

Decriminalization of Prostitution to Reduce Sex Workers' Vulnerability to HIV

GLENN BETTERIDGE, JOANNE CSETE,
RICHARD ELLIOTT, RICHARD PEARSHOUSE



Canadian
HIV/AIDS
Legal
Network

Réseau
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VIH/sida

1 Issue

In many countries, including Canada, prostitution — or the activities necessary to carry out prostitution — are illegal. This project assessed the impact of the prostitution-related provisions of Canadian criminal law on the health and human rights of sex workers, including their vulnerability to HIV infection.

3 Results

The criminal law and its enforcement

- reflect and reinforce the stigmatization and marginalization of sex workers,
- limit their choices, often forcing them to work on the margins of society, thereby increasing the risks they face, and
- place sex workers in circumstances where they are vulnerable to high levels of violence and exploitation, as well as potential exposure to HIV.

Both domestic and international human rights conventions offer sex workers the potential for protection. The prostitution-related provisions of the Canadian criminal law give rise to numerous violations of sex workers' human rights, including freedom of expression, freedom of association, liberty, security of the person, and equality rights of women sex workers.

The participation of sex worker organizations in launching the report was crucial. The key messages emphasized that:

- All people in Canada, including sex workers, are entitled to the same health, safety and human rights.
- Canada's outdated criminal law needs to be reformed in order to improve the living and working conditions of sex workers.

Media coverage on the launch of the report was accurate and favourable.

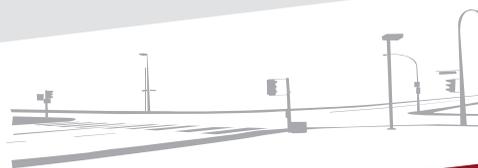
2 Methods

- We studied the prostitution-related provisions of the Canadian *Criminal Code* from a human rights perspective and analyzed their impact on sex workers' lives in light of domestic and international human rights guarantees.
- We consulted key stakeholders, including sex workers, social-scientific researchers and other experts.
- We produced a comprehensive report, a series of information sheets and a plain-language booklet, launched them nationally, and presented them to a parliamentary subcommittee studying prostitution law reform.



4 Conclusion

- Sex workers will continue to experience high levels of violence and other health and safety risks, including the risk of HIV infection, as long as their human rights are not respected and protected in law and policy.
- Decriminalization of prostitution (or activities related to prostitution) is essential to improve the health and safety of sex workers.
- Sex workers must be accorded the right to participate fully in law and policy reform, including participation in the work of human rights and HIV/AIDS organizations.



Contact

Glenn Betteridge
Senior Policy Analyst
gbetteridge@aidslaw.ca

Canadian HIV/AIDS Legal Network
1240 Bay Street, Suite 600
Toronto, Ontario M5R 2A7
Telephone: +1 416 595-1666
www.aidslaw.ca