

**National Consultation on Protecting Rights and Dignity of Sex Workers**  
**Organized by**  
**All India Network of Sex Workers, (AINSW)**  
**Constitution Club, New Delhi, 21- 22 August 2013**

**Executive Summary**

The All India Network of Sex Workers (AINSW), which was formally registered in 2011, is a national level network of over 80 affiliated sex workers' organizations that has been championing the cause of more than 3 million sex workers (Male, Female and Transgender) in the country. It represents the true spirit of the sex worker collectives who have been playing a decisive role in HIV prevention efforts and are now aspiring to achieve the social position its members are entitled to.

Following the International AIDS Conference 'Hub' held in Kolkata in July 2012, AINSW has been working to advance the 'Kolkata Platform of Action' and take forward the fight against exclusion and discriminatory practices against sex workers and other most at risk communities.

In continuum with these efforts AINSW organised a two-day consultation at the Constitution Club, in New Delhi, on 21st and 22<sup>nd</sup> August, 2013, to advocate for its major demands before government stakeholders, pursue the Freedom Charter or Kolkata Declaration and launch a national level campaign to take forward the commitments made by the community in these landmark documents.

The Consultation brought together AINSW members from over 16 states and other stakeholders to deliberate on the pressing concerns of the sex workers. One of the major demands raised by the community was for the 'recognition to sex work as work'. To explain this demand AINSW representatives pointed out that almost a third of their families survive solely on the sex worker's income; thereby coming under the woman-headed household category. Their other major demands were that of: due recognition as citizens and entitlement to all the rights given to others informal sector workers; because of specific nature of their work, wherein there is no typical employee-employer relationship or permanent place of work. An end to the violence that is a part and parcel of sex work and more importantly, the repeal of the proposed amendments in the ITPA Act that sought to criminalize sex work as well as the clients of the sex workers.

While making these demands, AINSW members reiterated that sex work cannot be abolished through coercive means and punitive laws and stressed that any efforts to improve the quality of their lives including their family members should be done in collaboration with their collective because they alone can provide the solutions. They also called on government and policy makers to engage with deeper structural barriers such as poverty, gender discrimination and irrational laws and policies what indirectly enhanced social inequities and marginalization of sex workers' communities. To view sex work as a moral condition instead of livelihood option for a section of women in our society helps perpetuate stigma and social discrimination what has become a routine experience in their day to day life and practices.

In this regard, they drew the attention of the stakeholders who were present to the systemic and structural barriers that hinder their access to social entitlements meant for them and their children; be it to access citizenship documents like Voter Card and

Aadhaar Card, welfare schemes like pension or educational facilities for their children. It was also pointed out that while persistent engagement as collectives had resulted in some positive changes, the lackadaisical and oft times delayed official responses was making it difficult to keep up the momentum and motivation of community members.

The unified and focused stand taken by the community to influence and impact perspectives, policies and programs that get formulated, legislated, and resourced by the concerned ministries and departments of the Government succeeded in garnering the support of the stakeholders who participated in various sessions. This included: Parliamentarians, delegates from Planning Commission, National Women's Commission, National Rural Livelihood Mission, National Mission on Empowerment of Women, NACO and representatives of AINSW support organisations across the country.

Admitting that there were challenges in the delivery of entitlements some of the stakeholders, on their part, suggested a two-fold approach for dealing with this issue; the sensitisation of government officers on the concerns of sex worker community along with strong advocacy by the community's collectives. Other suggestions were that of: persuading state governments to implement some of the favourable policy level changes, such as inclusive approach of the 12th Five-Year Plan, Linking of existing social protection schemes of the government rather than having separate programmes for sex workers. Bring flexibility into schemes so that women in all social sections can avail of the benefits and implementing special support measures, on an urgent basis, for the children of sex workers such as day and night shelters and residential schools. And most importantly address the violence that is being perpetrated in sex work settings by the police, brokers, pimps, brothel owners, partners and even clients.

With regard to the demand for repeal of ITPA, all the speakers who touched on legal issues were in favour of decriminalising sex work and distinguishing trafficking from sex work and called for legal reforms to prevent conflation of sex work and trafficking. It was also felt that the police and the judiciary should be sensitized through their training institute viz. the Police Academy for police personnel and the National Judicial Academy for the judiciary involving sex workers representatives as resource person.

The speakers, one and all, applauded the immense contribution made by the community to the success of the HIV prevention programme and their collective strength in addressing issues faced by them. While doing so it was also suggested that to grow even stronger, sex workers movements like AINSW should join hand with other like-minded struggles for social equity.

## **SNAPSHOTS OF CONCERNS RAISED BY THE COMMUNITY OF SEX WORKERS: COMMITMENTS MADE BY POLICY MAKERS, DECISION MAKERS AND CIVIL SOCIETY LEADERS**

### **Social Protection of sex workers and their family members**

#### **Ms Jayamma, Board Member and Joint Secretary, AINSW:**

“Because of sustained efforts for the last ten years almost 60% of sex workers linked to various CBOs in Andhra Pradesh possess Ration Cards, Voting Cards and other documents.

CBOs have also learnt to do advocacy and to access government schemes and programmes that are helpful to them. During 2011, the Project Director, APSACS also took positive steps to support the education of our children.”

**Ms. Anu Swami, Aastha Parivar, Mumbai:**

“Because of poor facilities our children cannot continue their schooling after Class VII. The government should give free education to our children up to class X. We are severely handicapped because we do not have proof of identity.”

## **COMMITMENTS:**

### **Policy Makers**

**Mr Barun Mukherjee, MP:**

“Their children must be given an education, they must be established in society and they should be given all opportunities to earn their own rights in life.” As a Parliamentarian he expressed his willingness to support the crucial demands of the sex workers.

**Dr. C Rangarajan, Economic Advisor to Prime Minister:**

“Now the time has come to reduce their social vulnerability by developing a systemic and comprehensive action plan. This would involve improving their self worth and perceptions of women of value; mainstreaming them into all social activities, guaranteeing the same level of confidentiality and dignity that they got in the HIV prevention program, making them eligible to get access to all the government programs and welfare schemes – ration cards, housing, loans to take up enterprises, old age pensions, scholarships for children to study etc.”

**Dr. Syeda Hameed, Member, Planning Commission of India:**

“Women face multiple vulnerabilities and all women cannot be treated as one and the same. Therefore, schemes and programmes that are designed for them should be flexible enough so that women in all social sections get benefits”.

### **Decision Maker**

**Ms. Aradhana Johri, Additional Secretary, NACO:**

“As a next step to protect rights of people in high risk groups, NACO is linking sex workers and marginalised groups with social protection schemes implemented by different government departments. Sex workers organisations and networks should become aware and informed and link up with government programmes. It is essential to link up with existing government schemes and access them.”

**Ms. Sarada Murleedharan, NRLM:**

“Sex workers are doubly disadvantaged. Exclusion and marginalisation are indicators of deprivation which is a kind of poverty. Therefore they fall in the purview of the NRLM mandate. Sex workers can access various social entitlements and assert their right to credit provided under NRLM. We would also like to strengthen community ownership of the programmes.”

**Ms. Rashmi Singh, Mission Director, National Mission for Empowerment of Women:**

“In these consultations sex workers shared the problems they face in getting benefits of schemes and programmes. The government representatives have given a commitment to remove access barriers by making appropriate changes in policies and improving upon their execution. On the basis of the three consultations NMEW and CFAR have evolved a ‘Social Inclusion Plan’, and NMEW hopes it will become a roadmap for further developments.”

### **Civil Society Leader**

**Mr. Harsh Mander, Director, Centre for Equity Studies & Special Commissioner to the Supreme Court of India in the Right to Food:**

“The government should have shelters for children of sex workers and also accommodate them in residential schools where they can continue their studies and go back to their mother whenever they wish.”

### **Livelihood; Inclusive Development**

#### **Concerns**

**Sultana, Board Member, AINSW, Rajasthan:**

“We want people to understand that sex workers were not born as sex workers; they have their reasons and problems for doing this work. But that does not mean they can be repressed and humiliated.”

### **COMMITMENTS:**

#### **Policy Maker**

**Mr Barun Mukherjee, MP:**

“Forty million sex workers is a huge number, a great workforce. They are working for their livelihood so they should get due dignity”.

### **Health Care**

#### **Concerns**

**Ms. Bhagyalakshmi, Ashodaya, Karnataka:**

“Sex workers’ collective has grown stronger over the years, both in terms of numbers and in terms of awareness. Moreover, because of our sustained efforts there is a better response to health services from the community. For example, more than 80% use condom which is a major shift from the time when it was just 8% usage. This is clearly a result of community ownership.”

## **COMMITMENTS:**

### **POLICY MAKERS**

**Shri Oscar Fernandes**

**Union Minister of Surface Transport and Highways Minister and Founder member of Parliamentary Forum on AIDS, Government of India:**

"I appreciate your efforts and initiative to come forward and contribute significantly in the prevention of HIV."

**Mr. Basudeb Acharia, MP:**

“Mr. Acharya also lauded the role played by of sex workers’ collectives in controlling HIV/AIDS and called on the government to take due cognizance of this fact.”

### **DECISION MAKERS**

**Lov Verma, Secretary, DAC:**

“There are 31 lakh positive persons who are being provided with care and support. HIV prevalence among sex workers in 2003 was 10.3% and in 2013 it is 2.6%. Prevalence of HIV in the whole country is 0.27%. Moreover, there are 8.68 lakhs sex workers in the country and 85% i.e., 7.39 lakh have been covered through 548 Targeted Intervention Programs. By NACP - IV we intend to take the coverage to 100% and integrate RCH and TI in NRHM along with counselling for both HIV and HIV/TB to co-infected individuals. The ASHA workers program will also be integrated.”

**Ms. Aradhana Johri, Additional Secretary, NACO:**

“Earlier the HIV prevalence was high in sex workers, but in the latest sentinel surveillance it has come down to 2.6%. Since it was the result of peer led programmes sex workers deserve the credit for this achievement. Along with the formation of CBOs we are also emphasizing on the rights of sex workers.”

**Ms. Meenakshi Dutta Ghosh, Former Secretary, Ministry of Panchayat and Rural Development, Govt. of India:**

“One of the critical needs of PLHIVs is their nutrition security, which must be ensured. I think one should not rely only on HIV programmes and must also access multi-sectoral provisioning. For instance, government programmes like ICDS, BMGF and others are also providing nutrition supplement programs which should be accessed.”

## **UN REPRESENTATIVES**

### **Mr. Oussama Tawil, UNAIDS:**

“It is important to reduce risk factors, promote protective practices and access to health care, support socio-economic measures and work in a comprehensive manner for effective HIV prevention. It is also important to recognise sex workers as key actors in designing, implementing and monitoring programmes meant for them.”

### **Mr. Venkatesh Srinivasan, UNFPA:**

“NACO has launched the targeted intervention program but reproductive health and HIV/AIDS is interconnected and NACO should take this into consideration.”

## **SCIENTIST**

### **Mr. R. Gangakhedkar, Senior Scientist of NARI:**

“The biggest success of the HIV program is that the voices of SWs, MSMs and IDUs are being taken into account while making policies. Credit also goes to the sex workers for making the HIV program a success. NACO should look into the Rights of sex workers.”

## **POSITIVE NETWORK**

### **Ms. P. Koushalya, President PWN+:**

“Though we have contributed significantly in reducing the spread of infection, we are still struggling to get recognition for our collective efforts.”

## **Sex work and the legal framework**

### **Concerns**

### **Ms. Bharati Dey, President, AINSW**

“AINSW seeks recognition for sex work as work and the inclusion of sex work in labour laws. We also demand decriminalisation of sex work and the repeal of ITPA since it is used against us to suppress us. We also want better safeguards for our children and they should get proper education. We also consider trafficking is a serious crime and our CBO is effectively working through our self regulatory board to address trafficking and entry of minor girls into sex work.”

## **COMMITMENTS:**

## **POLICY MAKERS**

### **Mr. Avijit Mukherjee, MP:**

“Several Laws have been enacted in our country but their implementation is problematic. Justice should not be meddled with by the prejudices of people responsible for implementing the law. Enactment of laws should be amiable to persons for whom it is made.”

### **Dr. Syeda Hameed, Member, Planning Commission of India:**

“I think the issues of sex workers and that of trafficked women are two different issues and they should not be mixed up. This is what they are asserting by getting organised. I appreciate their strength in addressing issues faced by them. These communities are at the cutting edge of inclusive growth.”

### **Ms. Charu Wali Khanna, Member, National Commission for Women:**

“Sex workers are social workers as they do welfare for society. If they were not there violence against women would have been much more severe. Many people visit sex workers. The Police and law enforcement agencies have no right to question their character or disregard their right to say ‘no’. If legislators and law maker are sensitive to your demands no one can prevent you from getting the identity of a worker”. Ms. Khanna also recounted how the sex workers collective had successfully stalled an “undesirable amendment in ITPA”.

## **DECISION MAKER**

### **Ms. K. Sujatha Rao, Former Secretary, Ministry of Health & Family Welfare, Government of India:**

“Sex workers are also human beings who have their choices and vulnerabilities so they should not be judged on moral grounds. I do not think criminalising clients will help in any way, but in increasing violence. I will not subscribe to it as it will not be good in public policy terms.

“NCW believes that sex workers cannot be discriminated against because of the nature of their work. NCW also believes that trafficking and sex work are different and that they should not be treated as one and the same.”

“Human trafficking is a serious crime and should be equated with organised crime and not mixed up with sex work. Laws that are applicable to citizens should only be applicable to them. According to NCW, ITPA need to neither define nor cover sex worker and brothel”.

### **Ms. Asha Menon, Member Secretary, National Legal Services Authority:**

“NALSA provides legal assistance to all citizens including sex workers. NALSA believes that they should not be deprived or discriminated against because they are in sex work. We are open to assisting you to assert your rights and to ensure the protection of your rights. You may approach our district and taluk offices or write to us whenever legal aid is needed.

NALSA will help with all types of problems through court intervention, conciliatory mediation or Lok Adalats, whichever is most appropriate. You can also approach our para legal volunteers through local police stations and they will provide necessary assistance.”

**Ms. K Ratna Prabha, Additional Secretary, Ministry of Women and Child Development:**

“WCD is reviewing ITPA to make suitable amendments. I am happy to share that we are seriously thinking of removing the clause which treats soliciting as an offence. This was one of the main demands of the sex worker groups. Police can no longer take women into custody on this ground it should solve one of the major problems.”

### **UN REPRESENTATIVE**

**Ms. Alka Narang, United Nations Development Programme:**

“We have found that 86% of the sex workers know about social protection and the majority also know about entitlements; however only 32% are able to access the schemes and entitlements meant for them because they don’t have the necessary identity documents. Lack of documents is among the most important hurdles faced by sex workers. If the sex worker does not have an identity card they remain deprived of legal entitlements. Hence the first step in advocating rights is the right to identity.”

### **CIVIL SOCIETY**

**Mr. Anand Grover, Senior Advocate & Director, Lawyers Collective:**

“In India sex work is not illegal. The Law does not criminalise sex work per se. But using earnings of sex worker and soliciting is an offence. Some of the provisions in the present ITPA and some of those being considered in the amendment process are problematic, for instance, the criminalising of clients. This is being recommended since 2006. If this takes place sex workers will not get clients.”

“ITPA is also used to check trafficking, which treats all sex workers as victims. In reality all sex workers don’t see themselves as victims and they wish to continue doing sex work. These are some of the concerns of sex workers that need to be addressed. I request the WCD to explain its position on this matter.

## **Gender based violence in sex work settings**

### **Concerns**

**Ms. Kusum, Secretary, AINSW:**

“Police harassment is like an everyday affair to us. Both brothel -based and home -based sex workers are harassed by the police who extort money from us. We protest against this behaviour because we are not doing anything wrong. Sex workers are working sincerely,

without causing harm to anyone and to satisfy our customers. Because of police patrolling in our areas clients are scared to visit us. If we don't get clients, how will we earn? How will we run our families?"

### **COMMITMENTS:**

#### **CIVIL SOCIETY LEADER**

**Mr. Ashok Alexander, Director, Antara:**

"While a condom could be a solution to STI and HIV, sex workers also have several other issues to deal with including the lack of civic amenities, violence from goons, pimps, local leaders and most unfortunately from the police and the state. Community mobilisation is the only way in which this complex web of problems can be dealt with. If all sex workers unite and raise their voice, success will come closer."

**Hariharan, Chennai:**

"Apart from police the sex workers also face violence by other people, such as brokers, pimps, brothel owners and even the clients. All violence against the sex workers needs to be ended."

**Ms. Kamayani Bali Mahabal, Human Rights Activist:**

"The problem of violence against sex workers needs to be addressed on an urgent basis. However, in order to do this effectively, sex workers should understand the patriarchal basis of their oppression while demanding their rights as sex workers. To grow stronger, sex workers movements like AINSW should join hand with other struggles for social equity."

### **Social Justice for Sex Workers**

#### **Concerns**

**Ms. Shamim Patel, Vice President, AINSW:**

"Sex workers are not doing anything illegal. Therefore, no one has a right to harass us or our family members because of the nature of our work."

### **COMMITMENTS:**

#### **POLICY MAKERS**

**Mr. Basudeb Acharia, MP:**

"There are more than one crore workers who are not recognized as workers, like ICDS and ASHA workers and now Consultation has highlighted also the plight of sex workers. It is imperative that they be recognised as workers by the Government and Labour Department so

that they can live a dignified life. There is no dearth of labour laws in the country. Sex workers could get protection through them.”

**Mr Barun Mukherjee, MP:**

“Sex work is an age old profession found not just in India but across the world. References are aplenty implying the existence of sex workers. Therefore the primary demand of the movement for – recognition as workers – is well justified.”

**Mr. Sayedul Haque, MP:**

“I fully support your demand for recognition as workers. I will make efforts to bring the long pending AIDS Bill on board in Parliament for discussion.”

### **DECISION MAKERS**

**Mr. Suresh Kumar, Joint Secretary, Ministry of Home Affairs:**

“Sex workers should work to enforce existing laws and also become aware of legal modifications. For instance, the recent WCD recommendation to criminalise the client of sex workers, which will adversely impact on sex workers, lives if it is approved.”

### **CIVIL SOCIETY LEADERS**

**Ms. Aruna Roy, Social Activist, MKSS and Co-Convenor Pension Parishad:**

“Sex workers should be recognised as workers and should be entitled to all rights like any other informal sector workers. I also support your long standing demand for de-criminalisation.

**Mr. Harsh Mander, Director, Centre for Equity Studies & Special Commissioner to the Supreme Court of India in the Right to Food:**

“I am with you in all your efforts and in you struggle to avail of the basic rights that you are entitled to as citizens of this country.”

**Mr. Nikhil Dey, MKSS:**

“Though unorganised sector workers are marginalised they are a majority population, accounting for over 95% of the total population. Hence we should stand together as we are the mainstream and must collectively assert and fight our rights.”

### **POSITIVE NETWORK**

**Ms. P. Koushalya, President PWN+:** “History has many stories of such social struggles. We view the Sex workers’ movement in continuum with other such struggles for our rights and dignity as human beings.”

## IN-DEPTH REPORT

The All India Network of Sex Workers (AINSW), which was formally registered in 2011, is a national level network of over 80 affiliated sex workers' organizations, which has been championing the cause of more than 3 million sex workers (Male, Female and Transgender) in the country.

Over the last decade AINSW has been through several struggles, be it finding space in the World Social Forum in 2004, or fighting the eviction of sex workers from their brothels, which was mediated through state sponsored agencies, in Baina (Goa), Chakla Bazaar (Surat) and Sitamari (Bihar) to mention a few. But at the same time it has also run several successful campaigns, like the 'Parliament March' in 2005-07 which stalled the proposed amendments of the Immoral Traffic (Prevention) Act aimed at criminalizing clients. If the Bill had been passed it would have caused more harm than relief to sex workers.

Currently AINSW is involved in building capacities of the leadership among member CBOs and planning a strong advocacy campaign across the nation to further the rights of sex workers in the country and decriminalize sex work, sex workers and sex work environments.

Unlike western countries where sex workers are viewed as individuals, in India they are connected to a family and almost a third of their families survive solely on the sex worker's income; thereby coming under the woman-headed household category and justifying AINSW's demand for the recognition to sex work as work.

Sex worker collectives, which have spearheaded and played a decisive role in HIV prevention efforts, are now aspiring to achieve the social position its members are entitled to; an aspiration which has been given a huge boost by the changing environment in the country. At one level, the unorganised sector workers' movement has accepted sex workers' organisations as part of their movement and at another level the Supreme Court has recognised the fact that not all sex workers have a uniform take on their existence in the occupation. Moreover, four years ago, following a heinous incident of sex worker homicide, the Supreme Court had appointed a panel of enquiry. The Panel in its report had recommended that sex work and trafficking should be seen separately and that the Government has the responsibility of providing protection to women who are voluntarily into sex work.

However it was the International AIDS Conference 'Hub', held in Kolkata, in July 2012 that catalyzed the giant leaps that AINSW has taken. On the fifth and penultimate day of the Conference, sex workers from 46 countries released the **Kolkata Platform of Action**, to take forward the "fight against exclusion" and "discriminatory practices against sex workers and other most at risk communities. "The Kolkata Platform of Action" was formally released by Ms. Bharati Dey, President, Durbar Mahila Samanwaya Committee (DMSC) and Mr. Andrew Hunter, President, Asia Pacific Network of Sex Worker (APNSW).

During the launch of the Kolkata Platform of Action, at the Sex Workers Freedom Festival, Mr. Andrew Hunter, President, Global Network of Sex Work Projects (NSWP) said that, "sex

workers organizations around the world are affirming their faith in three core values: De-criminalize sex work, accepting sex work as work and the right of sex workers to self organization and self determination.”

Dr. Smarajit Jana, Chair, Global Hub, meanwhile, asserted that, “Eight freedoms encompassing the rights to form associations, choose work, move and migrate, be protected by law, be free of violence, abuse and discrimination, access quality healthcare and financial security are necessary pre-conditions for an effective HIV response spearheaded by sex workers worldwide.”

### **Taking the Kolkata Platform of Action forward**

More recently, AINSW organised a two-day consultation at the Constitution Club, in New Delhi, on 21st and 22<sup>nd</sup> August, 2013, to advance the Kolkata Platform of Action, advocate for its major demands before government stakeholders, pursue the Freedom Charter or Kolkata Declaration and launch a national level campaign to take forward the commitments made by the community in these landmark documents. The Consultation involved AINSW members from over 16 states and representatives of support organisations.

***AINSW Demands***  
*Recognition of sex work as work*  
*Effective action to redress violence against sex workers*  
*Access to social entitlements*  
*Active involvement in measures to check trafficking for sex work*  
*Repeal of ITPA*

### **Pre Consultation Meet**

*Discussion on the development of a National Campaign Committee on Sex Workers’ Rights*

Prior to the formal inauguration participants discussed and decided upon the formation of an ‘Advocacy Committee for the National Campaign for Protecting Rights and Dignity of Sex Workers’.

Explaining its significance and composition, Dr. Samarjit Jana, Advisor, AINSW, stated that the national campaign sought to build bridges with people at large to share the concerns of sex workers and their plans to work with the support and collaboration of the Civil Society Coalition and friends of the community.

To take the process further a Working Committee was formed. The members include – Ms. Tripti Tandon, Ms. Akhila Sivadas, Dr. R. Gangakhedkar, Ms. Kamayani Bali Mahabal, Mr. A. J. Hariharan, Ms. Jasodhara Bagchi, Ms. P. Koushalya, Ms. Madhubala Nath, Dr. Sugata Mukhopadhyay, Ms. Sushama Mehrotra, Mr. Sreeram SV.

The Committee was entrusted with the responsibility of preparing a primary draft of the terms and references for the National Advocacy Committee of AINSW. During this short

interactive session, representatives from AINSW and other participants brought about several issues and challenges including the underlying factors what forces sex workers' community to live at the margins of the society. It was realized that the vulnerability of an individual sex worker is primarily linked to her social position and status e.g. marginalization and discrimination in the society, low self esteem and powerlessness as manifested by her inability to interact with the mainstream society. Her accesses to information and services are compromised due to existing laws and policies in addition to that the negative attitude and practices of the service provider and policy makers. Structural barriers, which are manifested by the legal status of the profession, attitude and practices of the law enforcing agencies, indirect criminalization of sex trade etc. put an insurmountable barrier in accessing various social services as citizen of the country including her rights to social justice and dignity.

In an open discussion participant shared their suggestions for the committee and envisaged its role in furthering the network's agenda. Major areas of focus were expected to be as follows;

- AINSW needs to link up with national schemes such as Old Age Pension, Disability Pension and maternity allowance (matrutva bhatta) like other marginalized sections of society. To take these issues forward sex worker collectives should be part of social struggles.
- AINSW should take the broad approach that, 'we are women first and sex workers later' and thereby establish our rights as a citizen first. This perspective should also be reflected in our demands. The National Committee should also identify change makers in major social movements and develop an advocacy strategy with them.
- Dignity, Identity and Rights are the three crucial pillars of any struggles by marginal communities and this applies to sex workers as well. While the local struggles addressing local needs and issues can best be dealt by your organizations in respective areas, the AINSW should primarily engage in proactive advocacy for progressive policies and change of legislations that hinders sex workers' rights and dignity and generate discussions on such issues with the law makers in addition to placing issues in various forums.
- The Campaign Committee should take up both advocacy and research on policy issues central to the sex worker's struggles. The Committee should also facilitate medical and social audit and furnish reliable data on the gaps that prevail in meeting the community's needs and the hurdles they face in accessing services.
- Sex workers are also workers, but there is not typical employee – employer relationship or permanent place of work like other occupations. Provisions that are applicable to domestic workers should be applicable to them with a tripartite who will present their case before the government.
- Media can play a significant role in establishing the dignity of sex workers in our society. There it is an urgent need to change the discourse from 'victimhood' to dignity and to assert that contrary to the prevalent perception, all are not trafficked into sex work. We need to give a strong message to the media that we seek dignity and our rights as workers.
- Sex workers should get social entitlements through Ration Card, Smart Card and Aadhaar Card, which is also a way of establishing their social identity besides enabling them to access their integral benefits.
- Appropriate and advanced health services needed by positive women for their generic and gynecological problems must be extended on an urgent basis. Both sex worker

and non-sex worker groups should interact and share their prime concerns with each other. Such advocacy would help sex workers' groups to take up their issues at a wider level.

*“We seek respect and dignity for our sisters. We should get our Rights like other citizens. In order to assert our rights we are forming a National Level Committee that has representatives from all major sections of society who are sensitive towards our demands.” Ms. Kusum, representative AINSW, Delhi explaining significance of the Advocacy Committee*

The meeting concluded with the screening of a short montage on sex workers' lives through the narratives of AINSW workers in various states on their dreams, hopes, aspirations, struggles and victories. The film highlighted the crucial changes and challenges in the sex workers' movement.

### **Inaugural Session**

The Consultation was formally inaugurated with the lighting of a lamp before an august gathering of Parliamentarians, representatives of civil society, AINSW members and other dignitaries. **Dr. Samarjit Jana**, who compared the session, explained the basic objectives of the Consultation and its decision to launch a national campaign.

In her welcome address **Ms. Bharati Dey, President, AINSW**, presented an overview of the network's activities and reiterated its key demands. These were, “Law makers must realise that sex work cannot be abolished through coercive means and punitive laws. They need to engage with deeper structural barriers such as poverty, gender discrimination, government policies and legislations fuelling social inequities and the incessant violence that marginal communities face.” She also stressed that any efforts to rebuild their lives must be done in collaboration with their collective because they alone can provide the solutions.

**Mr. Basudeb Acharia, MP**, who was one of the principle speakers, wholeheartedly supported the network's demands and said, “There are more than one crore workers who are not recognized as workers, like ICDS and ASHA workers, and as the Consultation has highlighted, the sex workers. It is imperative that they be recognised as workers by the Government and Labour Department so that they can live a dignified life. There is no dearth of labour laws in the country. Sex workers could get protection through them.”

Mr. Acharya also lauded the role played by of sex workers' collectives in controlling HIV/AIDS and called on the government to take due cognizance of this fact.

Expressing his support to the sex workers movement **Mr. Avijit Mukherjee, MP**, stressed on the need to simplify legal procedures for the benefit of marginal people like sex workers. “Several Laws have been enacted in our country but their implementation is problematic. Justice should not be meddled with by the prejudices of people responsible for implementing the law. Enactment of laws should be amiable to persons for whom it is made.”

Giving a historical recount **Mr Barun Mukherjee, MP** said, “Sex work is an age old profession found not just in India but across the world. References are aplenty implying the existence of sex workers. Therefore the primary demand of the movement for – recognition

as workers – is well justified.” He added that, “Forty million sex workers is a huge number, a great workforce. They are working for their livelihood so they should get due dignity”.

Mr. Mukharjee also called for an attitudinal change towards sex work and sex workers and the rehabilitation of their children. “Their children must be given an education, they must be established in society and they should be given all opportunities to earn their own rights in life.” As a Parliamentarian he expressed his willingness to support the crucial demands of the sex workers.

Speaking on behalf of the National Commission for Women, **Ms. Charu Wali Khanna**, said, “Sex workers are social workers as they do welfare for society. If they were not there violence against women would have been much more severe. Many people visit sex workers. The Police and law enforcement agencies have no right to question their character or disregard their right to say ‘no’. If legislators and law maker are sensitive to your demands no one can prevent you from getting the identity of a worker”. Ms. Khanna also recounted how the sex workers collective had successfully stalled an “undesirable amendment in ITPA”.

Referring to the community’s contribution in containing the spread of HIV, **Mr. R. Gangakhedkar, Senior Scientist of NARI** said, “The biggest success of the HIV program is that the voices of SWs, MSMs and IDUs are being taken into account while making policies. Credit also goes to the sex workers for making the HIV program a success. NACO should look into the Rights of sex workers.” He added that the network should address the problems of sex workers on a regular basis.

**Mr. Ashok Alexander** said that, “While a condom could be a solution to STI and HIV, sex workers also have several other issues to deal with including the lack of civic amenities, violence from goons, pimps, local leaders and most unfortunately from the police and the state. Community mobilisation is the only way in which this complex web of problems can be dealt with. If all sex workers unite and raise their voice, success will come closer.”

He also advised the collective to regularly monitor the steps it was taking, raise its own funds, not get allured or distracted by funders and “Be grounded through local support to successfully tackle local problems.”

**Mr. Venkatesh Srinivasan** said that UNFPA was proud to be a part of AINSW. “NACO has launched the targeted intervention program but reproductive health and HIV/AIDS is interconnected and NACO should take this into consideration.”

**Mr. Lov Verma, Secretary, DAC** explained, “There are 31 lakh positive persons who are being provided with care and support. HIV prevalence among sex workers in 2003 was 10.3% and in 2013 it is 2.6%. Prevalence of HIV in the whole country is 0.27%. Moreover, there are 8.68 lakhs sex workers in the country and 85% i.e., 7.39 lakh have been covered through 548 Targeted Intervention Programs. By NACP - IV we intend to take the coverage to 100% and integrate RCH and TI in NRHM along with counselling for both HIV and HIV/TB to co-infected individuals. The ASHA workers program will also be integrated.”

## **Session 1: Social Inclusion, Protection and Entitlements**

*Effecting social inclusion in all programs and schemes: 'Can this work better than rehabilitation'?*

**Mr. Harsh Mander, Director, Centre for Equity Studies & Special Commissioner to the Supreme Court of India in the Right to Food** said, "I am with you in all your efforts and in you struggle to avail of the basic rights that you are entitled to as citizens of this country. The government should have shelters for children of sex workers and also accommodate them in residential schools where they can continue their studies and go back to their mother whenever they wish."

Speaking about the problems of children of sex workers, **Ms. Anu Swami, Aastha Parivar, Mumbai** said, "Because of poor facilities our children cannot continue their schooling after Class VII. The government should give free education to our children up to class X. We are severely handicapped because we do not have proof of identity."

On the efforts being made by her collective, Ms. Swami said. "We have made various efforts for social inclusion and participated in state level programmes with WCD and NMEW. Sex worker CBOs across the state have placed their demands before government officials and this dialogue has led to several changes. Ms. Varsha Gaikwad, Minister WCD, patiently listened to our problems and assured us that she would extend support through her department and also included our demands in the State Women's Policy. For the first time representatives of sex workers were involved in the making of policy and most of our demands were well received. We hope they will be part of the State Women's Policy that will be soon released. Now we feel more confident because we can access government programmes and schemes."

**Ms. Jayamma, Board Member and Joint Secretary, AINSW**, highlighted the successes and challenges faced by the network in her presentation and said that, "Because of sustained efforts for the last ten years almost 60% of sex workers linked to various CBOs in Andhra Pradesh possess Ration Cards, Voting Cards and other documents. CBOs have also learnt to do advocacy and to access government schemes and programmes that are helpful to them. During 2011, the Project Director, APSACS also took positive steps to support the education of our children."

She added that, "Although we have certain achievements to our credit, I must add that it has been a very hard and lengthy process. Government officers take a long time to respond or to complete procedures, which affects the initiative and motivation of our members. The procedures should be speeded up and unnecessary delays should be avoided."

**Ms. Vidya Kulkarni, CFAR, Maharashtra**, presented the key findings of the media monitoring exercise undertaken by her organisation. She said, "Any discussion on rights and dignity would not be complete if we did not take into account the role played by the media in facilitating them. Print and broadcast media are tools for public education, therefore their coverage about sex workers and on their issues does matter."

Explaining the process that was followed for the exercise she said, "CFAR carried out a process of media monitoring with sex workers, wherein we analysed media coverage on news stories relating to sex workers. Participants also studied the guidelines that had been chalked out for media persons by media regulatory bodies. Based on these discussions sex workers prepared their recommendations and do's and don'ts for media persons with the hope that it will result in the sensitive and responsible treatment of stories related to them."

Speaking about NMEW's activities, **Ms. K Ratna Prabha, Additional Secretary, Ministry of Women and Child Development** shared that, "NMEW had held state level consultations with WCD in Andhra Pradesh, Maharashtra and Karnataka. These interactions helped to sensitise government officials on sex workers' issues and the state WCDs have agreed to take supportive measures. We are following it up in each state and hope things will improve for the sex worker community."

She added that, "WCD was reviewing ITPA to make suitable amendments. I am happy to share that we are seriously thinking of removing the clause which treats soliciting as an offence. This was one of the main demands of the sex worker groups. Police can no longer take women into custody on this ground it should solve one of the major problems."

Ms. Ratna Prabha also appealed to the gathering to submit their suggestions and assured them that they would be considered in the reviewing process.

### ***Sex workers and ITPA***

*"We hear that the government is working on amendments in ITPA. But this should not take place without taking our views into account as it is going to affect us the most. We find the law very discriminatory in its present state. It is used against sex workers for anti-trafficking measures. Sex work and trafficking are two different issues and should not be mixed up. Trafficking of minors takes place mostly for begging and the government should take this into account."*

*"ITPA has been imposed on us, which makes living on the income of sex workers illegal. This means our children will not be able to use money earned by us after they reach the age of 18 years. We find this highly objectionable. As mothers we want the best for our children and it will be discriminatory if they are unable to use what we earn for their future."*

*"We are told that in the proposed amendments provisions have been made to take action against clients. This will affect our work. If you punish our clients, we will not be able to earn. Then how will we survive?"*

*"ITPA does not clearly state what is meant by sexual exploitation and sex work, which is a major problem and the brunt of it is borne by sex workers. Therefore the provisions provide scope for subjective interpretation depending upon the authority using it. For instance, a brothel is defined as a place where sexual abuse and exploitation takes place; which is a very loose definition. Any place where two or more sex workers exist is considered as a brothel even if the women are willingly into it."*

*"85% of sex workers are bread winners for their families; in such case can the children and parents of sex workers be taken into custody because they are living off the women's income?"*

***Just repeal it.....***

## **Session 2: Legal reforms to prevent conflation of sex work and trafficking**

*Where trafficking is not equated with sex work, both trafficked persons and sex workers are better off*

Explaining the role of NALSA in extending legal aid **Ms. Asha Menon, Member Secretary, National Legal Services Authority** said, “NALSA provides legal assistance to all citizens including sex workers. NALSA believes that they should not be deprived or discriminated against because they are in sex work. We are open to assisting you to assert your rights and to ensure the protection of your rights. You may approach our district and taluk offices or write to us whenever legal aid is needed. NALSA will help with all types of problems through court intervention, conciliatory mediation or Lok Adalats, whichever is most appropriate. You can also approach our para legal volunteers through local police stations and they will provide necessary assistance.”

In response to a query regarding NALSA’s role with regard to sex workers rescued and detained in state run homes, Ms. Menon said, “NALSA will extend legal assistance if the woman approaches them. Earlier legal aid was denied to cases filed under ITPA; however that is a thing of the past, now we are open to providing assistance to all.

Explaining the NCW position on the sex workers’ issues **Ms. Charu Wali Khanna, Member, National Commission for Women** said, “NCW believes that sex workers cannot be discriminated against because of the nature of their work. NCW also believes that trafficking and sex work are different and that they should not be treated as one and the same.” She added that, time and again the Commission has presented its views and opinions before the Government.

In the context of ITPA, Ms Khanna said, “In November 2012, the Parliamentary Standing Committee, Human Resource Ministry, had presented Report 182 to the Rajya Sabha, which recommended that ITPA should be reviewed and expanded in its scope. In its response NCW had stated that the definition of sex work should be consistent with the UN definition and the term ‘immoral trafficking’ should be replaced by ‘human trafficking’. The word ‘immoral’ unnecessarily diverts the discourse towards sex work. NCW had also recommended the provision of stringent punishment for the trafficking of women and children, especially girl children”.

She went on to add that, “Human trafficking is a serious crime and should be equated with organised crime and not mixed up with sex work. Laws that are applicable to citizens should only be applicable to them. According to NCW, ITPA need to neither define nor cover sex worker and brothel”.

Describing ITPA as a big issue for sex workers since it adversely affects them, **Mr. Anand Grover, Senior Advocate & Director, Lawyers Collective** said, “In India sex work is not illegal. The Law does not criminalise sex work per se. But using earnings of sex worker and soliciting is an offence. Some of the provisions in the present ITPA and some of those being considered in the amendment process are problematic, for instance, the criminalising of clients. This is being recommended since 2006. If this takes place sex workers will not get clients.

“ITPA is also used to check trafficking, which treats all sex workers as victims. In reality all sex workers don’t see themselves as victims and they wish to continue doing sex work. These are some of the concerns of sex workers that need to be addressed. I request the WCD to explain its position on this matter.

“Speakers and participants have raised several issues, for instance, the ambiguity in the Law (sexual exploitation is likened to sex work), discriminatory provisions (children above 18 years cannot live of their mother’s earning from sex work) and so on. The Law has serious loopholes and it needs be repealed.

“The police and the judiciary are also not very clear about the Law. They should be sensitized through their training institute viz. the Police Academy for police personnel and the National Judicial Academy for the judges”.

### **Session 3: Protecting health through collectivization and empowerment –**

Speaking on behalf of sex worker collectives **Ms. Sushma Mehrotra** and **Ms. Pooja** said, “The work being done by our CBO goes much beyond HIV awareness and prevention. We are working for sex workers rights and the children of sex workers. We are proud that we are carving a better future for ourselves and our children. Moreover our CBO functions within democratic norms and systems.”

Highlighting the successes of the collective, **Ms. Bhagya, Ashodaya, Karnataka** said, “Sex workers’ collective has grown stronger over the years, both in terms of numbers and in terms of awareness. Moreover, because of our sustained efforts there is a better response to health services from the community. For example, more than 80% use condom which is a major shift from the time when it was just 8% usage. This is clearly a result of community ownership.”

On the problem areas she said, “We are disturbed because divisive forces are active in our work area. Recently the HIV program was handed over to an NGO instead of the CBO and this is a worrying trend. We fear that the community will not be able to identify with the NGO programme and may retract from availing of services. It is also quite likely that the community, especially TGs, may go underground again.”

Opining that collective struggle is a necessary part of claiming and enjoying rights **Ms. P. Koushalya, President PWN+** said, “History has many stories of such social struggles. We view the Sex workers’ movement in continuum with other such struggles for our rights and dignity as human beings.”

“NACP II promoted the collectivisation of sex workers and other high risk groups and sex workers have organised and been in the forefront of the struggle for HIV prevention. Due to enhanced awareness new infections have reduced considerably.

“Though we have contributed significantly in reducing the spread of infection, we are still struggling to get recognition for our collective efforts. All FSW, TGs, MSMs, PLHIVs collectives should work together and demand due recognition. The changes made so far are a

result of our collaborative efforts with government officials. Therefore, we expect the dialogue with them to continue. Presently, our network is working on a maternal health project in 21 districts of Karnataka, Tamil Nadu and Rajasthan in which teams of committed volunteers are working with various social groups to improve maternal health.”

**Ms. Meenakshi Dutta Ghosh, Former Secretary, Ministry of Panchayat and Rural Development, Govt. of India**, called for a decentralised approach and said, “In keeping with the principle of subsidiaries, as necessitated by the 73<sup>rd</sup> Constitutional Amendment, we need to unbundle NACO programmes and other social development programmes and execute them in a decentralised manner.

“For instance, the midday meal scheme, availed of by students, including HIV infected/affected children, can be best executed at the village level. It will not work if the State or Central government prescribes what the village ought to do. It would be better if it is decided at that level with the gram panchayat taking decisions related to it.

“One of the critical needs of PLHIVs is their nutrition security, which must be ensured. I think one should not rely only on HIV programmes and must also access multi-sectoral provisioning. For instance, government programmes like ICDS, BMGF and others are also providing nutrition supplement programs which should be accessed.”

Indicating the need for comprehensive messaging she said, “IEC has been effectively used to build awareness on HIV and its related aspects like stigma and discrimination. Earlier, special programmes were made to deliver messages of mitigation that reduced stigma. Now the time has come to mainstream information with other social messages.”

**Ms. Aruna Roy, Social Activist, MKSS and Co-Convenor Pension Parishad**, came in from a Pension Parishad sit-in at Jantar Mantar, to express her support for the network’s demands.

While calling for the upholding of rights of sex workers she said, “Sex workers should be recognised as workers and should be entitled to all rights like any other informal sector workers. I also support your long standing demand for de-criminalisation.

She went on to add that, “Apart from forming their own organisations sex workers should also become part of other struggles of unorganised workers, like the Pension Parishad. I also believe that sex workers are workers. And as workers they should be part of deliberations that decide laws and policies for us. The government cannot decide for them without taking their opinions into consideration.”

**Mr. Nikhil Dey, MKSS** opined that. “Though unorganised sector workers are marginalised they are a majority population, accounting for over 95% of the total population. Hence we should stand together as we are the mainstream and collectively assert for our rights.”

“I fully support your demand for recognition as workers. I will make efforts to bring the long pending AIDS Bill on board in Parliament for discussion,” said **Mr. Sayedul Haque, Member of Parliament, CPI (M)**

**Mr. Oussama Tawil, UNAIDS**, expressed his appreciation for the role the sex workers’ collective has played in social and collective struggles and HIV prevention work in India and

said, “It is important to reduce risk factors, promote protective practices and access to health care, support socio-economic measures and work in a comprehensive manner for effective HIV prevention. It is also important to recognise sex workers as key actors in designing, implementing and monitoring programmes meant for them.

“The legal status of sex work is a sensitive issue. UN recommends de-criminalisation of sex work and it is against mandatory testing in the guise of regulation; while emphasising universal access to health services, legal services and accountability from the law enforcing machinery. UNAIDS would not like to go into service delivery but we will support networks and CBOs to strengthen their work”.

#### **Session 4: Addressing violence in sex work settings**

Highlighting the critical nature of violence **Ms. Kusum, AINSW** said, “Police harassment is like an everyday affair to us. Both brothel -based and home -based sex workers are harassed by the police who extort money from us. We protest against this behaviour because we are not doing anything wrong. Sex workers are working sincerely, without causing harm to anyone and to satisfy our customers. Because of police patrolling in our areas clients are scared to visit us. If we don’t get clients, how will we earn? How will we run our families?”

**Ms. Shamim Patel - AINSW – Vice President** stressed that, sex workers are not doing anything illegal. Therefore, no one has a right to harass us or our family members because of the nature of our work.

“Because of our collectives we have been able to address some of our issues. But there is lack of awareness and gross insensitivity towards the violence inflicted upon us. For example, around the same time as the Delhi rape case a sex worker in Surat was gang raped. But her case was neither filed by police nor covered by media. And this is not an exceptional case.”

**Mr. Suresh Kumar, Joint Secretary, Ministry of Home,** said, “In cases of human rights violations sex workers should take a collective stand and assert their rights by taking the concerned complaint to higher authorities. This certainly puts pressure on police officials and the system.

“Sex workers should work to enforce existing laws and also become aware of legal modifications. For instance, the recent WCD recommendation to criminalise the client of sex workers, which will adversely impact on sex workers, lives if it is approved.”

“We want people to understand that sex workers were not born as sex workers; they have their reasons and problems for doing this work. But that does not mean they can be repressed and humiliated,” said **Sultana, AINSW, Rajasthan**

She then narrated a, “Recent incident in Ajmer in which three sex workers who went out for a picnic were arrested by the police. A new channel run the story through the day and also spiced it up. Even their confidentiality was not maintained and their identities were made public. This had terrible repercussions for them and one of the girls was thrown out of her home by her family members. Media persons should be sensitive while covering news related to sex workers.”

Recounting experiences from his work field **Mr. A. J. Hariharan of ICWO, Chennai** said, “Paris Colony is an old area in Chennai frequented by sex workers in their working hours. One constable who used to pass through this area would always stop to threaten women and even humiliate them by slapping them in public. By calling them disgusting he justified his action against them. This was the scenario ten years ago but now it has drastically changed because of the collectivization of sex workers and the work they have done for HIV prevention. The Constable no longer exerts pressure on them; rather he sometimes stops by for an informal chat. The sex workers have also become aware of their rights. Recently one of the groups had filed complaints against two policemen for harassment. As a result both of them were suspended.

“Apart from police the sex workers also face violence by other people, such as brokers, pimps, brothel owners and even the clients. All violence against the sex workers needs to be ended.”

**Ms. K. Sujatha Rao, Former Secretary, Ministry of Health & Family Welfare, Government of India**, connected with the Consultation through Skype from Hyderabad. She said, “Sex workers are also human beings who have their choices and vulnerabilities so they should not be judged on moral grounds. I do not think criminalising clients will help in any way, but in increasing violence. I will not subscribe to it as it will not be good in public policy terms.

“In NACP- IV we see a reversal of policy with programs that were once owned by CBOs being given to NGOs. I am extremely unhappy with this change. It is good that you have formed a network. The network should get support from NACO, politicians and the media and also educate all stakeholders on a regular basis.”

**Ms. Kamayani Bali Mahabal, Feminist and Human Rights Activist** said, “There are invisible social groups whose problems are not addressed and sex workers are one among them. Sex workers are doubly oppressed, as women and as sex workers. In our society being a woman is a handicap in itself. As women, sex workers are natural allies of the women’s movement.

“The problem of violence against sex workers needs to be addressed on an urgent basis. However, in order to do this effectively, sex workers should understand the patriarchal basis of their oppression while demanding their rights as sex workers. To grow stronger, sex workers movements like AINSW should join hand with other struggles for social equity.”

**Ms. Sutapa Deb, Senior Journalist, NDTV**, while explaining media’s take on these issues said, “It is true that coverage of sex workers is biased. Their agency and contribution in HIV prevention work is not recognized as it should be. In television, media space for social issues has shrunk considerably. In order to make inroads, networks should have regular discussions with journalists who cover social issues.”

She admitted that, “A moral tone is taken while covering violence against sex workers or women in similar trades like bar girls. There is a mental block against sex work among journalists which needs to be removed. Remember media persons will write / show their reports based on their understanding. Journalist will not support your point of view if they are not fully convinced about it. Therefore, sensitization and sustained dialogue is necessary to bring about the change you desire.”

Referring to the Social Protection Study undertaken by her, **Ms. Alka Narang, United Nations Development Programme**, referred in particular, to the glaring gap between knowledge of provisions and getting them. “We have found that 86% of the sex workers know about social protection and the majority also know about entitlements; however only 32% are able to access the schemes and entitlements meant for them because they don’t have the necessary identity documents. Lack of documents is among the most important hurdles faced by sex workers. If the sex worker does not have an identity card they remain deprived of legal entitlements. Hence the first step in advocating rights is the right to identity.”

Referring to two important recommendations by the NALSA Executive Chairman, Ms. Narang said that, “sex workers should get legal protection against all forms of discrimination. And an enabling environment should be created so that sex workers get their civil rights as well as legal protection”.

“I will talk to you about your rights as people who are marginalised and hence invisible because the National Rural Livelihood Mission (NRLM) has a specific focus on marginalised and invisible population like sex workers”, informed **Ms. Sarada Murleedharan, COO, NRLM**.

She went on to explain that, “NRLM views organised groups as an empowering mechanism for the redress of various wrongs and weaknesses imposed upon social groups. NRLM has a division that looks at people who are socially excluded, so sex workers are very much part of our focus group.

“NRLM also recognises the need for sensitisation of CBOs. We are piloting projects, where we have a set of services from which you can select what you want for yourself or any of your family members without any restrictive conditionality”.

She added that, “Sex workers are doubly disadvantaged. Exclusion and marginalisation are indicators of deprivation which is a kind of poverty. Therefore they fall in the purview of the NRLM mandate. Sex workers can access various social entitlements and assert their right to credit provided under NRLM. We would also like to strengthen community ownership of the programmes.”

**Ms. Rashmi Singh, Mission Director, National Mission for Empowerment of Women**, spoke about the series of state level consultations organised by NMEW in three states involving government officials and community members. “In these consultations sex workers shared the problems they face in getting benefits of schemes and programmes. The government representatives have given a commitment to remove access barriers by making appropriate changes in policies and improving upon their execution. On the basis of the three consultations NMEW and CFAR have evolved a ‘Social Inclusion Plan’, and NMEW hopes it will become a roadmap for further developments.”

In his capacity as **Union Minister of Surface Transport and Highways Minister and Founder member of Parliamentary Forum on AIDS, Government of India**, and a long time ally of the sex workers movement **Mr. Oscar Fernandes** said, "I appreciate your efforts and initiative to come forward and contribute significantly in the prevention of HIV." He also said that PFA is organising a series of workshops all over the country and he sought

AINSW's participation in them. He invited AINSW delegates for a meeting with him saying, "I am willing to talk to you at length to understand your perspective."

Mr. Fernandes then launched the AINSW's website on the occasion.

**Senior journalist Radhika Bordiya, NDTV**, spoke about resistance from the media to cover issues of sex workers. "I was heavily criticised for doing the story on Sonagachi's sex workers ten years ago. People accused me of glorifying sex work that according them was illegal. As journalists we also have to struggle within our system to cover social issues."

### **Valedictory Session**

**Dr. Syeda Hameed, Member Planning Commission** was present as the chief guest for the concluding session.

Talking on behalf of AINSW, **President Bharati Dey** said, "Sex workers are women first and sex workers later; our rights as women and as citizens must be recognised, respected and fulfilled."

She added that, "AINSW seeks recognition for sex work as work and the inclusion of sex work under unorganized labour sector. We also demand decriminalisation of sex work and the repeal of ITPA since it is used against us to suppress us. We also want better safeguards for our children and they should get proper education. Trafficking is a serious crime and our CBO is effectively working through our self regulatory board to address trafficking and entry of minor girls into sex work.."

Expressing her support to the sex workers movement **Ms. Aradhana Johri, Additional Secretary, NACO** said, "Earlier the HIV prevalence was high in sex workers, but in the latest sentinel surveillance it has come down to 2.6%. Since it was the result of peer led programmes sex workers deserve the credit for this achievement. Along with the formation of CBOs we are also emphasizing on the rights of sex workers."

Talking about challenges she said, "Although we have reached out to many sex workers we cannot claim all have been covered under the programme. Besides this, the nature of sex work is changing with time; brothel based sex work is reducing, whereas street and home based sex work, which poses more risks to women, is increasing.

"Now the effort should also be directed towards more challenging areas. For instance, sex worker perceive less risk with their regular partners and are also lacking in their negotiating skills with them. Similarly, younger / under age women are more at risk as they are hidden and out of the purview of programme interventions. So, there are unreached sections we have to reach out to.

"As a next step to protect rights of people in high risk groups, NACO is linking sex workers and marginalised groups with social protection schemes implemented by different government departments. Sex workers organisations and networks should become aware and informed and link up with government programmes. It is essential to link up with existing government schemes and access them."

In her valedictory address **Dr. Syeda Hameed**, Member, Planning Commission of India, appreciated the efforts of the sex workers' collective to address their issues. She said, "I think the issues of sex workers and that of trafficked women are two different issues and they should not be mixed up. This is what they are asserting by getting organised. I appreciate their strength in addressing issues faced by them. These communities are at the cutting edge of inclusive growth."

"Women face multiple vulnerabilities and all women cannot be treated as one and the same. Therefore, schemes and programmes that are designed for them should be flexible enough so that women in all social sections get benefits".

Presenting highlights from the Plan document Ms. Hameed said, "The 12th Five-Year Plan is in many ways imbued with the voices of the excluded, including sex workers. The Plan provides a roadmap for inclusion and the state governments have to execute their programs in such a manner that sex workers get their due share in all social development programmes, be it health, education or social justice."

Speaking in favour of mainstreaming, Ms. Hameed said, "There is no point in making new programs when the existing programs can accommodate sex workers. It is their right and state governments are mandated to give the rightful share to sex workers. They should start implementing their programmes in an inclusive manner if they are not already doing so."

## **Conclusion**

The Consultation made considerable headway by forming an Advocacy Committee and launching the National Campaign. Various sessions also deciphered key concerns such as social inclusion, social protection, livelihoods, reduction of violence and citizenship in the context of the rights and dignity of sex workers.

AINSW also succeeded in garnering support from noted dignitaries, policy makers and civil society members. Significantly, the two-day consultative process culminated with a unified and focused response aimed at influencing and impacting perspectives, policies and programs that get formulated, legislated, and resourced by the concerned ministries and departments of the Government.

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