

Sex work – what does it mean?

Sex work is believed to be the oldest profession in the world. It has a long history throughout the world and in India.

Sex work in India



- It is estimated that there are **2 million** sex workers in India (but it is likely that this number is a lot higher as the industry is often hidden).
- 40% of female sex workers are thought to have begun to sell sex before the age of 18.
- Many young men are initiated into their sexual lives by sex workers.

Sources: (National Commission for Women (1997) the velvet blouse: Sexual exploitation of Children Delhi: Government of India)
(UNFPA (2001) Adolescents in India : A profile)

Sex Work Law A Brief History



The Victorian morality introduced by the British portrayed sex work as a sin and relegated sex and sexuality to the darkness of bed rooms. After independence, the British law was adapted without much modification and subsequent laws, including the **Immoral Trafficking Prevention Act (ITPA)** which regulated prostitution and **section 377** of the **Indian Code of Criminal Procedure**, which outlawed homosexual behavior.

- In India, the sex trade is regulated by the 1986 **Immoral Traffic Prevention Act (ITPA)**
- The ITPA criminalises and prevents activities associated with prostitution (keeping a brothel, procuring women, having sex with minors etc.) while preserving a woman's right over her body.
- The ITPA criminalises most aspects related to sex work by equating 'Voluntary adult sex work' with trafficking.

- Under the ITPA a woman can sell sex as long as it takes place in private.
- The act also makes it illegal for any third parties to be involved in, or benefit from commercial sex.
- In effect, the law allows a woman to sell sex but makes it illegal to engage in activities to procure business.
- Even living off income made from sex work is illegal under the Act.
- Therefore sex workers must break the law and sex work is then criminalised.
- The police have considerable latitude in interpreting and implementing the law.

ITPA Amendment



- Central government have put forward an amendment to ITPA which would punish clients of sex workers.
- The logic behind the move is supposedly to prevent trafficking of people into sex work by reducing the demand for sex work.
- Evidence shows such measures push sex work underground making sex workers more vulnerable to violence and HIV infection.
- The government plans to go ahead despite huge protest.

Trafficking

- "Using force, coercion, or deception to transport people across or within borders for purposes of forced labor", (PATH)
- Every year between 5,000 and 7,000 Nepalese girls are trafficked into the red light districts in Indian cities.
- 200,000 to over 250,000 Nepalese women and girls are already in Indian brothels.

Trafficking in Nepalese women and girls is less risky than smuggling narcotics and electronic equipment into India. (Soma Wadhwa, "For sale childhood," Outlook, 1998).

Trafficking the truth

13-year-old Mira of Nepal was offered a job as a domestic worker in Bombay, India. She arrived at a brothel on Bombay's Falkland Road, where tens of thousands of young women are displayed in row after row of zoo-like animal cages. Her father had been duped into giving her to a trafficker. When she refused to have sex, she was dragged into a torture chamber in a dark alley used for 'Breaking in' new girls. She was locked in a narrow, windowless room without food or water. On the fourth day, one of the madam's thugs goonda wrestled her to the floor and banged her head against the concrete until she passed out. When she awoke, she was naked,

a rattan cane smeared with pureed red chili peppers shoved into her vagina. Later she was raped by the goonda. Afterwards, she complied with their demands. The madam told Mira that she had been sold to the brothel for 50,000 rupees (about US\$1,700), that she had to work until she paid off her debt. Mira was sold to a client who then became her pimp. (*Robert I. Freidman, "India's Shame: Sexual Slavery and Political Corruption Are Leading to An AIDS Catastrophe," The Nation, 8 April 1996*)

Sex Work: The Reality Kamathipura, Mumbai



Kamathipura, Mumbai

- Kamathipura is one of Asia's largest red, light areas based in Mumbai.
- Kamathipura is almost 200 years old.
- Kamathipura is home to more than 15,000 sex workers, male, female and transgender, most are brothel or street based.
- Almost 90% of sex workers in Kamathipura have some sexually transmitted infection (STI's) at any given time (Legislative Assembly Bill VIII, as cited in Gangoli, 2006).
- Around 70% are estimated to be HIV+ (Avert, 2006).

Sharvari karandikar and Mojses Prospero

Study shows sex workers' human rights are violated at two stages

1. Process of entry into Sex Work

- All sex workers interviewed for this study reported they were trafficked into sex work as minors (10–12 yrs).
- Some reported being abducted from their native families.
- Some reported they were promised jobs and lucrative financial offers by agents and pimps but were in fact sold into brothels in Mumbai.

- The majority of sex workers were from rural parts of India and came from impoverished economic backgrounds.
- Trafficking in India is one of the most common reasons for entering sex work (Frederick 2000).

- **Living as a sex worker**

- Sex workers in Kamathipura are unable to practice sex work freely and safely, they live with the constant threat of violence from partners, pimps, clients and from arrest by the police.
- Sex workers interviewed reported severe physical and sexual violence.

Trafficking: The Reality – Kamathipura, Mumbai

Zinet: 30 yrs old

“I was brought to Mumbai with a man from my village. He promised me a job but after coming here, he sold me into a brothel. He was my father’s friend and knew about the condition (poverty) of my family. He knew that my father could never afford to pay dowry for me so he told my father that he can give me a good job in Mumbai. He cheated us.”

Saira: 20yrs old

“My aunt (mother’s sister) was a brothel owner. She promised my parents that if I worked I would earn enough money to support our whole family. She took me with her to her brothel and at 10 I started earning from sex work. My first intercourse was very painful. My customers were very old and big. I did not know the meaning of sex and rape before. After starting sex work I not only understood its meaning I also experienced it several times every night. Every intercourse was forced. I spent hours crying over my fate but my aunt did not give any consideration.

Violence: The Reality – Kamathipura, Mumbai

Rani’s experience of violence from her intimate partner (also her pimp)

“He suspected that the child I was bearing was not his but of another client. I was eight months pregnant. We had an argument over a minor issue which translated into a physical fight. He kicked me very hard in the stomach and I started bleeding immediately. I was not taken to the doctor by him...my neighbours saw me bleeding and took me to the hospital. I had a premature delivery and the doctors could not save the baby. I was never pregnant again.”

Saira’s account of police violence after being arrested in a police round up

“The hawaldar (policeman) slapped me and arrested me, he took me to the police station. When I went there I told the inspector (head of police staff) that I was slapped and verbally abused by his policeman...but the inspector also verbally abused me and said that I am fit to be kicked as I am doing wrong. I told them that I have small children and if I don’t stand on the road I would be unable to feed my family but they abused more and said I should go back to my village in Bangladesh!”

AVERT. (2005). HIV/AIDS in India. Retrieved September 19, 2005 from <http://www.avert.org/>

Frederick.J. (Ed.). (2000). *Fallen angels: the sex workers of South Asia*. New Delhi: Luster press. Gangoli.G. (2000). *Silence hurt and choice: Attitudes to prostitution in India and the west*. London School of Economics.

Sex Work – Stigma



Stigmatization in modern times has left many sex workers with problems of poverty, exploitation and rampant infection, including HIV and AIDS, and has allowed a huge people–trafficking industry like that of Eastern Europe to take hold. Many young women and girls are kidnapped from villages and sold into sexual slavery.

Sex Work: Discrimination

Sex workers face constant police violence, goonda violence and extreme social rejection.

Hounded by the goondas and constantly harassed by the police, sex workers are in danger of not only getting marginalized but also becoming far more vulnerable to HIV–AIDS.

As sex workers are forced to run from street to street, adopting safer sex practices, accessing health care services or even using condoms becomes almost impossible in spite of their best efforts to save their lives.

As a large part of their earnings go to police, goondas and the Government (as court fines), they are forced to work long hours, serve more clients and often put themselves at risk.

Constantly they are coerced to compromise with everyone because of the fear of false cases being foisted on them, as well as being insulted and humiliated in public and denied even basic dignity and respect.

Sonagachi Project



Robina Akhter, Durban, India. Organizer of 65,000 MSMs and their children in West



www.gayngay.org - British High Commission for efforts to protect the Sir 47 gas



www.gayngay.org www.hiv.org.uk www.wakeupindia.org