminate the TAMPEP methodology and share experience and expertise.

## **LITHUANIA**

Lithuania is not just a so-called – sending' country of migrant prostitutes, but also a transit country between the CIS (Commonwealth of Independent Countries) and Central Europe. No significant policy or legislative changes with impact on local or migrant sex workers occurred. About 70% of sex workers migrate inside Lithuania – around larger cities and near the state border. Main countries of destination are Germany, England, Norway, Japan, Turkey, Italy, France, etc. Regarding the structure of migrant sex workers, 97% come from Middle and Central Europe (usually from Russia and Belarus), and, which is a quite new phenomenon, from China.

During the past five years significant changes have occurred in migrant and local sex workers access to health care and social services.

## **LUXEMBOURG**

In Luxembourg there's only one service working with sex-workers: the Dropln from the Red-Cross, agreed by the Ministry of Women Promotion.

Luxembourg is very small and there is only street prostitution in Luxembourg Town, where we count about 78% migrant sex-workers. Officially there's only prostitution in private flats and on the street and not in the Cabarets.

Since the first of May 2004 artists visas are no more given to non-EU women to work in cabarets.

## **THE NETHERLANDS**

Since 2000 in the Netherlands have a law legalising the exploitation of prostitution. The law excludes the presence of the women without work permit in the (official) circuits of prostitution. In the country where in the moment of the implementation of the law, 80 % of all sex workers were migrants without legal papers, it means for many of these women going into hiding with the consequences such as more dependency on third parties, lack of access to health and social services, lack of future perspectives.

## **NORWAY**

The period of 2002 – 2004 has brought considerable change in the Norwegian prostitution scene as a result of the increasing number of migrant sex workers. We face more organised prostitution, and in some arenas more competition and tension between the women involved.

There is a political climate for more restrictive regulations and legal action against the visible aspects linked to prostitution (and drug use, begging etc.). The arguments used are often related to "law and order", but can also be protection of public moral or prevention of prostitution. There are strong reactions to these tendencies, so we expect further debate on this.

The TAMPEP methodology of cultural mediators is an established part of Pro

Sentret's work. The challenge is to encourage other services to use this methodology. We also want to have more systematic work on peer-education.

As for the expansion of the EU, we are following the developments closely. Pro Sentret has established good networking/ relations with service providers in the Baltic States. Most migrant sex workers in Norway from the new member states come from these countries up to now.

## **POLAND**

The "TADA" Programme for Prevention of HIV/AIDS and Other Sexually Transmitted Diseases has departments in five Polish cities. This national coverage helps to spread safer sexual behaviour throughout the country. In addition, it provides a good base for the mapping activities which are needed to monitor the highly complex and changeable prostitution scene in Poland.

The Polish legislative and political context of prostitution did not change a lot since TAMPEP 5. Sex work is still neither legal nor illegal in Poland. There is still a high presence of sex workers from CEE countries, many of them illegal, high mobility, trafficked and/or with no social and health support.

## **PORTUGAL**

We consider it a priority to not only to change the law concerning prostitution, but also the public opinion. In a country with strong catholic influences sex workers feel repressed in their work place and in their social life by the authorities and the general population, even though prostitution is not a crime. There is still a lot of work to be done in Portugal. Not only in STD/AIDS prevention, but also in the defense of sex workers' rights. The dissemination of information among both sex workers and the general public should be a key strategy in attaining this goal.

## **ROMANIA**

During TAMPEP 6, ARAS has managed to improve its services, enlarge its area of activity to five other towns and strengthen its role as representative of vulnerable groups. The activities which took place under TAMPEP's umbrella have empowered ARAS. The methodological support was important for the implementation of our activities and the backup of this acknowledged European Network has also helped us in our lobby work with Romanian decision makers.

## **SLOVAKIA**

The situation in the field of sex work has not seen any big changes over the past two years. Although we are obviously working hard to achieve improvements we are glad to see that we are not moving towards more restrictive policies, which puts sex workers in a more stigmatized, hard-to-access, underground situation.

There is a lack of funding for programs for sex workers. These projects are in danger of having to close down.

The public debate is focused mostly on trafficking in human beings. Prostitution is seen as the main purpose for trafficking. The separation between the issues of trafficking and sex work is not clear at all.

The situation with HIV/AIDS is quite optimistic. However, here again there is a lack of services for people living with HIV/AIDS (PLWHA), notably those from an underprivileged social background (problem with homelessness, little access to health care without ID).

## **SPAIN**

Thanks to the support of TAMPEP and ENMP (European Network Male Prostitution) the State Network of Organizations and Projects on Prostitution (ROPP) was developed. We do research and provide services to sex workers.

In Spain, prostitution and other forms of sex work are not illegal. Nevertheless,

prostitution is considered to be in breach of public morality. Although we consider it a positive fact that prostitution is not penalized, the absence of regulation does create a situation in which sex work is done in the margins of the law.

## **UNITED KINGDOM**

There has been little change in the prostitution scene itself in the United Kingdom since TAMPEP Phase 4 despite the introduction of legislation, which has sought to tackle both prostitution and trafficking, Prostitution itself has not diminished within the

United Kingdom and many policymakers fail to see the difference between migrant sex work and trafficking. Levels of migrant sex workers within the sex industry have remained relatively stable, with London reporting a decrease from 80% to 63%. The TAMPEP CD-Rom multi-lingual resources have been welcomed by sex work projects across the UK as a valuable tool for sexual health promotion work with migrant sex workers, which could be further developed in other languages and to cover other important health issues facing migrant sex workers.

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