

Institutional Strengthening and Support for HIV Prevention Activities

TAMPEP

European Network for HIV/STI Prevention and Health Promotion among Migrant Sex Workers

European Overview of HIV and Sex Work

1

National Country Reports

This report is part of a series of reports produced by TAMPEP, that includes the following:

- 1 European Overview of HIV and Sex Work**
 - Bulgaria National Report on HIV and Sex Work
 - Czech Republic National Report on HIV and Sex Work
 - Germany National Report on HIV and Sex Work
 - Lithuania National Report on HIV and Sex Work
 - Poland National Report on HIV and Sex Work
 - Romania National Report on HIV and Sex Work
 - Ukraine National Report on HIV and Sex Work
- 2 Gap Analysis of Service Provision to Sex Workers in Europe**
- 3 Skills, Training and Good Practice Tools**

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Introduction

TAMPEP (European Network for HIV/STI Prevention and Health Promotion among Migrant Sex Workers) was founded in 1993 in response to the needs of migrant sex workers in Europe. It operates a community development and participation model that is rooted within the human rights framework, and seeks to lay a foundation for equitable access to support and services for sex workers. TAMPEP is an international networking and intervention project focused on assessing the situation and needs of female and transgender (migrant) sex workers in Europe and on developing appropriate responses to reduce sex workers' vulnerability to HIV and sexually transmitted infections.

15 years experience of working with sex workers across Europe, and the development of a network of sex work projects that now covers 25 countries in Europe has resulted in TAMPEP establishing an extensive experience and knowledge base. The regular mapping of sex work in Europe has enabled the monitoring and reporting of the changing trends within the sex industry and the living and working conditions of sex workers. TAMPEP's experience and knowledge has been utilised to elaborate and promote a holistic vision of principles and practices for HIV prevention among sex workers. The TAMPEP network has extensively documented the results of its activities and produced two Position Papers setting out the network's thinking on the important issues of 'Migration and Sex Work' and 'Trafficking in Women'. All documentation can be found on TAMPEP's website www.tampep.com

An understanding of the current reality of sex work and the situation of sex workers in Europe is critical to strengthening HIV prevention in sex work settings¹ across Europe. The TAMPEP mapping of sex work and migration in Europe represents the results and analysis of the quantitative and qualitative data gathered by network members in 2005 and 2006. It identifies trends and tendencies in relation to the changing patterns of sex work and the living and working conditions of female and transgender sex workers within Europe. In addition it provides an overview of sex work migration patterns across Europe and the impact of the enlargement of the European Union.

In seeking to address HIV and sex work in Europe it is also essential that we understand the social determinants, working conditions and other contextual factors. In this respect the current legislation and public policies, their impact on sex work settings and the potential consequences for sex workers and HIV prevention are particularly important. The TAMPEP mapping of sex work and migration included gathering information on legislation and public policy and provides an overview of the impact of the diverse legal frameworks in Europe.

¹ As defined by WHO, "Sex work settings are places or social networks in which sexual services are exchanged for money or goods"

Sex Work and Migration

European Mapping

Methodology

Sex work is characterised by continual changes in demographic composition, migratory routes, and the extent of mobility. In order to keep up with these changes, the continuous compilation and comparison of empirical data, with common indicators for a European setting, is of fundamental importance. Therefore, data collection is standard operating procedure within the 25 countries where project TAMPEP is established. The importance of acquiring a situational profile for Europe was the reason that we devised specific questionnaires which allowed us to gather multiple data which further on underwent analysis.

The stages of the methodology combine national and European mapping of prostitution, the assessment of changes of populations and their situations, actual interventions, a continuous evaluation and the adjustment of interventions in relation to the environmental changes, the adaptation of models of intervention and tools to specific groups and situations in various member countries, the implementation and assessment of the effects of adequate strategies within the whole European context with common indicators.

Four Regional Commissions monitor, compare and analyse the data supplied by the National Coordinators concerning prostitution and the different factors which influence the effects of prevention activities and polices within the regions, with particular attention to the sub-regions. The groups of countries per region are: North Region: Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Norway and the United Kingdom; East Region: Austria, Czech Republic, Hungary, Poland and Slovakia; West Region: Belgium, France, Luxemburg and The Netherlands and South Region: Bulgaria, Greece, Italy, Romania, Spain and Portugal.

For the interpretation and analysis of the data it is important to notice that the division of countries in the Regional Commissions is based on assessment criteria for comparison. Some of the criteria are geographical vicinity and/or common border, Old EU State and New EU State (with the exception of West Commission, which is composed of only old EU states) and some of the countries have to form the new external borders of the EU.

Every year we conduct a survey that requires the TAMPEP national co-ordinators in 25 European countries to record the changes that have taken place in their region. As the principal source of information we use the national networks of the TAMPEP coordinators. The coordinators distribute the questionnaire to the operators of projects dealing with sex work in their countries and/or they gather data directly from other national sources.

The resultant data cannot be considered as absolute or as completely representative of the actual situation. The primary reason for this is the extreme difficulty in collecting data that accurately quantify and represent the commercial sex industry and its workers. Even in those countries where the police or public health officials register sex workers or the places of prostitution, these data always remain partial because clandestine prostitution is not reported or because a lot of sex workers successfully evade controls and registrations.

Systematic information collection is even more difficult since the sex worker population comprises foreigners who roam from place to place and from country to country like nomads. In addition, many of the foreign sex workers sojourn in a country in a state of irregularity and often operate in circuits of sex work that occurs within closed settings.

The only source that we can rely on is the expertise of organisations and projects that work in the field and have direct contact with the sex worker population. However, this source of information is inevitably biased. Most services, projects, and organisations focus on a particular segment of prostitution and as a result get a partial view. For example, there is a UdS (mobile street-intervention unit) that contacts only women who work on the streets as well as a UdS that deals principally with drug addicts. Each has a different perspective. By combining the impressions we get from many different organisations in the field we hope to get a general idea of the main trends in prostitution.

Our expert informants gather their information also by direct contact and discussion with the different communities of sex workers in the field. In order to get this type of information, it is necessary to establish a very good trust relationship with the various groups of (migrant) women. And even then, women often give partial information about their work and migration.

Another difficulty in achieving our final objectives is spoken communication. In those projects that do not use linguistic and cultural mediation, operators are often unable to identify the nationality of the migrant sex workers they encounter. In the past, many women from Eastern European countries like the Ukraine were believed to be Russian, merely because they spoke the Russian language. Alternatively, sex workers give a false nationality for fear of being recognised, booked, or identified. Only with good outreach workers who have knowledge of the individual persons involved is it possible to obtain reliable data.

External factors, like an increase of police controls or expulsions, directly result in rapid and radical changes. Therefore, each time a data is compiled, its validity is always temporary.

Despite the necessity of prudently analysing and making conclusions, the information gathered by the TAMPEP network does give indications of the developments in European sex work that form the basis for developing policies and strategies for (migrant) prostitute interventions. The results are based on more than 700 completed surveys throughout Europe. Most respondents are sex worker projects and outreach services from all over the country. The national coordinators collect data from a minimum of 5 key organisations (in small countries with low coverage) and a maximum of 52 organisations (in countries such as Germany with a broader network of services).

MAPPING RESULTS

Nationalities

Our assessment shows one very important trend, a rise of number of nationalities. In the early nineties there were around 10 nationalities in the sex market. By 1998 the number of relevant nationalities had climbed to 25. In 2006 sex workers of no less than 60 different nationalities are working throughout Europe.

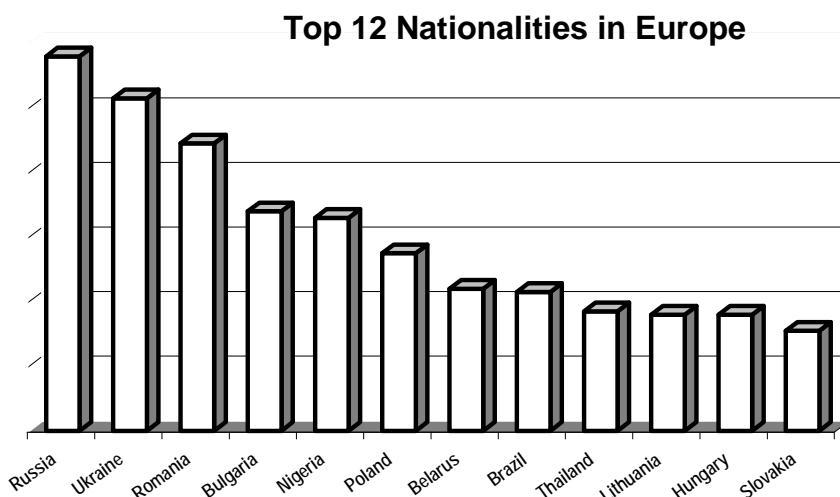
The countries with the highest diversity of nationalities are UK with 56, Germany with 38 and Greece with 36 nationalities.

Overall, most of the sex workers who work in Europe are migrants. The old EU countries have an average of 68% migrants among their sex worker population. In some countries the

percentage is as high as 80%. The UK has the lowest percentage of migrants (37%), although London reported 76%.

In the new EU countries there is a much lower number of migrants working in the sex industry. On average 23% of sex workers in Central Europe are migrants.

With 37%, the Czech Republic has the highest number of migrant sex workers in the region. Slovakia has the least, with 5%. The three Baltic States have an average of 12% migrants among their sex worker population. Romania has 5% and Bulgaria has 10% migrant sex workers.



The table presents the 12 most frequent nationalities of migrant sex workers in Europe. Most of them come from Russia, followed by Ukraine and Romania.

As a new group, there is a noticeable increase in women from African countries in the sex industry. Also, the presence of (young) Roma-women in sex work is noted, especially in countries like Hungary, Slovakia and Austria.

When we look at the division of nationalities per region, we see a similar picture.

Five most prevalent nationalities per region

WEST	SOUTH	EAST	NORTH
Bulgaria	Ukraine	Ukraine	Russia
Romania	Nigeria	Russia	Thailand
Hungary	Romania	Romania	Lithuania
Poland	Brazil	Bulgaria	Ukraine
Nigeria	Russia	Belarus	Estonia

Ethnic minorities in the sex market of the new EU countries

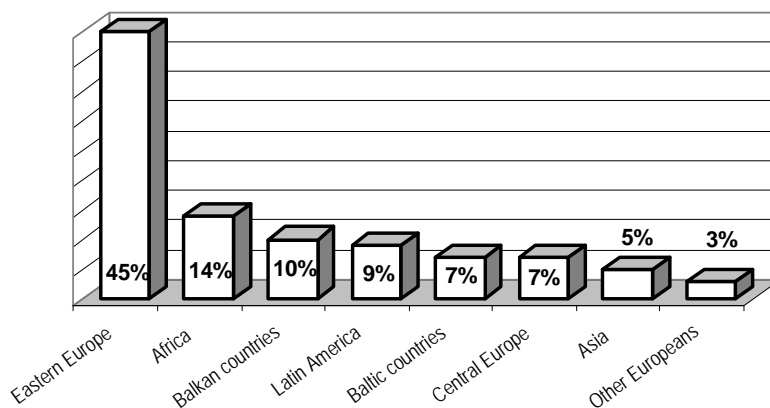
In several CEE countries more than half of street workers are member of Roma population resident in the countries. Also in the Baltic States a high representation of street workers is formed by the ethnic Russians.

Moreover, the overall percentage of migrant sex workers has increased in all European countries. Around 70% of migrant sex workers in Europe come from another European country. Most are from Eastern Europe (45%). Nowadays Russia and the Ukraine are most often mentioned, while in the nineties there was a high presence of Polish, Hungarian, Czech, and Slovakian women within the old EU countries. In 2006 the Baltic countries, Central Europe and the Balkans, each account for another 10% or so of migrant sex workers in Europe.

Another significant group of the migrant sex workers in Europe originates from West Africa. Almost 15% comes from countries such as Nigeria, Sierra Leone and Ghana. In Western Europe there are also some sex workers from the Mahgreb as well as from refugee sending countries like the DRC and Ethiopia.

A smaller minority of 9% originates from Latin America. The remaining 5% is from Asia, primarily Thailand. In Europe there is just a small presence of migrant sex workers from the Middle East, from North America or Australasia. These are more on an individual base rather than communities.

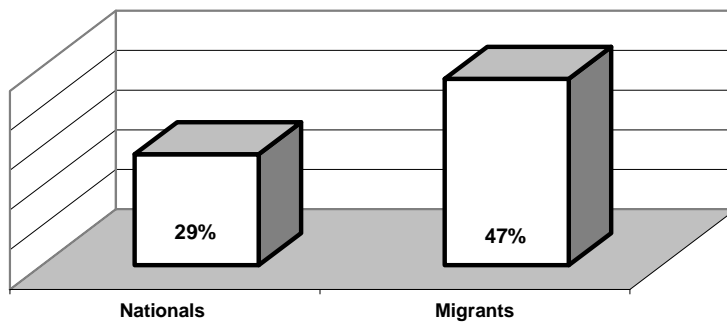
Where do MIGRANT sex workers come from



Mobility

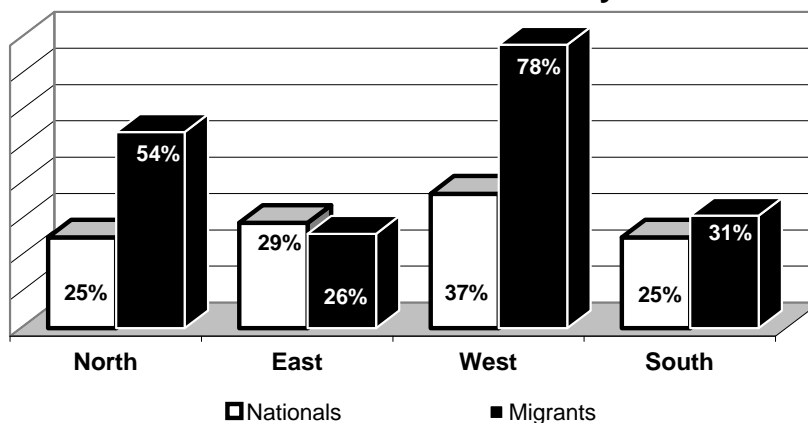
Sex workers are very mobile. Almost half of all sex workers are believed to have worked in more than one country (see the 1st table below). Most of the female migrant sex workers in the EU have worked in at least two EU countries and in three countries within their geographical region. The migration is often to the neighbouring countries, either moving on or going back and forth. Many sex workers not only experience high cross-border mobility, but they also move (or are moved) among various sex work locations within a given country. At least half of the sex workers in a given country will move around and work in several cities.

Percentage of sex workers in Europe who worked in another country



The above table illustrates the difference between national and migrant sex workers. When we analyse the national sex workers alone, while comparing the differences between 4 regions of Europe, we can conclude that the most mobile national sex workers come from the West, whereas the other 3 regions all have similar values and are lower than the West. The percentage differences between South, East and North lead to believe that there are no significant differences in mobility of national sex workers; about a quarter of them has worked in a different country (see table below).

Percentage of sex workers who worked in another country



In Greece, in the late 1990s around 90% of migrants sex workers were women from Eastern European countries or the Balkan. Today this has declined to 60% and 40% is from outside of Europe. A third of all migrant sex workers is from an African country (Nigeria, Sierra Leone, Ethiopia), the rest is either from Thailand or Latin America.

In Italy we see a similar trend. The number of Eastern European or Balkan sex workers has dropped from 60% in 1997 to 34% in 2006. Again, a third of migrant sex workers are from Africa (mostly Nigeria) and 20% is from Latin America.

In Germany the number of Polish women has slowly declined over the years; from 30% in 1997 to 23% in 1999 to less than 20% nowadays. This has been compensated by an increase in the recorded presence of various regional nationalities, like Romanian women and women from the Balkan states.

Another new trend is the rising number of women from China and Central Asia in Italy, France, Belgium and other old EU countries.

Many of the women who work in Eastern European countries continue to migrate to other countries after having worked for some time and saved up enough money to finance additional travelling (e.g. to Austria, Germany, the Netherlands). In this, the number of Romanian and Bulgarian women in the Austrian sex industry is increasing. Also, women from Slovakia, Hungary and the Czech Republic often migrate to Austria as the first country of destination. Consequently, Austria shows the highest number of migrant sex workers (approx. 80%) while the percentage is lower in the rest of the East Region but steadily increasing (Czech Republic 37%, Hungary 15-20%, Poland 30%, Slovakia 5%).

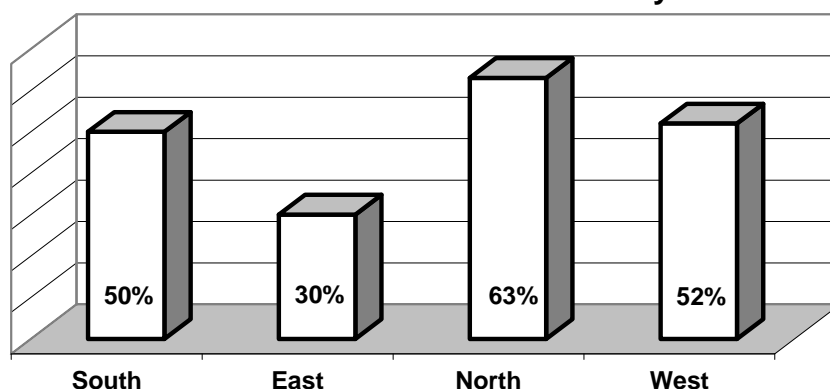
EU enlargement in 2004 caused considerable changes in this regard. Migration flows from central and Eastern Europe to Western Europe, and from Eastern Europe's internal flows to central Europe, have increased markedly. Today, women from countries in central and Eastern Europe account for 30–40% of the total sex worker population in Western Europe.

The new EU countries in Central Europe play an interesting role in the European prostitution flow because they are at the same time source, transit and destination countries.² For example, many Ukrainian, Russian, Belarusian and Moldovan women come to work in the sex business in Poland, Hungary, the Czech Republic; after some time they either move to another EU country or stay in the region of central Europe. Simultaneously, women from central Europe and the Baltic countries and the Balkans, leave their country and look for work in Western Europe. From our assessments in the central and Eastern European countries, we concluded that migration movements for the purpose of sex work within the former Soviet bloc are as high as such movements from that region to Western Europe.

Regarding the mobility of migrant sex worker: as it appears again, the West is the region with highest mobility (i.e. a migrant sex worker who works there has already worked in a different country before). More than $\frac{3}{4}$ of all migrant sex workers from the West has worked elsewhere, while only a little above half working in the North has worked in a different country. The South and East present similar percentage values of $\frac{1}{3}$ and $\frac{1}{4}$ respectively, therefore a substantially lower percentage than the one of migrant sex workers working in the West. A general comment which we can also make comparing the last two tables is that migrant sex workers are more mobile than national sex workers.

² *National sex workers* are defined here as those who reside and work in the country they were born in, regardless of citizenship. *Migrant sex workers* work as sex workers in a country other than the one they were born in. *Transient migrant sex workers* also work in a foreign country, but have the intention of either returning to their home country or moving on to yet another country.

Percentage of transient sex workers who have worked in another city



The final comparison of the 4 regions demonstrates the differences in mobility of transient sex workers, i.e. those which work in a country different than their country of origin, but also different than their destination country, or sex workers who have the intention of returning to their homeland. The transit period can range from a few days to several months. The only activity is work, as there is no intention to stay in the country. In this category we see that South and West represent similar values, half of transient sex workers in those regions have worked in another city in their country. The North has a 10% higher tendency, whereas in the East only 1/3 of the transient sex workers have done that.

There is a trend of short period stays in EU countries. This is due to the fact that there are no more visa obligations for entry or staying. It is a more seasonal mobility type of trend.

The example of the changing mobility trend and the returning women in Bulgaria and Romania give some idea about the recent level of migration mobility in the new political context of Europe.

Bulgaria is mainly a country of origin. The majority of the sex workers within the country are national. Approximately 80 % of them have worked in a foreign country for a period of 3 months, primarily in old EU countries. The very small group of transient sex workers in Bulgaria includes exclusively women from the ex-Soviet countries.

The phenomenon of the last two years, of sex workers coming back to Bulgaria after having worked in Western Europe, is still growing. This is also a consequence of the fact that some receiving countries have introduced much stricter policies regarding prostitution. Contrary to the past, there is a tendency to stay in Bulgaria after forced (or not) returning home. Upon coming back, they start to work in the sex industry in Bulgaria indoor and are not planning going back abroad. Nevertheless, another tendency is observed, a much higher percentage of the newcomers in the sex industry have plans travelling to the EU after 1st of January 2007, the entry of Bulgaria into the EU. This signal is confirmed what we notice in the Netherlands in January, i.e. the new presence of Bulgarian women is increasing massively.

In Romania 40% of the national sex workers reported that they have worked abroad and they listed: Germany, UK, Switzerland, Italy, Spain. According to the National Research on Sex

Work 30% of the interviewed national sex workers declared that they have been sold or bought. We think that the phenomenon of trafficking in human beings is underreported.

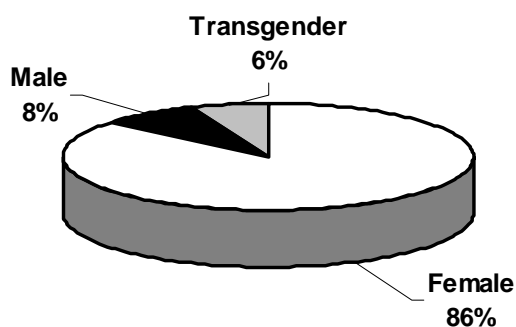
Strong influence of controller in the Romanian prostitution scene and the harassment of street workers by police surely influences the sex workers mobility; most of them stating that they have worked in the same location for less than 2 years (63.54% of the total number of sex workers interviewed). More than 10% are newcomers whereas approx 2% have worked in the same location for more than 10 years.

Gender

Sex work in Europe is still mostly performed by women. However, in every European country men and transgender can also be found working in the sex industry.

Some Western European countries, like France and Belgium report high numbers of transgender sex workers (25%). In most other countries transgender people make up no more than 5% of the sex worker population.

Sex workers by gender



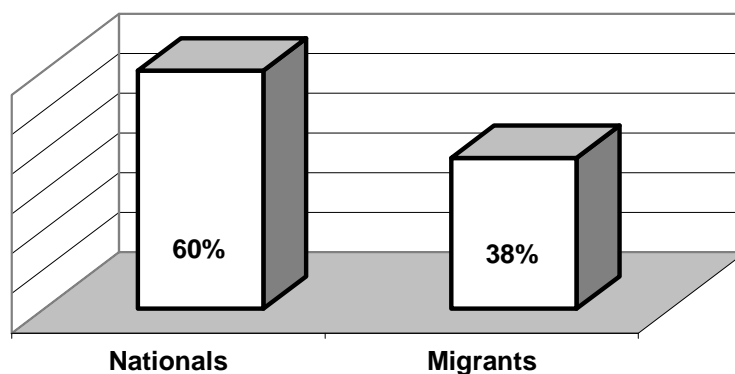
On average, 8% of sex workers in Europe is male. There is a great variation between the different countries though. For example, Denmark and Poland report almost exclusively female sex workers, while Romania reports that 15% of its sex worker population is male. There are very few projects working with male sex workers and the male sex worker scene is a completely different one. As a result, our estimate male sex work may be too low.

As for transgender sex workers, they constitute only 6% of all sex workers in Europe. There is a relatively high rate of transgender sex workers in Italy (around 20%) and in France (around 18%). Our estimate of transgender suffers from the same technical difficulties as that of male sex workers, although transgender are generally more visible for service providers. It is unclear whether there is a difference in gender composition between national and migrant sex workers. However, we notice that the majority of the transgender sex workers comes from Latin American countries.

Employment

There is a marked difference between national and migrant sex workers when it comes to their form of employment. In many European countries the nationals often work for themselves and not for a controller or other mediator. In principle the woman can keep all of her earnings herself. Sometimes rent must be paid for the use of an apartment, brothel, or window. In other cases the mafia has to be paid off; and/or the controller takes a big part of the earnings. National sex workers are more frequent to work for themselves than migrant sex workers. Nevertheless, in the West region it is more common for migrant sex workers to work in this manner than it is in other regions. In the countries where abusive systems of fines (e.g. Lithuania, Romania, Ukraine) are in place the State takes a relevant part of the income of the sex work. This practice affects the income of the sex workers and the negotiation position with clients.

Percentage of the earnings sex workers keep for themselves



Whenever national sex workers do work for a third party they get to keep an average of 60% of their earnings.

Most migrant sex workers work for a mediator and/or controller. A mediator/controller can be anything from a boyfriend, to a madam or the mafia. This indicates a much higher level of dependency on third parties for migrants than for national sex workers. This is also apparent in the fact that migrant sex workers get to keep much less of their earnings than nationals. Migrants get to keep at most 40%.

However, we can not compare this economical data: the percentage of 'net' income, with remuneration in other forms of employment. It could be interpreted as a signal of more exploitation in sex work. But it depends on work conditions, facilitating services and total income in general. As example, in other labour sectors it is frequent and normal that 40% of direct income is overhead cost. Few economic studies are carried out on the volume of the sector of sex industry, on all the satellite industries (taxi, advertisement, sales of sex industry products, etc.), on the general economical impact and on middle income of the workers. We can not truly see how the earning of sex workers are positioned in comparison to the overall revenues of the industry, as these are unknown, or uncounted.

Indoor/Outdoor

Europe has seen a tremendous shift from outdoor to indoor forms of sex work, following a series of policy and legislative changes that have limited the room for manoeuvre in the sex industry.

Nearly two thirds of sex workers in Europe now work in indoor forms of sex work. Due to the shift to indoor forms of prostitution it has become increasingly difficult for service providers to get into contact with these sex workers.

When we consider only the group of migrant sex workers we see that the proportion of those working indoor compared to outdoor is much higher; $\frac{3}{4}$ are indoor, and only a quarter outdoor. There is therefore a stronger tendency for migrant sex workers to make themselves less visible, either as a means to avoid law enforcement or because they are forced to work in these locations.

The tables demonstrate the current trend of sex work to move from outdoor to indoor locations. This tendency is clearly observable all over Europe, but each region has its specifics.

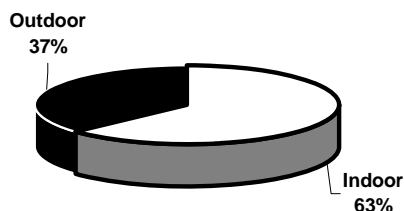
In the North over $\frac{3}{4}$ of the sex workers work indoor. This tendency is even more acute among the migrant sex workers, with only 7% working outdoor.

The East region has a slight majority of national sex workers working indoors. When we compare the same variable but only for the group of migrant sex workers in the East we see that a great majority of 81% works indoors.

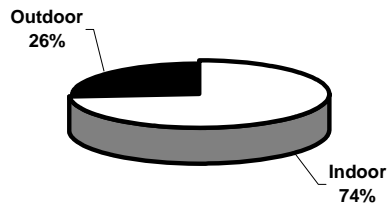
In the West we see that the $\frac{2}{3}$ of both national and migrant sex workers are working in indoor locations.

In the South region about half of all sex work activity takes place indoors. This means another half remains outdoor. Compared to the other regions and in light of the current trend towards indoor locations for sex work this is a high percentage of outdoor activity. Yet, in the South region as well the trend of sex work to move indoors is clear: until 2004 the form of outdoor prostitution had an average of 80%.

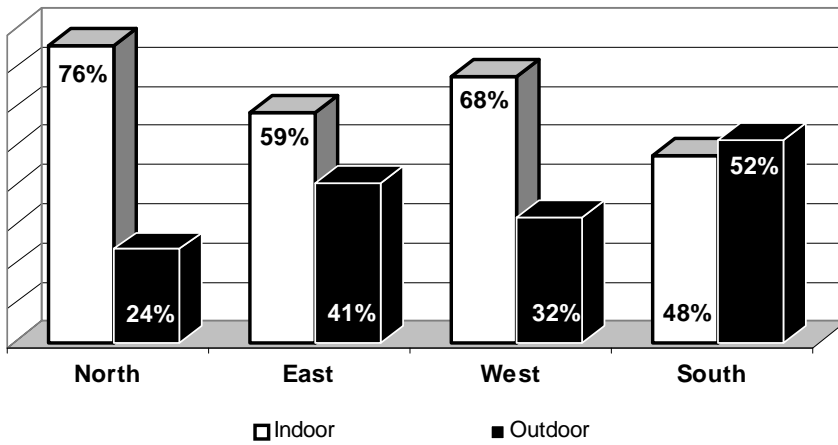
Where do sex workers in Europe work



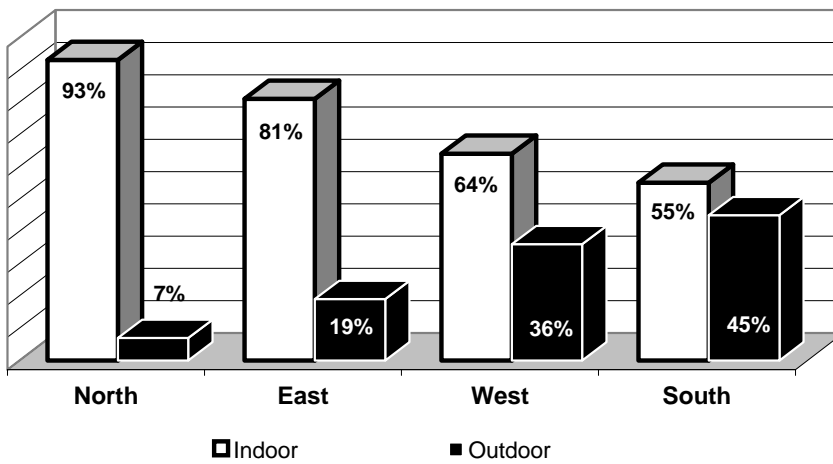
Where do MIGRANT sex workers in Europe work



Where do sex workers work



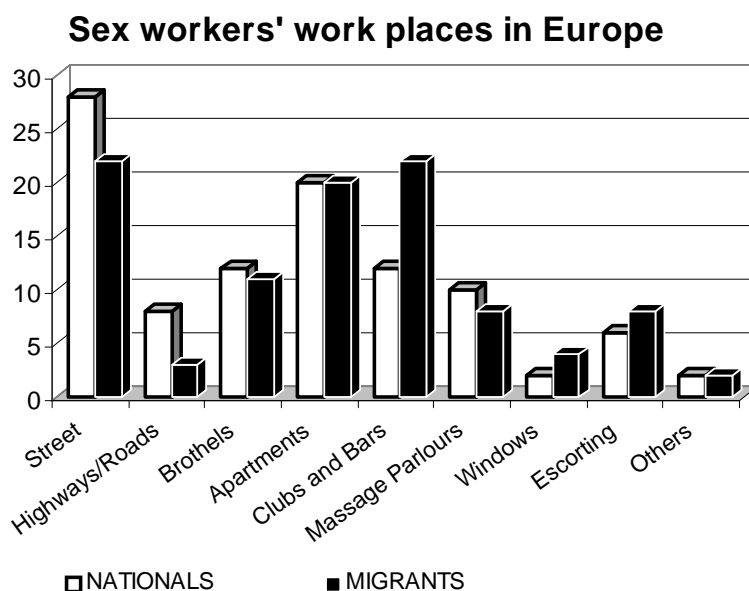
Where do MIGRANT sex workers work



Work Places

The figure below gives an idea of the many forms of sex work and its different work places. Out of the 9 given categories only 2 refer to outdoor work possibilities. The remaining 7 all represent diverse variants of indoor work.

It is important to note the diversity working conditions. A lot depends on the context and local customs and the arrangement of contact with clients. Categories such as ‘escort’ or ‘apartments’ give an indication but no strict definition. The common characteristic of indoor sex work is that the organisation is often run by third persons.



Around a quarter of all sex work takes place in apartments. Some 15% of sex work is done in brothels. Other sex workers pick up clients in businesses like clubs, bars and massage parlours. About 1 in ten sex workers work in escort. Only a very small minority in Belgium, The Netherlands and Germany work in windows. It is also important to notice that in situation of clubs, bars, parlours, in the majority of the cases these locations are not only the place of establishing contact, but also the location of delivering the service.

The sex work that takes place outdoors is mostly located in the streets of big cities. The rest takes place along highways and in border areas. Only in France, Greece, Italy, Latvia, Portugal, Romania and Slovakia is there still a slight majority of street prostitution.

As we have seen, migrant sex workers are more likely to choose indoor locations to perform their sex work activities. Aside from that, no big differences can be noticed between national sex workers and migrant sex workers when it comes to the choice of workplace.

In the North region apartments are the most frequently used work place for both migrant and national sex workers, followed by clubs, bars and massage parlours. National sex workers also work in outdoor locations, while migrant sex workers do not.

In the East region there are quite some differences in the choice of work place for migrant and national sex workers. There is a very large participation of migrant sex workers in escorting while there are almost no national sex workers in this sector. In certain areas, predominantly migrant women from the Ukraine, Russia and Belarus work in clubs or salons (Slovakia). National sex workers are found more in outdoor forms of prostitution, which in turn are less popular with migrant sex workers, but this is clearly due to wanting to avoid deportation.

In terms of specification of the work place, in both the West and South region there are few differences between national and migrant sex workers.

Regional Overview

The Regional Overview is composed of summaries of the assessment performed by members of the TAMPEP Network and based on common analysis and comparison of the trends. The Network's knowledge on the situation in the regions comes from the Region's own investigation carried out in their area. The gathered information is later shared with the other Network members and allows to make comparisons among the 4 TAMPEP Regions: North, South, West and East. We present these overviews not as a repetition of the General Overview but in order to underline the specificity and characteristics of each region. It is important to work in such a regional setting because we can also analyse the effects of enlargement and the relationship of changes in sex work, mobility and behaviour of groups, moreover any interrelation between all political, social and economical factors.

NORTH REGION

This Region's overview was drawn from information provided by the TAMPEP partner organisations which compose the NORTH region:

- Denmark *Danish Centre for Research on Social Vulnerability*
- Estonia *AIDS-I Tugikeskus*
- Finland *Pro-tukipiste*
- Germany *Amnesty for Women*
- Latvia *Genders/ Latvian Gender Problem Centre*
- Lithuania *Lithuanian AIDS Centre*
- Norway *The Pro-Sentret*
- United Kingdom *Scot-Pep*

PROSTITUTION MAPPING

Country	Major Group	Origin	Major Work Place
Denmark	50% migrants	Thailand, Baltic countries. New: Nigerians on the streets, Polish in massage parlours	85% indoor
Estonia	95% migrants	Among national sex workers, 80% are Russians established in Estonia	95% indoor
Finland	60% migrants	CEE: 80% Asia: 10% Latin America: 5% Africa: 5%	95% indoor
Germany	60% migrants	CEE: 55% Asia: 20% Latin America: 15% Africa: 10% A total of 38 different nationalities.	80% indoor
Latvia	85% Latvians	Migrants come from Russia, Belarus, Ukraine, Estonia, Lithuania	50% indoor
Lithuania	85% Lithuanians	Migrants come from Russia, Ukraine	70% indoor

Norway	70% migrants	Migrants come from Bulgaria, Rumania, Czech Republic, and Thailand. New: Nigeria	60% indoor
United Kingdom	40% migrants London: about 75% female migrants indoor based sex workers.	CEE as defined as former USSR countries: 50% Other EU Countries: 25% Asia: 10% Latin America: 10% Africa: 5%	70% indoor and escort 30% street Depending on town there is more indoor or more street prostitution. Migrants don't work on the streets. The presence of migrant indoor based sex workers outside of London varies across the country 0-40%.

Some considerations

- Migrants in the North region are differently divided: while in the old EU countries they are the majority, they are still a minority in the new EU countries.
- The Baltic countries are still mainly origin countries. They did not become transit or destination countries as expected, because they are of no economic interest for migrants. The Baltic countries are however turning into *entry countries* for those wishing to enter the EU.
- Regarding the work places, in all eight countries, sex work is mostly performed indoors, Latvia being the only where the distribution indoor/outdoor is 50/50
- In the last two to three years there was a very quick increase of migrant sex workers in the old EU countries. The most significant example for that phenomenon is Norway: while in 2001 migrants represented about 20% of the sex workers population, they are now about 70% of them. In only five years their amount more than tripled.
- There was no major change what regards the EU enlargement. There were slight increases of sex workers from this region in the West European countries but nothing that would change considerably the sex industry. On the contrary, the most significant change in the region was the increase of Nigerian street sex workers in Norway and in Denmark.
- In Estonia the working conditions have improved. There are more independent sex workers using the internet. The high percentage of Russian sex workers represents Russians who are not migrants but live in Estonia legally and are considered both Estonian and Russian. A survey was implemented by our centre and supported by the Global Fund Medical Project in 2005 with the following results: Estonians 12%, Russians 80%, and other nationalities 8% (Latvia, Lithuania, Russia, Belarus, and Ukraine). The survey included 180 visitors in a period of 9 months.

MIGRATION FLOW

The Baltic countries did not become transit countries because their inhabitants as well as those from Russia, Ukraine or Belarus migrate directly to the West or take other routes. Very few take the route via Finland.

- For Eastern Europeans the main routes to the West are through Poland, Czech Republic, Hungary and Germany.
- For Thais the main route to the North is through Germany. The majority however fly directly to the destination country.

- For Africans the main route to the North is via Spain and Italy.
- A great number of migrant sex workers have worked in the sex industry in their home countries and most of them have worked in another country before getting in the one they are in at the moment.

Main countries where sex workers have worked before: Italy, Spain, Germany, the Netherlands and the UK. Fifteen other countries were mentioned.

Denmark: More than half of the presumed victims of trafficking are known to have worked as sex workers in other countries before coming to Denmark

Estonia – Nationals go directly, mainly to Denmark, Greece, Norway and Spain.

Finland – Sex workers from Russia, Estonia, Belarus and Ukraine arrive via Tallinn and/or via St. Petersburg and are very mobile. Sex workers from Thailand are stable but mobile within the country itself.

Germany – There is an enormous amount of mobility on national level. About 80% of migrant and national sex workers have already worked in another German town before. However, only about 20% nationals have worked in another country, while about 60% of migrants have worked in another country before coming to Germany.

Latvia and Lithuania – Since the EU-Enlargement national sex workers are very mobile: they come and go back to their home countries very often in a short period of time.

Lithuania – Because many nationals migrated abroad, there has been a great mobility on national level of sex workers from the interior coming to the bigger cities.

EAST REGION

The overview for TAMPEP’s East Region was drawn from information provided by the TAMPEP partner organisations which compose the EAST region:

- Austria *LEFÖ*
- Czech Republic *Bliss without Risk*
- Hungary *Sex Education Foundation*
- Poland *TADA*
- Slovakia *Odyseus*

PROSTITUTION MAPPING

Country	Major Group	Origin	Major Work Place
Austria	80% migrants	CEE: 70% Latin America: 15% Africa: 15%	75% indoor (20% brothels, 10% apartments, 35% clubs or bars, 5% passage parlours, 5% escorting) Outdoor: 15% street, 10% highway/border area
Czech Republic	65% Czechs	Eastern Europe: 70% Central Europe: 20% Balkan + Baltic countries: 5% Asia, Africa, Latin America: 5%	70% indoor outdoor: 10% street, 10% highway/border area
Hungary	80% Hungarians	Balkan countries: 50% Eastern Europe: 35% Central Europe: 10% Asia, Africa: 5%	65% indoor 35% street (15% on highway/border area)

		High number of Roma among the national Hungarian	
Poland	70% Polish	Migrants: mainly from Ukraine, Russia, Belarus, but also Bulgaria, Moldova, Romania	89% indoor (60% in brothels/clubs and 10% in apartments) 10% streets, 20% highways/ border area
Slovakia	95% Slovaks	Migrants: Ukraine and Russia. High number of Roma among national sex workers	70% outdoor: 20% street, 50% on highways/ border area

Some considerations

- The majority of migrant sex workers in the EAST region are from CEE and the Balkan countries. Austria is an exception with a large number of African and Latin American migrant sex workers.
- Migrant sex workers are still a minority in the new EU-countries. In Austria – the only old EU state of the East Group – migrant sex workers continue to be the majority.
- The EU enlargement intensified especially the impact of migration/mobility from the new EU countries of the region to Austria. Due to the non-formalised character of the sex industry in Austria (not part of the formal labour market), citizens of new EU countries now have easier access to work in the sex industry as they no longer require any kind of visa or work permit as sex workers.
- The new EU countries are transforming to countries not only of origin and transit but also destination – with an increasing need for cultural mediators to reach out to different new communities of migrant sex workers.
- Regarding the work places, in all countries, with the exception of Slovakia, sex work is performed mainly indoors.
- The legal frame in all countries of the region is ambiguous. Activities around prostitution are regulated (prohibition areas etc.), sex work is tolerated and controlled (obligatory health exam in Hungary and Austria, registration in Austria etc.). At the same time, prostitution is not recognised as work and sex workers face harassment and legal prosecution due to a diverse number of regulations.
- Following the EU-enlargement mobility has increased in the EAST region, as **new possibilities of travelling legally** to other European countries became accessible. Most countries are now **countries of origin, transit and destination**.
- There is an **increased East-East-migration** and **more prostitution in border regions**. There is a lack of support offers for in the health/social area for the new target groups.
- There is a notable increase in **Roma-women** who work in the sex-industry throughout the region. A new phenomenon is the rising number of African sex workers.
- With the enlargement of the EU, **exploitation, pimping and trafficking of women has not reduced**. sex workers are being traded between brothels, pimps, etc. like before.
- It is **difficult to distinguish between indoor and outdoor prostitution** (e.g.: the soliciting takes places outside or both).

MIGRATION FLOW

With the exception of Austria (which primarily is a country of destination and sometimes transit), all countries of the East Region consider themselves simultaneously countries of origin, transit and destination. This means that movement, mobility and migration are a major part of the respective local prostitution scenes. This situation intensified with the EU accession of new countries (Czech Republic, Hungary, Poland, and Slovakia) in 2004 as part of the East enlargement of the EU. It also brings new legal situations and challenges for migrants from non-EU countries to the now new EU members. Many women enter with a tourist visa for 3 months and commute regularly to prolong their stay. As sex work is not recognised as formal labour in any of the region's countries, their work in the sex industry is not regulated. Controls can result in deportation. The system of regulation in Austria is an exception in this as it regulates work in the sex industry (though not officially recognised as labour). The registration as sex worker requires a permit of stay or residency and is only possible for EU-citizens or similarly recognised individuals. Non-EU-citizens who work without registration will be deported. Others face administrative charges.

Migration from non-EU countries to the new EU countries and to Austria intensified. At the same time, there is also internal mobility in the countries of the region: from poorer areas to richer ones (Slovakia); from border regions/the periphery to the centre (Poland, Austria) and vice versa. Mobility in general increased following the EU enlargement as new possibilities of travelling legally to other European countries became accessible. One of the focus areas still are the border regions and the mobility that takes place there. There are different kinds of work areas at the borders: brothels in Eastern European countries that are visited by Western European clients; women who live in the (Eastern European) border regions and go to work in the West; and women who work on the highways and streets around the border. This situation is present in Poland/Germany, Czech Republic/Austria, Slovakia/Austria and probably also around Hungary. With some areas (Polish border) it is not only migrant sex workers who are present in the sex industry but also national sex workers. This sex work in border regions is a major factor and facilitates – in diverse forms – a big part of mobility/migration.

It is important to emphasise that the increased and improved mobility between EU countries did not bring an improvement in the working conditions within the whole East Region. The EU accession eliminated one factor: fear of deportation for EU-citizens. But at the same time, there is no access to the formal labour market (in Austria), sex work is not recognised as labour and non-EU citizens face even more dependencies and difficulties. Former countries of origin become transit and/or destination countries. The region of Central/East Europe remains divided, i.e. the political discrepancies between old partners, new partners, would-be partners and no partners at all. The region is uniform in many terms, yet the inconsistency in access to EU citizen rights and lack of political and economical equality make of the broadly understood TAMPEP East Region a quite diverse terrain.

Austria - About 20% of migrant sex workers worked in another country before coming to Austria (e.g. the Netherlands, Spain, Italy, Germany, Hungary, and Switzerland). Main reasons for mobility are better working/living conditions, better possibilities to obtain a permit of stay/visa and support through a social network.

Czech Republic - The internationalisation of sex work in the Czech Republic is significant: 25 nationalities from different continents are currently active in the Czech sex industry. The sex industry is expanding, particularly because the capital has become an international tourist destination. "Specific" form of the offer (e.g. presence of Brazilians, Nigerians) is related to the adult entertainment industry and responds to the new growing demand of the sex tourism.

Hungary - About 10-15% of migrant sex workers worked in another country before coming to Hungary (e.g. Austria, Germany, and the Czech Republic). About 20-30% of national sex workers also worked in another country (Austria, Germany, Spain, and the Netherlands). Main reasons for mobility are the difficult economic situation, to improve the general life situation or family problems.

Poland - The total number of sex workers in Poland is estimated to be about 8000. Of this number about one third are migrants. All migrant sex workers (i.e. 100%) are from Eastern European countries. The main countries of origin are the Ukraine, Belarus, Russia and Bulgaria.

About 10% of migrant sex workers worked in another country before coming to Poland (e.g. the Ukraine, Russia, Belarus, Germany, and the Netherlands). About 40-50% of national sex workers also worked in another country (Germany, the Netherlands, Italy, Austria, Spain, Greece).

Slovakia - This country is not regarded as very attractive for migrants in general, or for migrant sex workers. It is still just a transit country for many people.

WEST REGION

This Region's overview was drawn from information provided by the TAMPEP partner organisations which compose the WEST region:

- Belgium *Marianne Bauweraerts, TAMPEP consultant in Belgium*
- France *Autres Regards and P.A.S.T.T*
- Luxemburg *DropIn*
- The Netherlands *TAMPEP International Foundation*
- Switzerland *Aspasie*

Met opmaak: Frans (standaard)

PROSTITUTION MAPPING

Country	Major Group	Origin	Major Work Place
Belgium	75% migrants	East Europe: 25% Baltic countries: 25% Central Europe: 15% Africa: 15% Latin America: 10% Asia: 5% West Europe: 5%	90% indoor (35% escorting, 25% windows, 20% apartments, 20% clubs and bars)
France	80% migrants	Africa: 40% (more in the south) CEE: 25% (more in the north) Latin America: 25% (more in the north) Asia: 10% (more in the north)	South: 70% outdoor (10% border area, 60% street) North: 60% outdoor
Luxemburg	70% migrants	Latin America: 55% CEE: 25% Other EU countries: 10% Africa: 10%	Mainly street prostitution, but increasingly indoor
the Netherlands	70% migrants	CEE: 40% Latin America: 35% Africa: 15% Asia: 5% Other EU countries: 5%	75% indoor: windows, brothels. Street prostitution includes the "zones" considered by the

		In the new clandestine form of indoor, more presence of CEE women, probably the total percentage is higher than 40%	authorities as illegal. Only 6 cities maintain street prostitution zones.
Switzerland	75% migrants	LA: 40% CEE: 30% Africa: 15% Asia: 10% Others: 5%	70% indoor

Some considerations

- In all countries the majority of sex workers are migrants
- There are increasing repressions from the side of the authorities against the sex industry in general and particularly against its visible forms (street) which leads to the diminution of the official forms of sex work and growing number of clandestine prostitution venues
- In most countries (exception Luxembourg and France) sex work is exercised mainly indoors. The clients are reached by the means of internet, mobile phones, advertisements, etc. In France, street prostitution is around 50 - 60%, but it is more diffused and takes place outside the cities and/or on highways.
- Indoor prostitution is subject to big changes. Next to the traditional forms (windows and brothels in the Netherlands and in Belgium for example), new places are being created for the migrant and/or street sex worker who are excluded from the visible, legalised and/or tolerated forms.
- Significant difference between the population of sex workers in France: in the south street prostitution is a little more tolerated than in the north which results in a higher presence of outdoor prostitution in the South (70% vs. 60%). Another characteristic is the high percentage of transgender sex workers (17,5% of all sex workers in the national territory), with a particularly high presence of transgender Latin American sex workers in the North. Almost half of all migrant sex workers in France come from Sub-Saharan Africa and from the Maghreb region.
- As a result of diminishing number of clients (due to economic situation) there is more competition among sex workers which leads to going down of the prices which results in diminution of the incomes of sex workers.
- Every country reports augmented mobility of migrant sex worker: most of the migrant sex workers have worked in other countries. There is more mobility also among national sex workers.
- Augmentation of abusive work environments and abusive clients (more violence and less income). Particularly the situation of highway and underground prostitution in closed and clandestine places entails high risks.

MIGRATION FLOW

As we have already pointed out in the General Overview, out of the four Regions, the west has the highest percentage of migrant sex worker who worked in other countries (78,5%). The countries where migrant sex worker have worked extend beyond the group of countries covered by the TAMPEP four Regions. These are various countries of Europe, including non-

EU countries. We repeat here the data presented before for a better understanding of the specificity of the West Region.

There are various factors that determine this high mobility of migrants:

- the present country was not the first definitive target country
- there is always moving between various countries while looking for better working places
- there is also high movement between cities, especially among the groups of so-called “old groups” of migrants who have their own networks (Latin Americans, Africans).

The West Region is also where the highest percentage of national sex workers has worked in other (neighbouring) countries (37%). This cross-border prostitution was aimed at Germany, Switzerland, Belgium, Spain, and France.

The situation in the West Region where there is a very high mobility among migrant sex worker as well as among national sex worker illustrates that in spite of any legal restrictions on migration and sex work there is still coming and going of sex worker: the pull and push elements in the sex industry are very strong. Although out of all regions, the West represents the highest mobility rate for both sex workers migrant and national sex workers, there are differences between the nationals and migrants. The migrant sex workers of the west are substantially more mobile. The West has an average level of mobility of transient sex workers within the country.

SOUTH REGION

This Region’s overview was drawn from information provided by the TAMPEP partner organisations which compose the SOUTH region:

- Bulgaria *Health and Social Development Foundation*
- Greece *Act Up*
- Italy *Comitato per I Diritti Civili delle Prostitute onlus*
- Portugal *M.A.P.S.*
- Romania *ARAS*
- Spain *Cruz Roja Española-Asturias*

Met opmaak: Italiaans (standaard)

Met opmaak: Portugees (standaard)

PROSTITUTION MAPPING

Country	Major Group	Origin	Major Work Place
Bulgaria	90% Bulgarians	Roma and Turkish minority: 50% of the national sex workers Eastern Europe, Balkan countries: 10%	55% indoor, 45% street Increased indoor work
Greece	80% migrants	Eastern Europe: 40% Africa: 25% Balkan countries: 20% Central Europe: 10% Baltic countries, North and Latin America, Asia: 5% There are 36 nationalities present. New groups from Africa: Congo, Ethiopia, Eritrea, Nigeria, Ghana	60% street 40% (20% brothel) 70% of the migrants indoor
Italy	80% migrants	Africa: 35 % Latin America: 25%	55% street 45% indoor

		Eastern Europe: 20% Balkan countries: 10% Central Europe: 10 % New: increase of women from Rumania and Moldavia. Chinese in massage parlours.	
Portugal	60% migrants	West Europe: 45% Africa: 20% Latin America: 15% Central + Eastern Europe: 10% Baltic countries: 5% Asia: 5%	55% street, 15% highways and roads, 10% in apartments, 10% in clubs and bars, 5% work in brothels and another 5% in massage parlour Migrants more indoors
Romania	95% Romanians	Large number of Roma among national sex workers Migrants: mainly from Moldavia	55% street (40% street, 15% on highways and borders) 45% Indoor (15% in brothels, 10% in clubs and bars, 8% in massage parlours, 7% in apartments and 5% in Escorting.)
Spain	70% migrants	Latin America: 70% Africa: 15% Eastern Europe: 15%	90% indoor: 40% clubs + bars, 30% apartments, 10% brothels, 5% escorting, 5% massage parlours. 10% outdoor: 7% streets, 3% highways.

Some considerations

- Romania and Bulgaria have almost exclusively national sex workers. Among them are a large number of Roma. All other countries in the region have a majority of migrants among their sex worker population.
- Compared to other countries Spain has a higher percentage of indoor sex workers.
- For sex workers in Southern Europe there are two main attractive destinations: Western Europe and the Black Sea's coast resorts.
- In Spain there are reports of an ever increasing number of women from Eastern Europe who declare to have worked in transient countries like Slovenia, Macedonia, Serbia and Kosovo.
- Criminal organisations move the women to different cities and countries. The reason why they do this is not clear.
- In Romania male sex work has recently become more visible (about 15%).
- In Greece several cases have been noted of Ethiopian women who travel through Middle Eastern countries like Egypt, Lebanon, Syria and Turkey. It is not clear if this is a frequent route. The Albanian border still remains another way to enter Europe.

Met opmaak: Engels (Groot-Brittannië)

MIGRATION FLOW

In the migration trend survey of Africa to South Europe we identified that the countries of origin, transit and destination are completely different than 2 years ago.

- From East Africa (a new group is girls from Ethiopia) to Egypt, then Lebanon or Israel, Syria, Turkey and then Greece (frequent arrival of new girls from Ethiopia, in Greece 40 to 50 every week)
- From West Africa (Nigeria, Ghana, Cameroun, Cote d'Ivoire) to Libya, Morocco and then fly to Spain, Italy or France. Or frequently Nigerian women move to Benin, Ghana, Ivory Coast, and then fly to Italy
- From Morocco, Sierra Leone and Nigeria by boat to Spain (and some then move to Portugal)

After the arrival in South Europe there is a second migratory route to the North Europe and frequent exchange of sex workers between borders of Southern countries.

Bulgaria - Transient sex worker travel through a network and arrive mostly from Ukraine, Russia and other ex-Soviet countries. In cases where they decide to stay for long, they would be better described as migrants and more often than not have a local boyfriend/pimp.

Some of the sex workers, coming from the ex-Soviet Union countries, travel through Bulgaria to Albania and then Italy and other Western European Countries. Many Bulgarian sex workers go back and forth between and within Bulgaria and Western Europe.

Greece - African sex workers from Nigeria and Ethiopia use Greece as a transit country as they move to Italy or Spain. But the biggest group in Greece is woman from CEE, particularly Bulgarian and Romanian. There is a continuous turn-over, every 2-3 months.

Italy - Several migrant sex workers who come from future EU and new EU member countries commute a lot and each time they come back to Italy they change towns. Sex workers who have friends or family ties have the possibility to exchange countries. For Latin American sex workers, for example, Spain is the first country of choice as well as the Canary Islands. There are more and more women from Eastern Europe who declare to have worked in transient countries like Slovenia, Macedonia, Serbia and Kosovo. Some counties are considered of great interest by sex workers who have worked there and would like to return there: Germany, Switzerland, the Netherlands, and Austria.

Portugal – Portugal is first destination country for Brazilian migrant sex workers. An increased number of trafficking is noticed from countries of east and south Latin America. It is also a first entry country for African women who form 20% of the migrant sex workers in Portugal. The most common route used by the majority of migrant women to come to Portugal is the airplane. An easily obtainable tourist visa allows them to stay in the country legally for 3 months. Cross-border mobility between Portugal and Spain is very high. 10% of national Portuguese sex workers work in Spain and the majority of migrant report also having worked in Spain among other countries. Also, Spain is the country where the majority of East European women lived before being moved or moving to Portugal. Case of transport across border by trafficker is frequent.

Romania – Almost half of the national sex workers have worked in another (European) country. The internal mobility is high as well: most sex workers never work in the same place for more than two years.

Spain - The East European Mafia organises the arrival of groups of Romanian and Bulgarian sex workers. Latin American sex workers go back and forth to Holland every six months. Internal mobility occurs during change of season: during the winter sex workers work in big cities while during the summer they move to the coast.

Public Policies and Legal Frameworks

The sex industry in Europe has seen fundamental changes in recent times. Parallel, broad political discussions on the legal framework of prostitution have come up. Many countries have drastically changed their policies concerning public order, prostitution, migration and trafficking. Even in this climate the migrant sex worker population continues to grow. Moreover, some of these policies have the unintended effect of increasing mobility and territorial spread. To evade controls and to exercise their activities, the sex workers go elsewhere. Another way to avoid law enforcement is for sex workers to move from outdoor to indoor forms of locations. A possible side effect is that new prostitution circuits are created, which increase the number of sex workers and the overall extent and forms of sex work. These mechanisms also widen the field of action for criminal organisations involved in exploiting sex work and trafficking women. This compromises the safety, autonomy, and the capacity to negotiate of sex workers.

The legal order shaped by national laws in different countries defines the working conditions of the migrant and national sex workers. The only country where sex work is illegal is in Ireland. The two most opposite models which influence the debate are examples of radical changes in the legal approach. These are the Swedish model and the Dutch model with the German variant. In all the others sex work is not legalised but tolerated, and in many countries criminalised. Procuring is in all countries illegal. Prostitution of minors and trafficking of persons is illegal everywhere.

Legal Frameworks

Understanding legal frameworks and their impact on sex work settings and the potential consequences for sex workers is essential for effective HIV prevention within sex work. National legal frameworks are never neutral in the area of sex work. Legislation and public policy are influenced by many factors: social attitudes and morality; cultural and political approaches to sexuality and gender equality; political approaches to dealing with perceived social problems and public order issues; dominance of faith-based institutions. However, seldom are the legal frameworks around sex work considered in a holistic manner, or in consultation with sex workers, rather legislation, public policy and law enforcement practices have been developed in an ad hoc manner without a comprehensive, coherent and long-term course of action being determined. In addressing HIV and sex work it is critical that in planning responses the impact that the existing legal framework has on sex work settings and sex workers' lives and vulnerability be considered and that solutions be sought where legislation, public policy or law enforcement practices impinges on effective HIV prevention or human rights.

Legislation, public policy and law enforcement practices define the working and living conditions of sex workers and can either increase or decrease their vulnerability to HIV, STIs, violence from clients and other crimes, exploitative and abusive control. In recent years governments across Europe have reviewed and modified legal frameworks addressing sex work, using a criminal law enforcement approach, a social/labour policy approach or trying to combine both approaches. In order to understand the different situations that sex workers find themselves in across Europe as a result of the different national legal frameworks relating to

migration, sex work and trafficking. A number of national examples are presented – and the consequences for sex workers highlighted.

AUSTRIA

In 2006 Austria introduced a new Immigration Law in which they abolished the ‘sex work visa’ that had previously allowed *any* migrant to apply for a visa to work in the legalised sex industry. The introduction of the new legislation invalidated ‘sex work visas’ current at the time the legislation was introduced – with 80% of sex workers in Austria being migrant this turned a great number of them, from one moment to the next, from legal residents and workers to illegal migrants.

Austria’s legalised sex work requires sex workers to register with police, health authorities and tax office and continues to require sex workers to undergo mandatory regular medical examinations. Migrants from all European Union member states have the freedom to register, and although they no longer face deportation if they are found to be working without registration they are fined up to 1,000 euros under an administrative offence.

The consequence of such tight regulation and registration is that the vast majority of migrant sex workers now work in ‘hidden’ sex work settings which are more susceptible to control by criminal elements with poor working conditions.

FINLAND

In 2006 Finland criminalised those purchasing sexual services from victims of trafficking and those coerced to sell sexual services, but choose not to criminalise the purchasing of sexual services or the selling of sexual services. In adopting this approach the Finnish government sought to strengthen already existing legislation that seeks to address public order issues and prevent exploitation and abuse in sex work settings, but also acknowledged the existence of sex workers who are not coerced or trafficked.

There are concerns about how the criminal justice system will be able to establish that a client had knowledge that the person was a victim of trafficking or coercion. Although the legislation is based on the premise that those trafficked and coerced are victims, they are not accorded the rights of victims - such as compensation, but regarded solely as witnesses in the criminal justice process. The legislation is too new for it to have been evaluated or the consequences for sex workers to become apparent.

FRANCE

In 2003 France criminalised ‘passive’ soliciting in a public place for the purposes of selling sexual services, and retained the criminalisation of ‘active’ soliciting. Sex workers convicted of passive soliciting can face a fine of up to 3,750 euros and a custodial sentence of up to 2 months. The introduction of the new legislation resulted in outdoor based sex work settings becoming more dispersed and ‘hidden’ - in Paris it has been reported that some outdoor based sex work moved from the city streets to forested area on the outskirts of the city where sex workers are extremely isolated and susceptible to both violence from clients and control and abuse by criminal elements. In addition France has seen one of the largest shifts from outdoor based sex work settings to indoor based sex work settings where again sex workers can be more susceptible to control by criminal elements.

In 2005 the *National Commission for Citizens Justice and Police*³ conducted an investigation into the behaviour of police and justice authorities towards sex workers. They denounced the denial of and lack of respect for the human rights of the sex worker cases by law enforcement officers and determined the treatment of sex workers to fall outside the principles of the Rule of Law.

GERMANY

In 2001 Germany abolished the mandatory medical examinations of sex workers, accepting that they had no proven health benefit, were a basis for clients demanding unsafe sexual services from sex workers and interfered with sex workers' right of self-determination.

In 2002 Germany legalised the sex industry. Sex work was recognised as labour and removed from the status of immoral activity. The legalisation of sex work was seen as a mechanism to increase the self-determination of sex workers – so will it permits sex workers to register it does not require it and allows sex workers to choose between working as self-employed with the freedoms and obligations self-employment entails, or working as an employee in an indoor sex work setting with a contract that allows them to receive the benefit of state health care, unemployment benefit and pension rights. Employers, however, can only regulate the place and the hours in which the employee is going to work - they cannot control the sexual services the sex worker offers. In addition sex workers gained the right to prosecute clients who refused to pay for service rendered. The legislation, however, does not apply equally to all migrants. Migrants from the majority of European Union member states have the freedom to be self-employed or work for an employer in sex work. However, migrants from the 8 new accession member states only have the possibility to become self-employed in sex work - there is limited knowledge of this possibility or the process involved to make it a reality. While migrants from outside of the European Union cannot legally obtain a visa to work in sex work. The legislation and its implementation by local municipalities are subject to evaluation⁴. The last evaluation concluded that there should be no change in legislation, but that public policy would shift to focus on supporting women to move on from sex work.

The legislation is, however, contradictory in places and no guidance was produced for implementation - resulting in significant variations in interpretation across the country. The German government's decision not to strictly regulate and license sex workers and sex work settings allowed an informal sex industry to continue – where sex workers face the same consequences as other workers within informal labour markets – however, such an informal market is less susceptible to control by criminal elements.

The legalisation of the sex work enhanced opportunities for sex workers to openly negotiate safer sex and condom use, enforce payment for services rendered, claim employment rights, such as maternity leave, social insurance and pensions and has improved access to both health and social care. In reality while employment contracts are a possibility, the vast majority of sex workers continue to remain independent.

HUNGARY

In Hungary the selling of sexual services was legal but seen as an individual activity and not labour, sex workers were however required to carry out this individual activity outside of the

³ De Nouvelles Zones de Non Droit, Des prostituées face à l'arbitraire policier (2006), Report of the Ligue de Droit des Hommes

⁴ The latest evaluation can be found under www.auswirkungen.prostitutionsgesetz.de

‘protected zones’ and to have regular medical examinations. While organised indoor sex work settings were criminalised.

In 1999 the Hungarian government introduced legislation which allowed sex workers to continue selling sexual services as an individual activity, but only in areas designated as an outdoor sex work setting and known as ‘zones of tolerance’. The legislation stipulated that every municipality with a population of more than 50,000 and where sex work occurs consistently in public places should establish a ‘zone of tolerance’. However, these ‘zones of tolerance’ have not been established. Budapest tried to establish two zones in 2003, however, following public protests ‘zones of tolerance’ were closed. Paradoxically sex workers are still obliged to undertake regular medical examinations and have a health certificate yet they have no legally foreseen areas to practice in. As a result of this impasse outdoor based sex work settings have become more isolated and ‘hidden’ and moved out of urban areas to highways, HGV lorry parks and border areas alongside the displacement of outdoor sex work settings there has been a significant shift to indoor based sex work settings where it is estimated that 75% of sex workers can now be found. Both outdoor and indoor based sex workers have become more susceptible to violence from clients and control by criminal elements and there are anecdotal reports from sex workers of violence and abuse from law enforcement officers.

ITALY

In Italy organised indoor sex work settings are criminalised, and therefore sex work occurred primarily in outdoor settings where it has been treated as a issue of disturbing public order. For the most part outdoor sex work was tolerated; however, as the numbers of migrant sex workers increased and immigration legislation was tightened there has been a dramatic increase in law enforcement actions against outdoor sex work settings. This has resulted in significant displacement of outdoor based sex workers - Nigerian sex workers who had previously worked in Italy having migrated to Norway where they now constitute 20% of outdoor based sex workers⁵. In addition indoor based sex work settings are now prevalent throughout Italy as local municipalities use various administrative instruments to enforce a zero tolerance approach and limit outdoor based sex work.

LITHUANIA

In 2005 Lithuania criminalised the purchasers of sexual services and retained the criminalisation of sellers of sexual services. The selling and buying of sexual services was seen as sexual violence perpetrated by men against women – and clients should therefore be punished. There is no differentiation between clients and sex workers both commit and administrative offence (creating a criminal record) and can be fined up to 300 euros. In adopting this approach the Lithuanian government sought to strengthen already existing legislation that seeks to prevent exploitation and abuse in sex work settings. There is no stated intention to evaluate the legislation and its implementation. However, latest statistics available show that 69 people have been successfully prosecuted, 2 men and 67 women (12 of the women repeatedly).

The criminalisation of both clients and sex workers resulted in sex work settings remaining ‘hidden’ and susceptible to control by criminal elements. The numbers of sex workers in Lithuania are reported to have decreased since the introduction of this legislation, however, this law came to being shortly after the entry of Lithuania to the European Union, and

⁵ Report from Pro-Sentret, Oslo.

therefore coincided with significant migration when 300.000 Lithuanians (15% of the population), left the country - 40% men and 60% women.

The on-going criminalisation of sex workers continues to present a significant barrier to the reporting of crimes of violence by clients or controllers as sex workers face a fine and criminal record if they report a crime related to sex work other than as a victim of trafficking or coercion. In addition there are anecdotal reports from sex workers of corruption and abuse by law enforcement officers who demand money or sexual services from sex workers in return for not charging them with the administrative offence.

NETHERLANDS

In 2000 the Netherlands legalised the sex industry. Sex work was recognised as labour and the organisation of indoor sex work settings regulated. The legalisation of the sex industry was seen as a mechanism to control sex work, through a strict licensing scheme, which would reduce trafficking in women and the commercial sexual exploitation and abuse of children through prostitution. In addition it was also seen as a means of improving the health, well-being and safety of sex workers and removing sex work from the control of organised crime. The legislation, however, does not apply equally to all migrants. Migrants from the majority of European Union member states have the freedom to be self-employed or work for an employer in sex work. However, migrants from the 8 new accession member states only have the possibility to become self-employed in sex work - there is limited knowledge of this possibility or the process involved to make it a reality. While migrants from outside of the European Union cannot legally obtain a visa to work in sex work. The legislation and its implementation by local municipalities are subject to regular evaluation by government agencies and independent experts.

In reality the legislation has been applied more as a control instrument, particularly against undocumented migrant sex workers, than as social protection for sex workers. Within indoor sex work settings, where employment contracts are now possible, migrants cannot apply for a visa to enter and work as an employee in the sex industry on a legal basis while the opportunities for migrants to apply for a visa to enter and establish themselves as self-employed in the sex industry are extremely limited. Outdoor sex work settings are strictly controlled by law enforcement agencies.

The legalisation of the sex industry and recognition of sex work as labour has, however, enhanced opportunities for sex workers in formal indoor sex work settings to openly negotiate safer sex and condom use, claim employment rights, such as maternity leave, social insurance and pensions and has improved access to both health and social care. Along with these rights it has also brought responsibilities and registration which has ended anonymity through taxation

However, the consequence of such tight regulation is that the majority of migrant sex workers are excluded from the formal sex industry and an informal 'black market' more susceptible to control by criminal elements and providing poor working conditions by comparison to the regulated indoor sex work settings.

SWEDEN

In 1999 Sweden criminalised the purchasers of sexual services. The selling and buying of sexual services was seen as sexual violence perpetrated by men against women – and clients should therefore be punished, while the sellers of sexual services were not criminalised. The

criminalisation of those purchasing sexual services was also seen as a mechanism to eradicate the demand for commercial sex and reduce the trafficking of women and children. Since the legislation was introduced the Swedish government has provided significant new funding to law enforcement and criminal justice agencies to implement the new legislation and has promoted similar legislation being duplicated in other countries. To date, however, the Swedish government has not carried out an evaluation of the legislation, its implementation or its impact on those selling sexual services within Sweden and neighbouring countries.

Although the legislation did not criminalise sex workers it has had significant consequences for them, Law enforcement initiatives against clients, particularly in public places where sex workers were used as 'honey pots' for the clients and condoms have been used as evidence of commercial sex, have resulted in sex work settings becoming more 'hidden' and susceptible to control by criminal elements. Sex workers report⁶ increased levels of violence from clients as well as increased involvement of third parties who are paid to arrange clients. In addition there have been reports⁷ from neighbouring countries of an increase in Swedish clients who now prefer to purchase sex outside of Sweden, where there is less possibility of being apprehended but where they may not be a common language for sex workers and their clients to negotiate safer sex and condom use.

UNITED KINGDOM

In February 2006 Operation Pentameter was launched which was a three month national campaign targeting trafficking – which involved a publicity campaign aimed at raising awareness of trafficking amongst clients and the public, law enforcement officers handing out leaflets to migrant women at airports and law enforcement raids on indoor sex work settings. A total of 188 women and girls were 'rescued' during 515 raids on establishments, 72 women and 12 girls aged between 14 and 17 were confirmed to be victims of trafficking during the operation and an undisclosed number of migrant sex workers are believed to have been deported. Following Operation Pentameter a United Kingdom Human Trafficking Centre was established which will continue to coordinate anti-trafficking initiatives across the country. However, the Home Office Minister responsible for prostitution and trafficking issued a statement that the UK government would continue to refuse to grant asylum status to recognised victims of trafficking on the grounds that it would result in a flood of women claiming to be trafficked for the purposes of prostitution if asylum status is granted. Despite government claims to focus on protecting the rights of victims of trafficking the focus remains on their usefulness as potential witness in the criminal justice system and then they are returned to their home countries regardless of the risks they face on their arrival.

⁶ Anecdotal evidence from female and male sex workers from Sweden presented at the European Conference on Sex Work, Human Rights, Labour and Migration, October 2005.

⁷ Anecdotal evidence from sex workers in contact with sex work projects in neighbouring countries.

Conclusions

Vulnerability factors

Unsafe sex in sex work settings is never context free. Knowing how to use a condom correctly and protect oneself from HIV does not empower people to put that knowledge into practice, particularly in sex work settings. The degree of autonomy a sex worker has over the sexual services offered, and under what conditions, directly determines vulnerability to HIV infection. In favourable environments a sex worker can have absolute control over the clients seen, safer sex and condom use, while in a less favourable environments the same sex worker would not be able to have the same control over the clients seen or safer sex and condom use, particularly if they were being controlled by a third party or harassed by law enforcement. It is not the actual selling of sexual services as such that determine the levels of risk but the social determinants, working conditions and other contextual factors. In this respect the legal, social and economical frameworks are particularly important.

In recent years, the context of sex work has changed considerably. Europe has witnessed a rapid transformation in the sex industry and it continues to evolve with every change in legislation, public policy and law enforcement. We have witnessed an increasing diversity of sex work settings and geographic spread of sex work; a stratification of sex workers with national sex workers forming the majority in Central and Eastern European countries and migrant sex workers forming a majority in North and Western European countries; significant levels of drug use and dependency, particularly among outdoor based sex workers; and local and foreign criminal elements seeking to control of sex work. These and other factors all contribute to varying degrees of vulnerability among sex workers.

Migrant sex workers are often disadvantaged by language; like other migrants they have had to pay significant amounts of money to migrate; frequently they have limited control and self-determination; many are undocumented and have no legal status within the country in which they are working and are forced to work in 'hidden' sex work settings where they are susceptible to control by criminal elements.

Drug dependent sex workers vulnerability is exacerbated by the double stigma and potential criminalisation as both a drug user and a sex worker; drug using sex workers who inject face an additional risk of HIV infection if the use non-sterile injecting equipment.

A sex worker from an ethnic minority that is socially excluded with a society faces additional vulnerabilities.

Victims of trafficking and children sexually exploited and abused through prostitution are the most vulnerable – the gross violation of their human rights requires responses and solutions beyond the legislation, public policy and law enforcement around sex work.

All of these factors undermine an individual's opportunities to implement self-protection strategies for health, well-being and autonomy.

The disproportionate levels of violence experienced by both indoor and outdoor based sex workers and the failure of the law to protect sex workers from violence has been identified

across Europe as a major factor in increasing sex workers vulnerability, particularly those who have no legal status or are directly criminalised.

Other specific vulnerabilities of sex workers identified by sex work projects across Europe include:

- Lack of ability to communicate in local language results in isolation and lack of knowledge about legislation, rights, cultural norms and health and social care services
- Lack of access to a comprehensive range of health and social care services for undocumented and/or non-insured sex workers
- Migrant status which for many brings with it a fear of ‘authorities’ resulting in high levels of exploitation and violence, including migrant sex workers becoming the target for robberies by gangs; violence from clients and exploitative working conditions by managers as they assume migrant sex workers will not report such offences.
- Lack of equal access to legal protection and to social support due to stigma and discrimination

Factors Influencing Migration

The composition of the migrant sex worker population is determined by a range of influences. First there is the geographic vicinity of sending and destination countries. One important factor in the shaping of migration patterns are the existing networks of sex workers, controllers and traffickers. This is linked to the concept of chain migration. Then there are a range of push and pull factors that decide whether and where sex workers migrate.

As pull factors we could mention migrating strategically in response to changing working conditions (for example from North to South Europe during the tourist season). Simple supply and demand of labour (in this case sex work) is another important factor in determining migration flows. If there is room for expansion in a certain prostitution scene news will quickly spread and sex workers will migrate to meet the demand. This demand may be created by entrepreneurs who acquire places of prostitution like hotels, clubs or bars. High demand for sex work can also be a side-effect of development of tourism in some countries and/or the presence of foreign entrepreneurs in regions of new economic development. Contrary to the feared scenario, big sport events, such as the World Cup or the Olympics, do not influence the presence of increased sex workers.

Mobility also occurs when more favourable or safer working conditions are due to policy changes in a different country/region of country. Other factors are such as moving to other locations in search of higher earnings or of anonymity. Transnational mobility is also facilitated by informal networks existing within different communities which support workers in search of new working places. Migrant and transient sex workers are likely to move between countries through established contacts via networks of their compatriots.

There are various push factors such as wanting to escape law enforcement, or controllers and traffickers. TAMPEP has observed that sex workers movements are increasingly influenced by actions undertaken by local authorities, such as when tolerance zones are closed or sex workers are encouraged to leave a particular area. Such policy changes lead to new forms of sex work, territorial dispersion and increased vulnerability. Through communication among sex workers and ‘intermediaries’, information is shared about where in Europe one can most easily enter into the sex industry at a given time or which places in Europe provide better income and working conditions.

At times it is the controllers and traffickers who are entirely responsible for moving the women into and between different countries. However, not all movements occur because the women are sold to pimps and traffickers or because they escape their controllers. The most important factor is the character and spirit of each woman who leaves her country in search of opportunities elsewhere. Her determination to overcome administrative, juridical or physical obstacles will shape her migration and settling in process. Finally, migratory routes are always shaped, though not necessarily determined, by official entry requirements as well as police controls inside the destination country. The women determine their travel routes based on the information they get from their friends and colleagues about the working conditions, their own experience, and the agreements with intermediaries and/or the influence of the controllers on some form of the sex industry.

Push and pull factors thus determine the organization and structure of the sex industry and the degree of sex workers' vulnerability.

Migratory Flows

The high percentage of female migrant sex workers no longer is a characteristic specific only to the countries of Northern Europe. Indeed, there are high concentrations of these sex workers in West and South European countries like Italy, Greece, Germany, Austria, and Belgium.

The ease of obtaining a tourist visa or entering a country without documents plays a role in the choice of destination and transit countries. Interesting evidence of this was the effect of the accession to the EU of ten new member states in 2004. Before that migration in Europe looked very different: Countries in formal economic association with the EU, or those countries that are candidates for this, served as throughways for those persons who required visas for into EU countries. For example, those women who required entry visas for Austria, like Romanian, Bulgarian, and Ukrainian women, usually had prior sex work experience in Hungary and in Poland. Hungarian women usually had already worked in the sex industry in Switzerland and Germany. On the other hand, Austria was the first country of destination for Czech, Slovakian, and Polish women who had never worked in the sex industry in their native countries. For these women border crossing was facilitated by country-to-country visa agreements.

It was expected that these patterns would change considerably with the accession of 10 CEE countries. The data on sex workers' migratory behaviour seems to corroborate this thesis, particularly for Western and Central Europe. The new outer border of the EU is not experiencing an invasion of sex workers and traffickers. The routes are simply different. There is more cross-border mobility within the enlarged Union, particularly in the Central European region. If the number of sex worker grew after the EU enlargement (inflow of East sex workers to the West) than the fact that it was a parallel movement to other sectors in the labour market can not be omitted in the analysis. Consequently, it was more of a labour mobility phenomenon, than a purely sex workers. Notice should be made to the case of labour protection of the new migrant (the new EU country citizens in the old EU states); it is the same underprivileged in all sectors, not just in sex work. There is no equality position. Labour mobility barriers give lack of access to legal protection.

New challenges

The context in which HIV/STI prevention services for sex workers have to operate is increasingly complicated: pronounced mobility and territorial diffusion, national diversity, social stratification and adverse working conditions. There is an urgent need to develop holistic approaches, broader possibilities for intervention, and differentiation in strategies of contact and engagement. Governmental involvement is also crucial, as it makes it possible to negotiate with people who determine the conditions under which sex workers do their work and service providers intervene. For example, sex workers' organizations and services should be able to negotiate with the police as soon as new regulations for street prostitution are adopted, because such rules can directly affect not only sex workers' working conditions, but also the ease with which they can be contacted on the street. The rapid and recent shift to indoor and underground forms of sex work, provoked by zero tolerance policy on street prostitution, still needs to be covered by an adequate assessment. Prevention services must therefore find new methods of reaching the sex workers or otherwise the contact and coverage will be unnecessarily limited leaving a growing fraction of the target group is excluded from any form of information and prevention services.

However, if the goal is to promote a comprehensive new approach to sex work, we have to clarify our vision of it first. Traditional perspectives on sex work have perceived sex workers and their clients as objects rather than active subjects and excluded them from policy discussions and decisions. The marginalized and often illegal status of the sex industry in our societies has led to the social exclusion of sex workers. Certain frameworks make it difficult if not impossible to provide effective health and social care.

The social exclusion of sex workers exacerbates the situation of the industry's more vulnerable subpopulations, including minors, drug users, ethnic minorities, migrants and individuals controlled by pimps. They all face increased pressure from legislation, which often excludes them from the legal, social and health care services available to the general population. A prerequisite for the social inclusion of sex workers, especially the members of these groups, is the recognition and protection of their human and civil rights.

Taking into account the above mentioned facts and the new reality of sex work, we need urgently to develop holistic strategies on interventions covering different areas: HIV/STI prevention, health promotion, legal and social framework and human rights protection. The NGOs active in this field should be empowered in their efforts to carry out special services for sex workers, supported in development of multi-sectorial activities and strengthened in identification of priorities for policy, strategies and intervention techniques

Moreover the undeniable presence of migrant sex workers, in all of Europe requires a transformation in the thinking around women's migration, which is inclusive of migrant sex workers and considers them as part of labour migration of women.

TAMPEP has established that policies prohibiting sex work and limiting possibilities for immigrants deeply undermine the sex workers' chance to implement a strategy of self-protection (for their health and for their well-being) and self-determination in performing their activities as sex workers that renders safer sex practices possible.

From the above, it may be concluded that migrant and national sex workers are highly vulnerable and, this vulnerability determines the different levels of damage and risk for their health and for their well-being. Another conclusion is that sex workers' control over their own health and the services they sell, is directly related to the influence they exert over their living and working conditions, which in turn is determined by environmental factors.

Everywhere in the world, each one of us is witnessing radical changes in the forms of sex work, widespread mobility of its constituent population that continuously spreads out its movements between and among several countries and regions, constant turnover with the effect of a chain reaction, and struggles for the dominion of the sex market and lines of communication and transportation. In the light of all these factors, it is impossible to imagine, at this moment in history at the very beginning of a new millennium, that economic, social, and health interventions on behalf of sex work are rooted in or based on the local or domestic concerns of a single nation. The influence of these global factors must be taken into consideration in the development of policies that must be innovative, multidisciplinary, and transnational in their scope, application, and outlook.