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Status of Women Sex Workers in Sri Lanka

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1. Background

Statistics on sex work in Sri Lanka indicate between 35,000-47,000 female sex workers¹. A mapping of sex workers in 2010 revealed that an estimated 8,332 female sex workers² are based in Colombo, the business capital of the country. Sex work is widespread in Sri Lanka, and takes place in formal sex work establishments, spas, massage centres, private residencies and hotels, as well as informally through street based sex work, mobile phones/call out services and the internet³. The majority of studies or research that has been conducted has focused on the experiences of street based sex workers, who can be considered the most vulnerable to violence and exploitation. Organizations working with transgender women and men have also reported high levels of violence perpetrated against transgender women, especially by police⁴. The number of high end sex workers in Sri Lanka, which can include but not limited to high end escort services, local and foreign sex workers who work in casinos or clubs is difficult to obtain due to lack of documentation and research.

¹ UNFPA and UNDP (2014) *Sex Work and Violence in Colombo, Sri Lanka: Understanding Factors for Safety and Protection*, (Confidential Report), p.2; The 8th Periodic Report by the Government of Sri Lanka to the CEDAW Committee indicates 40,000.

² National STI/AIDS Control Programme (NSACP) (2010) *Mapping Key Populations for HIV Prevention in Sri Lanka*, p.29

³ UNFPA and UNDP (2014), p.2

⁴ Shadow Report to the CEDAW Committee 2011, Women's Support Group.

This report is a joint effort by five local organisations, namely **Abhimani Women’s Collective, The Stand Up Movement Lanka, Praja Diri Padanama (PDP, Puttalam), Community Strength Development Foundation (CSDF), and Women’s Resource Centre (Kurunegala)**. As organisations working with sex workers, this report is an effort to highlight the lack of recognition for the rights of women sex workers, and the lack of visibility of grave and serious rights violations of sex workers by State and non-State actors in Sri Lanka. Initial discussions among the five organisations took place in June 2016, and a consultation workshop and training on data gathering was conducted on 21st and 22nd October 2016. The draft report was compiled by lawyer and activist⁵ and presented to the group at a validation meeting on 6 January 2017. This report highlights the experiences of 30 sex workers from 10⁶ Districts in Sri Lanka. The names of sex workers who shared their experiences have been changed to ensure confidentiality.

2. Legal Framework

The most commonly abused law to harass street based sex workers is the Vagrants Ordinance of 1841. The archaic law grants police the power to arrest, without warrant *‘every common prostitute wandering in the public street or highway, or in any place of public resort, and behaving in a riotous or indecent manner’*⁷ with a punishment of 14 days imprisonment and/or fine. Section 7(1)(a) prohibits public soliciting *‘for any act of illicit sexual intercourse or indecency’*, carrying a punishment of 6 months imprisonment, or fine of Rs.100, or both. While the wording of Section 7(1)(a) can be interpreted to mean both the client as well as a potential sex worker, police routinely target women sex workers. Even where clients are arrested, they are rarely produced before court. In case of a second offence, the Court may direct a female to a detention home. Section 9 of the Vagrants Ordinance makes it a crime to live off the earnings of prostitution, and Section 11 penalizes *‘every person, having the custody, charge or care of a girl, who causes or encourages the seduction or prostitution or unlawful carnal knowledge of the said girl’*.

Section 2 of the Brothels Ordinance of 1889 stipulates that anyone who *‘keeps or manages or acts or assists in the management of a brothel’*⁸ is guilty of an offence and punishable with a fine of Rs.500 or 6 months imprisonment or both. This Section also penalizes any *‘tenant, lessee, occupier or owner who knowingly permits such premises or any part thereof to be used as a brothel, or for the purpose of habitual prostitution’*. Section 4(1) provides a landlord or lessor the right to request Court to terminate a tenancy if a tenant is convicted of an offence in Section 2. If the Landlord fails to exercise this right, and the tenant is

⁵ This report was compiled by Thiagi Piyadasa, Attorney-at-Law.

⁶ Kurunegala, Colombo, Ratnapura, Galle, Ratnapura, Puttalam, Polonnaruwa, Anuradhapura, Vavuniya, Gampaha

⁷ Section 3(1)(b) of the Vagrants Ordinance 1841

⁸ Section 2(a) of the Brothels Ordinance of 1889

subsequently convicted for an offence under this Ordinance, the landlord or lessor may be deemed to have knowingly abetted⁹.

Section 360A of the Penal Code as Amended by Act No.22 of 1995 criminalizes procuring or attempting to procure a male or female, of any age, with or without their consent from Sri Lanka or outside for prostitution, or as an inmate of a brothel. This offence carries a punishment of a minimum of 2 years and maximum of 10 years imprisonment and fine.

The Convention on Preventing and Combating Trafficking in Women and Children for Prostitution Act 2005 defines trafficking as '*moving, selling or buying of women and children for prostitution within and outside the country for monetary or other considerations with or without the consent of the person being subjected to trafficking*'.

3. Status of Women Sex Workers in Sri Lanka

3.1. Discrimination

The stereotyping of sex work, and women sex workers in particular, as individuals with loose morals, criminal, undeserving, and of bad influence, is perpetuated in every quarter in society to the extent that many sex workers believe themselves to be unequal or even criminals.

Stigma and discrimination of sex work by society has wide ranging effects. One negative impact is seen with regard to children of sex workers. Ishwari,¹⁰ a sex worker who gave an interview to a local language newspaper, which also carried a picture of her, faced a lot of harassment not only from her neighbours but particularly from the parents at her child's school. The parents demanded that the school remove Ishwari's child immediately claiming that Ishwari's child is a bad influence on their children.

Where schools refuse to enroll children of sex workers, the women are forced to migrate to another village/town or send the children to live with a relative. Sex workers also report barriers to obtaining basic documentation like marriage certificates¹¹, birth certificates and approvals from the local Grama Niladhari (Administrative Officer) which are mandatory documents to admit children to school. On certain occasions sex workers are forced to put down a name for the father of a child, and where they fail to do so, the certificate is not issued.

The UNFPA and UNDP study reported that sex workers participating in the 2015 study from Sri Lanka '*experienced abuse not just from intimate partners but also from their partner's family, from in-laws or other relatives after the death of a husband or separation, sometimes being thrown out of the house or during a fight for custody of a son.*'¹²

⁹ Section 4(2) of the Brothels Ordinance of 1889

¹⁰ Case Study 5, Ishwari, 46, Ratnapura and Colombo

¹¹ Case Study 24, Nishadhi, 26 years, Polonnaruwa, North Central Province

¹² UNFPA and UNDP (2015), Sex Work and the Law in Asia and the Pacific, *HIV and human rights in the context of sex work*, p. 85

3.2. Employment

Sex work in private is not illegal in Sri Lanka, however there are many instances where women sex workers who are based in streets, brothels, massage parlours and spas have been arrested, produced before court and fined or imprisoned¹³. Faced with the constant threat of criminal action, women sex workers in Sri Lanka are unable to organize or benefit from Sri Lanka's labour framework such as demanding safe and dignified working conditions or obtain social security benefits. Furthermore, sex workers are prevented from declaring their income for fear of being arrested, and due to laws that make it illegal to live off the earnings of prostitution¹⁴.

In Sri Lanka, the police often arrest sex workers and use condoms in their possession as evidence of intention to engage in sex work¹⁵. Organisations report that high ranking Police officers have openly declared this practice to be in violation of the rights of sex workers and have stated that sex workers arrested under such circumstances should report the violation to the Office-in-Charge of the relevant Police Station. In practice however sex workers fear to report such instances for fear of reprisal. CSDF reports that women working in spas and massage parlours cannot carry any condoms in their hand bags. Police decoys will check their belongings, and often take any belongings in the hand bags, especially money. Many clients, brokers or procurers take advantage of the lack of legal protection to exploit women sex workers¹⁶. Premalatha a sex worker from Kurunegala stated that she experiences physical violence from clients. Women who engage in sex work face a lot of violence because sex work has no protection within the law. Because sex work is illegal, hotel owners and procurers/brokers exploit women. They have no opportunity to speak up for their rights and are at the mercy of hotel owners¹⁷. Furthermore, certain brothel owners or hotel owners only pay the sex worker one third of the fee¹⁸, but the sex worker is unable to complain against this injustice.

It is important to note that the Independent Commission on AIDS in Asia¹⁹, UN Special Rapporteur on Right to Health²⁰, Global Commission on HIV and the Law²¹ and UNDP Asia Pacific²² have recommended the decriminalization of sex work involving consenting adults. In fact, in 2013 the CEDAW Committee recommended that the Government of Hungary

¹³ Case Study 3, Chathu, 40 years old, Kollupitiya, Western Province; Case Study 7, Muditha, 38 years old, Polonnaruwa, North Central Province; Case Study 11, Rita, Puttalam, North Western Province .

¹⁴ Section 9, Vagrants Ordinance

¹⁵ Reported by CSDF and Abhimani

¹⁶ Case Study 1, Premalatha, 30, Kurunegala, North Western Province; Case Study 25, Kusum, 65 years, Polonnaruwa, North Central Province; Case Study 27, Menike, 42 years, Polonnaruwa, North Central Province

¹⁷ Case Study 1, Premalatha, 30, Kurunegala, North Western Province;

¹⁸ Case Study 10, Nadeesha, 26, Polonnaruwa, North Central Province, Case Study 9, Kumari, 33, Vavuniya, Northern Province; Case Study 2, Irosha, 23, Kurunegala, North Western Province.

¹⁹ Commission on AIDS in Asia (2008), *Redefining AIDS in Asia, Crafting an effective response*, New Delhi: Oxford University Press.

²⁰ Human Rights Council, *Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health*, Anand Gover, AJ HRC/14/20, 27 April 2010.

²¹ UNDP (2012), *Risks, Rights and Health*, Global Commission on HIV and the Law. New York, UNDP. p 39.

²² UNDP (2012), *Sex Work and the Law in Asia and the Pacific, HIV and human rights in the context of sex work*. p 34- 39

adopt measures to prevent “discrimination against sex workers and ensure that legislation on their right to safe working conditions is guaranteed”²³.

The criminalization of sex work in public and in brothels denies sex workers the right to safe working conditions. As stated by Muditha, “***..I do this because I have no other means of supporting myself. There is a demand. But we face a lot of harassment in society. If we have the protection of the law, then we may have less problems from society***”²⁴. Provisions in the Penal Code, namely 360A and anti-trafficking laws deny sex workers the right to choose a profession of their choice.

3.3. Health

While healthcare is free in Sri Lanka, and free clinics for Sexually Transmitted Diseases (STDs) are available, sex workers report facing discrimination by medical personnel who look at sex workers as ‘dirty’ or ‘unclean’²⁵. Priya, a sex worker from the Katunayake Free Trade Zone described how the Public Health Midwife insulted her and refused to visit Priya and her new born baby, because she was a sex worker. The PHM visited another infant and mother next door to Priya.²⁶ Street based sex workers are especially vulnerable to be rejected medical treatment or testing due to these reasons. Due to this stigma and ill treatment at the hands of health personnel, many sex workers resist seeking medical attention which puts their life and health at risk²⁷. Sex workers who newly enter the field have indicated that they didn’t have access to information on health services and clinics. They were informed of this by other sex workers²⁸.

According to the UNFPA and UNDP study 5 out of 30 participants were HIV positive, and all 5 reported negative experiences in healthcare settings²⁹.

3.4. Discrimination in Economic and Social Life

Women sex workers are denied access to loans and financial credit. In many instances the financial institutions or banks require two guarantors or an endorsement by a public official to approve a loan. While this may not appear to be discriminatory from a non-sex worker perspective, the stigma that surrounds sex work limits her social capital, and furthermore, many sex workers do not have a national identity card, and do not own property that can be used as collateral. Connected to this issue of applying for loans, is the discrimination surrounding sex workers from declaring their source of income. Similarly, Nadeesha, 26

²³ UN Committee on the Elimination of Discrimination against Women, Concluding Observations on the combined seventh and eight periodic reports: Hungary, 26 Marc 2013, CEDAW/C/HUN/CO/7-8

²⁴ Case Study 7, Muditha, 38, Polonnaruwa, North Central Province. Similar sentiments expressed in Case Study 8, Maliya, 39, Vavuniya, Northern Province.

²⁵ Reported during Consultation held in October, Abhimani reports that this is particularly applicable to transgender sex workers; Case Study 28, Dulanjali, 26 years, Giritale, North Central Province

²⁶ Case study 21, Priya, 34, Katunayaka, Western Province.

²⁷ Case Study 8, Maliya, 39, Vavuniya, Northern Province.

²⁸ Case Study 9, Kumari, 33, Vavuniya, Northern Province.

²⁹ UNFPA and UNDP (2015), p.84

years, states that the bank loan forms require her to declare any previous offences. As she has been arrested by the police and fined, she is unable to apply for a loan³⁰.

Sex workers also report being driven out of their homes by angry neighbours³¹. Ishwari a sex worker operating in Colombo was beaten by her neighbours when they found out she was a sex worker. She was forced to seek alternate accommodation³². The stigma is motivated by a patriarchal understanding of morality that dictates how women should and should not behave, denying women free choice in almost all aspects of their life. Organisations working with sex workers report that where the landlord is aware that the woman is a sex worker, the landlord would demand exorbitant rent. The UNFPA and UNDP study reported that in Sri Lanka, *'a few female participants reported demands for sex from male neighbours because they were perceived as sexually available due to their sex work.'*³³

In the event of natural disasters such as floods, the State provides aid to residents. However, sex workers are prevented from obtaining such aid due to lack of identification documents like the NIC, and because they are unable to prove residency, especially when they work in brothels or seek housing in a boarding. Sex workers rarely speak out against such discrimination due to fear of stigma and marginalization.

3.5. Violations of the Right to Equality in Law

The policing of sex work in Sri Lanka can be understood primarily as a function of morality and discrimination. It is mostly women sex workers who are targeted for punitive action. Organisations report that often during raids, though clients are present only sex workers are arrested. In certain situations women are arrested while they undertake daily activities like marketing or taking their children to school³⁴. For example CSDF reported one instance where a sex worker who stopped for a drink at a crowded bus terminal was arrested for speaking to a known male from her village.

The 8th Periodic Report by the Government of Sri Lanka to the CEDAW Committee acknowledges that 472 sex workers were arrested in 2014, and 90 percent were women, counter to the previous recommendation of the Committee.³⁵ ³⁶In many instances police rarely have any proof that the woman sex worker was soliciting in public but rather recognizes her as being a sex worker, and targets her purposefully³⁷. Once arrested sex workers are forced to plead guilty when produced before court. When they refuse and the case is prolonged, there are instances when the judge also suggests that the sex worker plead guilty for the sake of expediting the matter.³⁸ Furthermore, sex workers find it difficult to secure sound legal representation, and when they do, it is at a cost, therefore

³⁰ Case Study 10, Nadeesha, 26 years, Polonnaruwa, North Central Province.

³¹ Case Study 26, Renu, Polonnaruwa, North Central Province

³² Case Study 5, Ishwari, 46, Colombo, Western Province

³³ UNFPA and UNDP (2015), p.81

³⁴ Consultation in October 2015; Case Study 27, Menike, 42 years, Polonnaruwa; Case Study 22, Lalitha, 50 years, Polonnaruwa District, Case Study 24, Nishadhi, 26 years, Polonnaruwa, North Central Province.

³⁵ CEDAW/C/LKA/CO/7, para. 29

³⁶ List of issues in relation to the 8th Periodic report of Sri Lanka, pp. 4 and 5

³⁷ Reported and confirmed by CSDF and Abhimani and Case Studies 22, 24 and 27 cited above.

³⁸ Case Study 3, Chathu, 40 years, Kollupitiya, Western Province;

they are compelled to plead guilty to avoid paying exorbitant legal fees. Many sex workers do not have a clear understanding of their rights, legal provisions and more significantly, do not wish to stand up against law enforcement for fear of repercussions³⁹. Organisations also report that in certain instances sex workers prefer to plead guilty as they will be released after paying the fine, and can return to work faster than if they pleaded not guilty. Transgender women sex workers who are arrested are often kept over night and forced to dress like men while in custody⁴⁰. They are often picked up by police purely because they are transgender⁴¹.

Organisations⁴² report instances where once arrested, the police produce the sex worker before a Magistrate and obtain a Court Order compelling the sex worker to obtain a blood test. The sex worker is then taken to a clinic for the blood test. The blood test report can take upto 14 days and during this time the sex worker is remanded or granted personal bail. There is no specific law governing this practice, it is purely dependent on police discretion. According to these organisations, medical personnel implicitly approve of this practice where sex workers, once arrested are required to take blood tests, as sex workers do not regularly visit clinics for check ups.

3.6. Discrimination in Civil and Political Life

In Sri Lanka, in order to cast your vote at an election, an individual must be registered with the local Grama Niladhari (Administrative officer) and possess a valid National Identity Card or any other State issued ID. In order to be registered and obtain these documents, individuals are required to establish proof of residency. However, many sex workers do not work in their own villages due to fear of people finding out or because neighbours have protested their presence in the village⁴³, and therefore do not have means of proving residency. Certain government officials discriminate against sex workers and refuse to enter the woman's name into the electoral register⁴⁴. This means that many sex workers are prevented from casting their vote and are denied the right and opportunity to participate in political life.

Sex workers also report not wanting to obtain or maintain a National Identity Card because it would make them more vulnerable to targeted violence, either by society or police who can easily identify the women⁴⁵.

Despite being the breadwinner in the family, sex workers are sometimes forced to write their property over to their partners or children. Sex workers are sometimes compelled to seek the assistance of their extended family for the care of their children, and some report losing property as a result⁴⁶.

³⁹ Reported by CSDF

⁴⁰ Case Study 17, Wasanthi, Fort, Western Province

⁴¹ Case Study 19, Sumana, Bambalapitiya, Western Province

⁴² Reported by CSDF, Abhimani, Standup Movement and Praja Diri Padanama

⁴³ Case Study 23, Kumari, 37 years, Polonnaruwa District, North Central Province

⁴⁴ Reported by Standup Movement

⁴⁵ Reported during the October 2016 consultation

⁴⁶ Case Study 6, Roshini, 45, Chilaw, North Western Province

3.7. Physical and Gender-based Violence

*Sex workers are especially vulnerable to violence because their status, which may be unlawful, tends to marginalize them. They need equal protection of laws against rape and other forms of violence. **General Recommendation 19, CEDAW***

Sex workers often experience a cycle of violence through their life time which includes abuse and harassment by close family members, exploitation by clients, managers, violence by police, arbitrary arrests and social exclusion. The UNFPA and UNDP study in 2015 reported that 23 out of 30 participants from Sri Lanka reported intimate partner violence, including being raped.⁴⁷ In general Sri Lanka has a poor track record of efficient processing of sexual harassment and sexual violence complaints. Furthermore, due to the stigma attached to sexual abuse, many women do not come forward to report violence perpetrated against them⁴⁸. Women sex workers do not come forward because there is a tendency for police to disbelieve or disregard sexual violence perpetrated against sex workers.

Sex workers also face violence due to rivalry in the business. In one instance three transgender women sex workers were beaten by a politician's thugs for apparently stealing his clients⁴⁹. The police did not take any action.

3.7.1. Police (or armed forces)

Women sex workers face sexual, physical and emotional violence by the police. This can include use of abusive language when sex workers come forward to report or seek assistance from the police⁵⁰, rape while in police custody, humiliating and degrading treatment, and beatings⁵¹. Police and armed forces also perpetrate violence against sex workers who refuse to service them⁵².

For example, Muditha became a sex worker when she was 17 years old. She has two sons. She works in Polonnaruwa. Sex work is her livelihood, however she lives in constant fear. She says it is difficult to go on the street to even buy anything. Society has 'labelled' sex workers and there is a lot of harassment by police. She asks, ***"the Loku Mahaththaya (big man) hits us and drags us. Can they hit women like that?"***⁵³. In 2014 a policeman public beat a sex worker in a public bus terminal in Ratnapura. The incident was caught on a phone camera and circulated via youtube. The woman in question claimed the policeman beat her because she refused to provide sexual favours.

⁴⁷ UNFPA and UNDP (2015), pp.77 and 78

⁴⁸ Case Study 14, Agnes, Kadawatha, Western Province

⁴⁹ Case Study 18, A group of three transgender sex workers, Negombo, Western Province

⁵⁰ Incident reported at Consultation in October by Manoranjini

⁵¹ Case Study 10, Nadeesha, 26, Polonnaruwa District, Case Study 23, Kumari, 37 years, Polonnaruwa District; Case Study 27, Menike, 42 years, Polonnaruwa District; Case Study 28, Dulanjali, 26 years, Giritale, North Central Province.

⁵² Case Study 8, Maliya, 39, Vavuniya, Northern Province; Case Study 16, Priya, Kiribathgoda, Western Province; Case Study 20, Dilini, Wellampitiya, Western Province.

⁵³ Case Study 7, Muditha, 38, Polonnaruwa, North Central Province.

Police also fail to accept complaints of sex workers who report rape, sexual violence or being forced into a contract⁵⁴. Rasanthi, for example, was raped by 20 men, and when she reported this to the police, the police took the side of the perpetrator and convinced Rasanthi not to make a complaint. Money was offered to buy her silence. Finally however, Rasanthi was not given any money, and the police also refused to accept her complaint⁵⁵.

The UNFPA and UNDP study revealed that *'nearly half of all the female participants (16 of 35) reported that they had been held in such facilities. These female participants were detained and isolated from their children and families with no trial or option to appeal. In those settings, violence was reportedly committed by the warden, officers and other prison staff as well as other inmates, with sex workers at the bottom of the hierarchy of prisoners'*⁵⁶.

3.7.2. Clients and Procurers/Brothel Owners

Because in practice, sex workers are deemed criminals, women sex workers are vulnerable to violence and exploitation by clients. Sex workers report physical violence by clients⁵⁷, being forced to perform sexual activity against their will, rape⁵⁸ and being cheated of money and jewellery⁵⁹. According to the UNFPA and UNDP study several participants from *'Sri Lanka reported being raped at knifepoint by persons posing as clients, and this cut across gender categories'*⁶⁰, similarly *'emotional violence, including verbal abuse, threats of violence and intimidation, was reported by the majority of participants in Sri Lanka.'*⁶¹

Sex workers are also vulnerable to exploitation by procurers and brothel owners. Maliya, 39 who works in Vavuniya stated ***"We face a lot of danger. There should be legal protection for those engaged in sex work. I don't want to stop sex work. All I ask is for the harassment by police to stop. There are many who do this work but they all live in hiding. We want to come forward in society."***⁶²

3.8. Trafficking

Sri Lanka's anti-trafficking laws conflate trafficking with consensual sex work. Therefore, women of any age, are not given a choice to enter the trade. Women who reported being trafficked into the industry, also made it clear that at present they continue to engage in sex work out of their own choice, as it offers them the best possible income⁶³. Kumari, a sex worker from Vavuniya in the Northern Province stated that ***"I don't want to leave this***

⁵⁴ Case Study 20, Dilini, Wellampitiya, Western Province.

⁵⁵ Case Study 4, Rasanthi, 46, Galle, Southern Province

⁵⁶ UNFPA and UNDP (2015), p.69

⁵⁷ Case Study 1, Premalatha, 30, Kurunegala, North Western Province

⁵⁸ Case Study 8, Maliya, 39, Vavuniya, Northern Province

⁵⁹ Case Study 6, Roshini, 45, Chilaw, North Western Province.

⁶⁰ UNFPA and UNDP (2015), p.72

⁶¹ UNFPA and UNDP (2015), p.71

⁶² Case Study 8, Maliya, 39, Vavuniya, Northern Province

⁶³ Case Study 1, Premalatha, 30, Kurunegala, North Western Province; Case Study 2, Irosha, 23, Kurunegala, North Western Province; Case Study 9, Kumari, 33, Vavuniya, Northern Province.

work. We have important people coming to us as clients. But if the police see us on the road, they arrest us. There is no acceptance by society for sex workers. They despise us.”⁶⁴

Anti-trafficking laws are also used to question and intimidate women sex workers who travel overseas. Unlike the average overseas passenger, women sex workers are sometimes stopped and questioned on their reasons for travel, duration of stay, how they are financing the trip and their contacts abroad⁶⁵. This restricts the rights of sex workers to travel, and participate in international meetings to represent the country abroad. Therefore, anti-trafficking laws work to push women sex workers further away from the protection of the law as it criminalizes consensual sex work.

4. Recommendations to the State

- 1) Repeal the Vagrants Ordinance, and issue directives to police officers to desist from arresting sex workers, in keeping with the recommendation by the CEDAW Committee, and the Recommendations of the Task Force on Violence Against Women and Girls.
- 2) De-criminalise sex work to ensure that sex workers will have protection from violence and exploitation, access to better working conditions, access to social welfare benefits and the right to freely engage in their employment without fear of reprisal or violence by the State.
- 3) Stop the conflation of trafficking for sexual exploitation and sex work. Ensure that anti trafficking laws and strategies do not negatively impact the human rights of sex workers.
- 4) Make legal services including information, advice and litigation, freely available through legal programs to sex workers, and ensure sex workers are informed of these services by taking appropriate steps.
- 5) Ensure non-discrimination in healthcare services, including STD Clinics by providing training, sensitizing of healthcare personnel.
- 6) Ensure that all sex workers, and their children are provided with relevant identification documents to facilitate full engagement in civil life.
- 7) Ensure non-discrimination in education for children of sex workers.
- 8) Amend Penal Code Section 360A and relevant provisions in the Anti-Trafficking laws to de-criminalises consensual sex work.

⁶⁴ Case Study 9, Kumari, 33, Vavuniya, Northern Province.

⁶⁵ Consultation in October 2015 in Colombo.