



Global Network of Sex Work Projects
Promoting Health and Human Rights

For the attention of: The Office of the High Commissioner for Human Rights

Subject: Call for inputs on promoting and protecting economic, social and cultural rights within the context of addressing inequalities in the recovery from the COVID-19 pandemic

Date: 30th January 2023

NSWP is a global network of sex worker-led organisations, with 317 members in 101 countries, that exists to uphold the voice of sex workers globally and connect regional networks advocating for the rights of sex workers, in all their diversity. It advocates for rights-based health and social services, freedom from abuse and discrimination, and self-determination for sex workers.

NSWP welcomes the opportunity to share input with the Office of the High Commissioner for Human Rights on promoting and protecting economic, social, and cultural rights within the context of addressing inequalities in the recovery from the COVID-19 pandemic. Throughout the pandemic, NSWP has documented the impacts of COVID-19 on sex worker communities worldwide, including the consequences of sex workers' widespread exclusion from state health and social protection schemes. These inequities have exposed rampant violations of sex workers' economic, social, and cultural rights and underscored the need for inclusive, non-discriminatory policies in the pandemic recovery. This submission will describe challenges experienced by sex workers during the COVID-19 pandemic and offer recommendations for promoting sex workers' rights in line with international human rights conventions and the UN Sustainable Development Goals (SDGs).

During the COVID-19 pandemic, sex workers experienced unprecedented hardship and marginalisation, unable to work or access essential services and support. Due to criminalisation and the lack of recognition of sex work as work, the majority of sex workers worldwide were excluded from state emergency response measures and social protection schemes, which often require details of employment history or proof of loss of income.¹ As a result, many sex workers have been left unprotected and excluded from national social protection schemes and government emergency measures.² In the pandemic recovery period, sex workers continue to face barriers to accessing social protection benefits – many of which are employment-based – due to criminalisation, stigma and discrimination, and the lack of recognition of sex work as legitimate labour.

The pandemic has also reduced sex workers' access to food, shelter, and essential health services and commodities. Sex workers' access to health services – especially sexual and reproductive health services – plummeted during the pandemic, just as the risks to their health were increasing.³ Unable to afford rent due to loss of income, many sex workers also reported increased precarity in housing, including disputes with landlords, ranging from refusal to ease rent payments, to sexual harassment and eviction.⁴ Many sex workers additionally reported inadequate access to food, essential medicine, and hygiene and medical supplies, prompting sex worker-led organisations to develop programmes for distributing food, medical supplies, and money to their community members.⁵ This highlighted the

¹ NSWP, 2021, "[COVID-19 and Sex Workers/Sex Worker-led Organisations.](#)"

² UNAIDS and NSWP, 2020, "[Sex Workers must not be left behind in the response to COVID-19.](#)"

³ Civil Society Engagement Mechanism for UHC2030, 2021, "[The Health and Economic Impacts of COVID-19 Containment Strategies on the Most Left Behind.](#)"

⁴ NSWP, 2022, "[The Impact of COVID-19 on Sex Workers.](#)"

⁵ NSWP, 2021, "[COVID-19 and Sex Workers/Sex Worker-led Organisations.](#)"

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critical role of community-led organisations in promoting sex workers' health and economic, social, and cultural rights, particularly when states fail to uphold their duties.

As the pandemic enters its third year, states must not only make greater investments in public health, social protection, and emergency response preparedness, but must also ensure that policies and programmes are inclusive and are developed with the meaningful involvement of affected populations. Sex worker-led organisations must be properly funded to implement programmes which support their communities, in the pandemic recovery and beyond.

OHCHR can support states in addressing inequities exacerbated by the COVID-19 pandemic by meaningfully engaging with sex worker-led organisations and promoting rights-based social and economic policies. Most fundamentally, all aspects of sex work must be fully decriminalised, including the sale, purchase, advertisement, and involvement of third parties. To ensure sex workers' access to economic, social, and cultural rights and work towards achieving the UN SDG targets, governments must also recognise sex work as work. In jurisdictions where sex work has been decriminalised, such as New Zealand, sex workers are not only protected by occupational health and safety standards, but have also been able to access government emergency wage subsidies for workers and job-seeker benefits, providing them with greater flexibility in the event of loss of employment.⁶

In addition, OHCHR can encourage states to expand national legislation and policies to explicitly include sex workers and other 'informal' workers within social protection schemes and labour rights frameworks. Social protection and emergency financial support should be extended to all workers, including migrants, regardless of informal or formal labour status. OHCHR can also uphold economic, social, and cultural rights by promoting the meaningful involvement of sex workers and other disproportionately affected communities in crisis preparedness and emergency response planning. Plans for future crises, emergencies, and pandemics must include financial and other support for sex workers in need, regardless of employment or immigration status.

Lastly, in working towards achieving universal health coverage, OHCHR must ensure that sex workers are not left behind. The health inequities exposed by the COVID-19 pandemic present an important opportunity to improve and transform health systems to become more inclusive and appropriate for the needs of sex workers and other marginalised groups. Health services should be designed in consultation with sex workers at the country-level.

As the world looks towards recovering from the COVID-19 pandemic, sex workers continue to face significant structural barriers which impede their fundamental human rights. In order to achieve the goal of "leaving no one behind," OHCHR must commit itself to promoting the rights of society's most marginalised groups and holding states accountable when they do not uphold them.

Kindest regards,



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⁶ Anna Louie Sussman, "[Don't have to fight for pennies: New Zealand safety net helps sex workers in lockdown](#)," The Guardian, 28 April 2020.