



AUSTRIA

Political Changes

ASYLUM - African women in the sex-industry constitute a considerable amount of migrant sex workers in Austria (21,90% of LEFÖ's streetwork-contacts in 2004¹). They are almost exclusively Nigerian women and asylum seekers. Since a couple of years – and after numerous (juridical) interventions – registration as prostitutes is possible for them – if their legal stay in the country is based on a preliminary permit of stay pursuant to § 19 asylum legislation ("*Lagerkarte*"; *vorläufige Aufenthaltsberechtigung gemäß § 19 AsylG*).

The registration brought many fears and doubts among the women (especially because of the police involvement) but also – if only temporarily – an improvement of their immediate situation: some protection against arbitrary harassment and against high fees for breaching administrative regulations (regarding prostitution legislation). But it did not stop the multitude of (sexist and) racist political agitation, discrimination and violence against them as migrant/black women, asylum seekers and migrant/black sex workers.

A reform (2003) of the asylum legislation went into force on May 1st 2004. The new regulation is a massive backlash. It foresees (among others) an acceleration of the asylum process (by shortening appealing proceedings) and deprives the affected persons of basic rights while at the same time expanding the possibilities of state interventions. This has strongly been criticized by numerous Human Rights organisations and other institutions and ultimately, some measures were lifted up by the constitutional court. After this decision, and following personnel changes in the Ministry of Interior,

a new – as harshly criticised – reform is about to be implemented.

One of the (positive) measures of the new law(s) is the provision of (minimum) national/state care for asylum seekers (*Bundesbetreuung/Grundversorgung*); referring to shelter and food. The implementation of this regulation proves difficult though in the different provinces because of disputes over (financial) competence (federal/provincial). The care services translate into an amount of € 290,00 per person and per month. All the while asylum seekers do not have access to the formal labour market, no matter how long their asylum process might take.

In Vienna, the CARITAS² is (as an off-site location) responsible for administering the payments to asylum seekers. Since January 2005, a new practise is exercised: registered sex workers (their data had been collected and exchanged) have to provide a valid tax number in order to receive the money. They further have to sign a statement declaring the amount of their monthly income. If it exceeds a certain limit (*Geringfügigkeitsgrenze*; € 316,00) they do not receive any money. If it is less, € 40,00 are deducted.

Because of this procedure, many women are thinking about returning their registration card or already did so. In this case, they have to provide an official confirmation of it (issued by the police).

In general, there is a lot of confusion and irritation about the situation. It is unclear how and annoying that registration information of the women has been passed on. Sometimes, the women are told that the deducted money is used to pay taxes. But officially, this has not been confirmed.

In the meantime, a new barrier has been introduced for asylum seekers who still want to register: newly arrived

¹ Streetwork conducted by LEFÖ within the frame TAMPEP as well as an EQUAL-programme (low-threshold counselling centre for female sex workers) in 2004

² <http://www.caritas-wien.at/asylzentrum>

women have to wait 3 months before they can get their "control-card".

REGISTRATION - Since the EU enlargement in 2004, registration as prostitutes is possible also for citizens of the "new" EU countries. And, indeed, more women from Hungary, Slovakia, Poland and the Czech Republic use this to "legalise" their status as sex workers and in reaction to more and stricter police controls (in establishments). But as the registration implies many duties (compulsory weekly health control, paying taxes, registration of the data with the police) but hardly any benefits, it is, consequently, perceived as a limitation rather than acknowledgement of (migrant) women's contribution to and participation at the labour market. Fear of further stigmatisation and criminalisation prevails.

EU citizens who are working in prostitution without the necessary registration do no longer face deportation. They are now charged up to € 1.000,00 for administrative offence(s).

THE DECREE ON SHOWDANCERS AND PROSTITUTES - Non-EU-citizens (especially Romanian and Bulgarian women) sometimes work in prostitution while their permit of stay is based on a tourist visa. But most of them applied for a "permit as self-employed without residency" (*Aufenthalt als Selbständige ohne Niederlassung*), a short-term visa designed especially for work in prostitution or as show-dancers, issued as a decree (and thus legally not-binding) by the Ministry of Interior.

The situation changed dramatically though since February 2005: On request of the Romanian government – stating that prostitution is illegal in Romania – the Austrian authorities are no longer issuing the "prostitution-visa" to Romanian citizens³. For those Romanian women who already received such a visa, measures are being planned to terminate their permit/stay (*aufenthaltsbeendende Maßnahmen*). In addition, the women might face retributions upon their return for having worked (legally!) in prostitution. Even Romanian women who are married to Austrian citizens are not allowed to work in prostitution – they are still Romanian citizens.

In general, Austrian authorities are more reluctant to issue the visa and are apparently looking for ways to avoid legally administered activities/work of non-EU-migrants.

In Lower Austria, migrant sex workers who work with the "prostitution-visa" are summoned and interviewed by the police. Their visa is withdrawn if they state that they

³ "Pursuing § 10 Abs. 2 Z 4 FrG (Alien Legislation) granting a permit of entry or stay can be denied based on § 8 Abs. 3 Z 2 (endangering public interest) especially if the stay of the alien would impair the relations between Austria and another state" (Ministry of Interior, February 2005)

receive a share/percentage of the bar's beverage sales; because the visa is issued exclusively for work in prostitution.

ACCESSION COUNTRY AGREEMENTS - Though there are also other agreements between the EU/Austria and the "new" accession countries Bulgaria and Romania (*Europa-Abkommen*) which also refer to the labour market it was not yet possible to base visa applications for self-employed work in the sex-industry on those regulations.

TRAFFICKING IN WOMEN - Regarding anti-/trafficking legislation, there have been no recent initiatives. The main changes – since the Trafficking Protocol came into force – were modifications of the Penal Code, relating to the adaptation of the Palermo Protocol:

- the new anti-trafficking law (§104a Penal Code, in force since May 1st 2004): this law now covers trafficking in Human Beings into all spheres;
- the old law on trafficking (§217 Penal Code) was renamed "Cross-border Prostitution Trafficking" and only refers to (cross-border) trafficking into prostitution;

SOCIAL/HEALTH - The general tendency of increased controls, stricter regulations and inconsistent and arbitrary practises is intensifying. Where most measures are strongly limiting and even trying to implement prohibition zones (in some Viennese districts), others – especially in the health sphere – are more liberal. In Linz (Upper Austria) it is possible to have the compulsory regular health check-ups at the health office (free of charge) OR with a private doctor (at one's own expense). Since March 2005, compulsory regular health controls in Styria are also "free". Changes or effects of the practise cannot yet be evaluated.

Changes in the Sex Worker Population

LEFÖ/TAMPEP estimates approx. 60-80% migrant sex workers in Austria. The composition of the group has changed during the last 10 years but could be categorised in 3 big groups⁴:

- Latin American women (10,76%⁵) who have been living and working in Austria since the 1980s, some of them with well established structures and networks.
- The presence of African women (21,90%⁶) in the sex-industry in Austria is a more recent phenomenon of the last 3-4 years and is met with sexist and racist structures and actions.

The number of African women is continuously increasing but strongly depends on the legal frame and possibilities for migration. Mobility within Austria (even

⁴ Smaller numbers of women are from various other countries (e.g. Austria, Tunisia, Turkey, etc)

⁵ Percent of streetwork contacts made in 2004 by LEFÖ within TAMPEP/EQUAL activities; 100% = 1.310 contacts

⁶ Percent of contacts with African sex workers

within regions or districts) increased in response to difficult working and living conditions. At the same time, due to strict asylum regulations many women are left with no (financial) support when moving away from their “assigned” location (city or province of original asylum application).

Migration from central and south/east Europe (59,31%⁷) intensified at the beginning of the 1990s and keeps changing as the (political/legal/social) frame changes. Among this very big and diverse group, the majority of women comes from Romania (24,06%⁸) and Bulgaria (20,97%⁹). The remaining women are from Poland, Hungary, Slovakia, Czech Republic and (in smaller numbers) from Russia, Ukraine, Moldova, Serbia, Croatia, Macedonia and Lithuania.

Since the EU enlargement, a considerable increase in women from the “new” EU countries can be noted. But the biggest tendency by far is the continuing presence of (mainly) Romanian and Bulgarian women in all regions/provinces in Austria. The recent legal restrictions in this area relating to the “prostitution-visa” will without doubt bring a severe change for the (legal and social) situation, safety and well-being of the (Romanian) women.

Changes in the Services Available to Migrant Sex Workers

In March 15th 2005, the Viennese EQUAL-project SILA (low-threshold counselling centre for sex workers) ended. The EU-initiative was conducted successfully throughout the course of 2 ½ years with the major involvement of LEFÖ/TAMPEP.

LEFÖ's grant applications so far for further funding of a counselling/communication centre for sex workers in Vienna were not successful. Our work within TAMPEP and the experience of SILA both highlight though the big need for more and adequate services for (migrant) sex workers in Vienna/Austria – with an open (not exit focused), non-discriminatory, low-threshold, partial and holistic approach, according to the realities of the women who are involved in the sex-industry. Our media work and political lobbying remain focused on emphasising this need.

BELGIUM

Political Changes

In most European countries soliciting (publicly attracting the clients' attention) is not allowed. The enforcement of the laws against soliciting, however, varies, not only between countries, but also within countries and over

⁷ percent of contacts with central and south/east European sex workers

⁸ percent of contacts with Romanian sex workers

⁹ percent of contacts with Bulgarian sex workers

time. In many cases, this may lead to unsafe working conditions. In Belgium, many women avoid breach of the law by working officially as “waitresses” in bars. This creates difficult conditions for the women. The possession of condoms is used as an evidence of soliciting. It is clear that these laws form a serious barrier to create conditions conducive to safe sex. Soliciting and publicity for prostitution are forbidden by law, but in practice adverts for sex workers appear even in general magazines and newspapers.

The law places prostitution in a criminal framework. It is viewed as being incompatible with the dignity and value of human beings and accorded a negative moral standard in society. In conformity with the law city councils may introduce regulations on prostitution with a view to “security, public morality and order”. Many cities regulate the types of prostitution, the area of prostitution and the visibility of prostitution. This means also that the overseeing of these rules and the imposition of penalties for breaking them are in the hands of local community police.

Several city councils impose local taxes on “waitresses” or performing artists in bars, clubs and cabarets. The local police are charged with registering the number of such workers and ensuring they pay these taxes. Since 1991 the Antwerp City Council has expanded these local taxes to cover windows, rooms and rendezvous hotels (hotels used by street sex workers). From one day to another the activity of street prostitutes can be changed or forbidden. This occurs if there are complaints to the city council by house or shop owners that an area has become unsafe because of the presence of prostitutes, pimps and used needles. In the city of Charleroi in 1993 this happened. The street prostitutes were harassed by daily police surveillance. In 1992, in Antwerp, the noise, the presence of school children and the decline in the value of property in a neighbourhood resulted in street prostitutes being compelled to stay indoors or at the entrance of the hotels. They were penalized if they walked in the street. In 2002 street prostitution became completely illegal in the zone of the central station.

Local regulations can have a major effect on how prostitutes work, and also how HIV prevention projects work with prostitutes. For example, they may be used to move prostitutes from one area to another, making it more difficult for outreach workers to maintain contact with sex workers.

Prostitution has become a focus of debate on the national and local agenda's. Several law proposals have been submitted to the Belgian Parliament and Senate to penalise the client, taking the Swedish model as an example, or to regularize prostitution according to the Dutch model. Some bigger cities have developed strategies in view of getting control over prostitution

activities as well as first steps towards regulating prostitution. For example in Antwerp the policy is to tolerate sex workers only in three streets, working in the windows, and to be very repressive to those who are working in the street in other areas. Sex work in bars and private rooms is tolerated, but has to accept regulation and taxes.

Changes in the Sex Work Population

Sex workers are an ever changing, dynamic, mobile and hard to reach group, with characteristics that vary considerably from place to place. Estimations for Belgium vary considerably according to the source, between 5.000 and 20.000 prostitutes for the whole country. In Belgium several types of prostitution exist. The most common are street prostitution, window prostitution, bar/club prostitution, massage and sauna parlours, escort services, private prostitution in special flats or at home, peepshows and cabarets (which are not usually considered as a form of prostitution). Many prostitutes come from foreign countries. They represent between 10-40 % of the sex workers.

The situation among young people in prostitution is quite different, revealing more boys involved in prostitution than young females. And, there is a larger proportion of foreign nationals, even when the number of Maghrebean (often the third generation of migrant parents) is discounted. In Brussels, Antwerp and Liège, boys work mostly in the streets and parks, though some work in bars or in private flats. In Antwerp young female sex workers often work for an escort service.

Changes in Services Available to Migrant Sex Workers

Belgian health care is mainly privately owned, with an additional public hospital sector. In both systems the consumer pays, per action, a share of the expenses of preventive and curative care. Free medical service is rare. Health insurance is crucial in ensuring access to, and meeting the costs of, health care. Without insurance you pay the full price. Access to health insurance is closely linked to the social statute of a person in the social security system. This social statute is based on a person's labour condition. Contributions from a person's income pay for the social security system. A structural barrier to health and social care exists for all those who do not fit into the social statute or public welfare categories, described above, for example, sex workers.

The main factor that hinders access to health care is the law itself, which deprives sex workers of crucial means of assuring an income (for example, facilities to recruit, to advertise, to use accommodation or to be employed by someone). With regard to preventive health care, the independent social statute offers limited benefits, covering only part of the health risks. An employed prostitute would have all health risks covered if his/her

manager agreed to his/her registration as a "waitress" and paid the relevant social security contributions for his/her employees. However, an employment contract may be considered illegal (if, for example, the presence of condoms is taken to prove prostitution activity is taking place), leading to the loss of social rights for the prostitutes.

The health system is often not appropriate for sex workers. Staffs in clinics and hospitals are often reported as having a negative attitude towards prostitutes and prostitution. As a result, sex workers may avoid health services, or, if they do attend, do not disclose their work to the health staff. Health care workers are often ignorant about prostitution and the specific problems prostitutes may face. Many prostitutes would prefer to have treatment anonymously, i.e. without having to provide official documentation, because they fear that their doctor will inform other state agencies about their prostitution. Many sex workers have had bad experiences with "official" institutions, and therefore distrust "official" health and social services. Further constraints include unsuitable opening hours. Clinics may be shut during the hours that prostitutes would like to use them. Health promotion in general, and sexually transmitted infections (STI) and HIV prevention in particular, are often not emphasized in existing health care services, where the emphasis is more on cure.

BULGARIA

Political Changes

- There are no changes in the legislation with regards to prostitution, pimping or trafficking in Bulgaria.
- In 2004 under the GFATM Programme was established a network of 10 organisations, offering services specifically to SWs, the majority of which are being migrant.
- The network is established under the Objective 6 of the Programme and includes outreach work with street SWs (mainly) and its coordination, training and monitoring is delegated to HESED.
- All of the Ministries of the Government are included in the Country Coordination Mechanism (CCM) of the Programme.
- The Minister of Health and the Minister without Portfolio are chairing the CCM and practically the policy of health promotion and harm reduction among SWs has been endorsed as an official national policy.
- The Ministry of Interior shows growing acknowledgement of the health promotion.
- Efforts among SWs and growing acceptance of prostitution.
- 11 VCT centres have been stabilised and are currently offering free, anonymous and confidential

HIV/AIDS testing. Two of them (Centres for Sexual Health, established by *Medicines sans Frontières*) are also offering free STI check-ups and treatment and free contraception. Three of the rest VCT centres are planned to become STI clinics as well and three more are going to be established in three of the cities in Bulgaria.

- 5 mobile medical units are functioning, two of them have gynaecological chair and are specialised for SWs, especially working on the street. Another three MMUs are being purchased and are being equipped and two of them are specialised for working with SWs.
- There were changes in the legislation with regards to the drug policy: Due to leaving of a specific clause in the Penal Law, the drug users are now criminalized even if they carry a single dose of their drug. This was aimed to reach the drug dealers, but the effects were negative mainly for the users. Currently they are much more difficult to reach, the quality of the drug is decreasing and often leads to deaths due to an overdose or a bad quality drug. Subsequently, the percentage of our clients, who inject drugs, dropped from 40% to 5%. Most probably, they have become much more underground, entered prison or work only indoors.
- Final ordinances from the Witnesses' Protection Law, included in the Law to Combat Trafficking in Human Beings have been discussed and approved. The finalised law is very well written but most NGOs and GOs would argue on its applicability to the Bulgarian situation.
- 2004 has been the year of strong advocacy campaigns against the National Health Insurance Institute. In the late 2003 it announced that all people, who haven't paid all of their instalments since 2000, drop out of the system. This means a very high threshold for all people with not that "regular" lifestyle. The only way for them to be enrolled again is to pay these instalments. In the second half of the year it was solved in theory, as the Ministry of Labour and Social Policy promised to pay these instalments for a particular group.
- HESED participates 3 times a month in the regular educational curriculum for higher qualification of functioning policemen, working on the topics of drugs, prostitution and trafficking in human beings.

Changes in the sex worker population

- In general, the main characteristics of the group of SWs remain the same.
- Much broader and better knowledge regarding prostitution throughout Bulgaria is being gained, thanks to the work and monitoring system of the nine partner organisations, offering services to SWs. This is related mainly to mapping and description of the geographical specifics of the business in Bulgaria.

- As a significant change can be described the already mentioned tendency of "disappearance" of the SWs, who inject drugs from the outdoor prostitution throughout the country.
- There is a tendency for Bulgarian SWs to come back from Western Europe, even if it was a long-term stay. Many of them now declare that they do not plan to travel again in the next one-year period. It is a new tendency for Bulgaria.
- Still at least 85 % of the SWs in Bulgaria are migrants; they migrate both inside and outside the country.

Changes in Services available to Migrant Sex Workers

- As it was already described, currently the (migrant) SWs could meet outreach workers in 10 regions in Bulgaria. They would offer them health consultations, safer sex and safer injecting materials, referral and support. The outreach workers visit each scene at least once a week and this is a big change for Bulgaria that so many SWs are being reached by whatever kind of free and anonymous service.
- Two entirely new mobile medical units, specialised for work with SWs are going to be established in Varna (a resort city) and Rousse (border city at the Danube). As a comparison, neither the vehicle, nor the furniture in the first specialised MMU (HESED's) is entirely new and therefore in good technical condition.
- All of the mobile medical units are going to function under the auspices of the Ministry of Health, their maintenance is going to be delegated to a local NGO and the medical staff is going to be provided by the local STI clinic. This allows the MMUs to function as bridge over the gap between the SWs and the STI clinics and other health and social services.

CZECH REPUBLIC

Political Changes

Our Czech Ministry of Interiors developed a new draft of legalization of prostitution. The penalty for unregistered sex workers is of € 1.562,00 and for customers of unregistered sex workers is of € 469,00.

Changes in the Sex Work Population

In prostitution we notice that the process of globalisation is stimulating the sex market. Half of the sex workers is Czech, about 15% are from Slovakia, 12% are Ukrainian. The rest are Russians, Rumanians, etc. After our entrance into the EU the centre of the sex market is not the border area but Prague. The pattern of tourism is to see Prague for 3 days including a brothel visit and afterwards to move to other destinations.

Changes in Services Available to Migrant Sex Workers

We provide selected health care services and tests free of charge (HIV, syphilis, gonorrhoea). Other examinations are paid by patients. A model-program has been started to support victims of trafficking.

DENMARK

Political Changes

In April 2005 The Danish government has published an action plan on prostitution.

The action plan involves establishment of a National Competence-Centre for social outreach work and research. Moreover The National Competence-Centre involves capacity building on social workers.

At the *Danish Centre for Research on Social Vulnerability* we have recently published a research on clients, which among other things focus on the client's demands on foreign women. We expect there will be a big public debate about the main-conclusions of this research.

Changes in the sex worker population

Facts on foreign women selling sex in Denmark:

- East. and Central Europe: approximately 1000
- Thailand: approximately 800
- West Africa: approximately 200 women from Nigeria and Uganda but the police have observed an increasing number of Nigerian women.

Changes in services available to migrant sex workers

As part of the Governments action plan on prostitution (2005) the social outreach work will generally increase in Denmark.

Today more activities for foreign women in prostitution have been carried out, for instance better access to information about safe sexual conduct sexual protection issues, medical care, save houses and a hotline for foreign women in prostitution.

ESTONIA

Political Changes

There are no changes in legislation, welfare/health systems. Societal attitudes become more liberal. For the first time in history the activities regarding sex workers are included in the draft of National HIV/STI Prevention Strategy within the period 2006-2015.

Changes in the sex worker population

During last years the part of the women less than 18 years has noticeably dropped.

New for Estonia is the floating of sex workers from Latvia, Russia and Belarus to Estonia and further to

Europe (still small number of cases). We find also that in some aspects the working conditions of the women has improved and become more independent, even if sex work in Estonia is nearly to 99% organized by criminals.

Changes in services available to migrant sex workers

There are no changes. In our project, which is actually the only one in the country, sex workers are examined, treated and provided by all range of services independent of their country of origin, migrant status and/or terms of staying in country.

FINLAND

Political Changes

- Amendments in Penal Code/ new provisions of: trafficking (imprisonment min. 4 months-max. 6 years) and aggravated trafficking (min. 2 years-max. 10 years), aggravated pandering (min. 4 months – max. 6 years), marketing of sexual services (fines).
- Police got opportunity to telecommunications interception in aggravated pandering and in aggravated trafficking cases.
- Criminalizing purchasing sexual services: ministry of justice is starting to prepare a proposal to the parliament
- National Action Plan against trafficking released at the end of March.
- Networking among service providers has strengthened and attitudes among service providers has become more co-operative and open minded.

Changes in the sex worker population

- Police has been very active in the beginning of the year. Many women have been deported back home. Disclosing illegal brothels has decreased Russian women's opportunity to find working premises.
- It has been very difficult to get visas from Russia because of the backlog of applications in Finnish Embassy in St. Petersburg. Also it is more difficult than before to get a new passport if you have lost your old one.
- Decrease of Russian women who used to visit regularly our drop-in. Now women stay shorter periods and more women are coming for short visits (few days) from Estonia.
- Substitute treatment possibilities for iv drug users have decreased the number of IDU:s in the street area.

Changes in services available to migrant sex workers

No new services. Networking among service providers (NGOs and municipal services) has improved sex workers possibilities to get services from social and health care services.

FRANCE

Political Changes

Since the 18th march 2003, a new law has been adopted in France regarding prostitution: the Law for Inner Security. The « passive » soliciting is now considered a crime as well. It concerns "every person who has the intention to propose a remunerated sexual service in the streets but also in public places such as bars, public gardens, roads, park places, woods, etc."

The police have only the right to question a person. After their questioning the person can be held in custody up to 72 hours. After this, the prosecutor decides whether to start legal proceedings. The sex workers can receive a penalty of two months prison and a € 3.750,00 fine.

The official reason given by the government to prove the necessity of the law for Inner Security was the fight against sexual exploitation and pimping. According to the law, a foreign sex worker who complains about sexual exploitation or present herself as a witness can be granted a temporary residence permit of three months which gives her the right to work. Shelters have been set up by the State to offer victims a safe place, but they are not enough yet.

These conditions are valid only if the person doesn't represent any threat to public order, which is a very wide notion. Sometimes a woman denounces her pimp but doesn't get a temporary residence. Sexual exploitation deals most of the time with networks from Eastern Europe, and the pimps stay in their own countries. If the local authorities do not break up the networks in Bulgaria or Romania, it can be very dangerous for the women to go back there.

Since 2003, 360 women have benefited from these proceedings. Seven international networks were broken up in 2003 and four in 2004.

On the other hand, this law has disrupted at several levels the action, the approach and the administrative regard concerning these groups which have above all the right to be protected, to be socially recognised and to be part of the politics and the programs on regional, national and international level.

After the adoption of this law, the NGO's have noticed a dramatic increase of outrageous and even anti-constitutional repression of sex work.

The lack of a valuable procedure concerning this law reveals its absurdity: the extreme difficulty to define passive soliciting makes the application of the law dangerously subjective. Clothing, make- up, gender, places where you stay and many other points are part of a listing which remains unacceptable and incomprehensible even to the judges applying this law.

The repression of prostitution, which, by the way is not forbidden in France, uses all kind of subterfuges to prevent sex workers from working. The police set the presumed client under pressure and oblige him to sign a paper declaring that the sex worker did active soliciting and offered sexual practices for money. The client is then threatened that he will receive a letter at home, which would lead to his family knowledge about his presence on places of sexual work.

A prostitute has no possibility to protest. Clients are relaxed, while sex workers have to pay a fee or will be held in custody. In 2004, 5.000 proceedings for soliciting have taken place in France, thereof 3.725 in Paris.

Changes in the Sex Work Population

Since the application of the law two years ago clandestinity, insecurity and unpunished violence against sex workers are increasing as well as the trafficking of women and transgenders between the developing countries, especially from Latin America and Africa to Europe. These persons, lacking recognition, medical cover and empowerment are more and more vulnerable and easy preys for mafia networks – ironically this is exactly what the law pretends fighting against.

We have noticed that the situation is very different from a city to another. It very much depends of the local authorities.

In Paris, sex workers find themselves in trouble because the 'passive soliciting' is opposed to the right of every citizen to be in a public place, to dress as you want to, without distinction of gender and sex.

Encouraged by the law, the police created a repressive squad in order to persecute and harass persons who should occupy a priority place in the state's priorities, who should be protected in the name of liberty, equality and respect. We don't have much official information about people involved in trafficking. In Paris, Lille, Anger, Rouen, Lyon, Bordeaux, Toulouse, Nîmes sex workers have no legal guarantee to be protected physically or to have access to prevention measures.

In Marseille, Montpellier and Nice, when the law was promulgated, nearly all sex workers were arrested, held in custody but most of the time released. Sex workers were given a « law reminding » (*rappel à la loi*) which reminds them that soliciting is a crime regarding to the law and were prevented to commit any offence during a defined period of time. We could notice that for migrant

sex workers this period could last until three years instead of one year as for nationals. Now that they are filed, relationships between the police and the sex workers are correct. The police arrest most of the time unknown people.

In Nîmes the associations that support sex workers have passed a covenant with the court of justice. When the police arrests someone, this person is being given a notification to attend (convocation) in the associations that can give support if needed. As a consequence they only arrest sex workers arriving in the city.

In cities like Toulouse or Lyon, the police apply the law in a very strict way. Sex workers are constantly arrested and sometimes badly treated. They often have to pay a fine, and strangers are expelled. They have to move a lot, change the hours of working, and sometimes have to leave the inner centre to work in the suburbs, in unsafe places such as forests, parking or former industrial places. They are more vulnerable and less protected from violence. In those cities the violence against prostitutes increased a lot. The relationships between the police and the associations are quite bad.

The consequences of the law on the health are disastrous. In some places prostitutes have to move a lot, work in more hidden places and later and later in the night which makes it extremely difficult to reach them and to do prevention work. They don't have the time anymore to negotiate the prices, which are getting lower, or the use of a condom with the clients and they accept more easily a non-protected relation.

Migrants in irregular situation are the most affected. For them, an arrest can mean as well an expulsion from the country. They have to live in clandestinity, in physical and psychological insecurity.

The visible activity in the streets slowed down, sex workers are now working more in apartments or in other hidden places. The clients as well prefer meeting a sex worker through ads on the internet, newspapers or magazines, by fear of a police control. Prostitution is now more hidden, which means more dangerous and precarious.

Changes in Services Available to Migrant Sex Workers

We continue to protest against this law which criminalises sex workers, pushes them into clandestine situations and makes them easy victims for all kinds of trafficking. We fight for the empowerment of sex workers in order to defend their human rights and their citizenship.

GERMANY

Political Changes

In Germany there were some changes concerning the Alien Laws and the Labour Laws.

Alien Law: from January 2005 there is a new law (*Zuwanderungsgesetz*), which rules the entering of foreigners with the purpose of establishing themselves in the country. From now on, there are only two sorts of residence permits: a limited and an unlimited one. The aim is to keep the ones with a high educational level and, if possible, with a good financial situation. For the others are no vacancies. Although there are some facilities regarding "family reunion" (because of the large Turkish community), the conditions to get an unlimited permit became more severe.

Labour Law: because of the increasing unemployment (nearly 13% of the workforce is currently unemployed, the highest jobless rate since the 1930s. (dpa)), Germany has, also from January 2005, a new "Labour Market Policy" (*Hartz IV*), which rules the reinsertion of persons in the labour market and the state's unemployment allowances.

- The State Employment Agencies (*Arbeitsamt*): there are some discussions about how to deal with prostitution in this new context: on the one hand, as sex work is not "immoral" anymore and is recognised as an activity by law since January 2002, it could be offered to unemployed women + men; on the other hand, there is a special rule which says that some activities cannot be imposed (a Moslem working at a pork butcher's shop, for instance). Sex work falls into this category because it exposes persons to intimacy situations, which cannot be imposed to.

- The Labour Market Policy (*Hartz IV*): however, one of the new rules says that if a person does not accept the job which is offered by the Agency, her/his unemployment allowance will be cut down. This would mean that a job as a barwoman in a brothel, for instance, has to be accepted as it does not expose the person to any intimate situation.

There were no changes concerning the Prostitution Legislation, although some (negative) consequences could be felt with regard to the taxes calculation and the item "facilitating prostitution".

- Taxes calculation: although prostitution was only recognised as an activity in 2002, sex workers had, theoretically, to pay taxes even before this date, even having no rights whatsoever. However, due to the new recognised legal situation of sex workers, municipal Financial Departments in Germany have been chasing sex workers on the streets, in bars and in apartments demanding the payment of taxes for the last 10 years (!), even if during the majority of this period prostitution

had no legal recognition. The result of this sort of action is that many sex workers are afraid, avoiding contacts, for instance, of opening the door of their apartments for outreach workers, as it is already happening in Hamburg. Therefore, to avoid this sort of arbitrary situation, the German Prostitutes' Movement is demanding for the last three years, that the Financial Authorities comes up with a fixed date (preferably from January 2002 onwards) from which sex workers could start paying their taxes backwards. However, until now there are no concrete results, what leads 1) to this sort of arbitrariness, 2) to the fact that many sex workers do not declare incomes got through sex work, by fear of having to pay back an absurd and unfair amount of money and 3) to more control over sex workers. Nevertheless, to have a tax number as an autonomous sex worker would bring them more tranquillity, which has been suggested by prostitutes' organisations.

In Dortmund, for instance, the finance authorities wants to start a system in which sex workers and brothel owners pay a daily or monthly lump sum over their income (about € 3,00 a day for sex workers and €100,00 monthly for brothel owners).

- Law on "Facilitating Prostitution": this item criminalized, for instance, brothel owners who offered good working conditions to sex workers, by accusing them of encouraging prostitution. This item was abolished within the 2002 law. However, there is a proposal of the conservative party to reactivate it. The argument is that the police and other instances would have again more control possibilities over the milieu, because it facilitated the entrance in the different prostitution's establishments.

Brothel Licences: there started a discussion inside the prostitutes' movement about the advantages and disadvantages of having a criteria list for brothels, in order to control the working conditions offered to sex workers. The ones which would fulfil those criteria would gain a licence or a special sign, like the star system for hotels, for instance. The criteria list would be created by the "German Association for Sexual Services" (BSD/*Bundesverband für sexuelle Dienstleistungen*) and the network of prostitutes' organisation.

The legislation on Trafficking in Women: Germany started end of 2004 the discussion for the ratification of the UN and EU Trafficking in Human Being Law. In this process, the conservative party came up with a proposal which should criminalize the clients of sex workers victims of trafficking. Apart from being unrealistic, the proposal was immediately refused by NGOs throughout the country, which launched a campaign directed to all members of parliament, with the result of further discussion, including the participation of grass route organisations. The positive side of the German legislation is that it would consider all sorts of

exploitation and not only the ones resulting from sexual exploitation.

The consequences of the EU enlargement: as in other (old) European countries, also in Germany it became easier for "new" European citizens to work as self-employed, including sex workers. The interest among sex workers of these nationalities about how to gain their autonomy is very strong. Therefore, TAMPEP-Germany developed a short information leaflet announcing the new possibilities, which has already been distributed during streetwork in Hamburg. It has been translated into Polish, Russian and Czech and will be handed to other organisations in Germany. The BSD (German Association for Sexual Services) also developed a similar information material, but until now only in German.

The general societal attitude towards prostitution did not change the last year: the 2002 law made sex work a more "discussable" issue. Nevertheless, because of the media's usual mixing up between sex work, trafficking and the victimisation of migrant sex workers, the overall public attitude is quite paternalistic, always very much directed to an "assistance" vain.

Unfortunately, one fact has been noticed very strongly: because of competition, there has been an increase of the offer of unsafe sex in newspapers and internet ads. What was always a discriminatory argument against migrant sex workers, have been used also by German sex workers. On the one hand, this behaviour correspond to clients' and some brothel owners' demands, and on the other, it increases the necessity of wider public campaigns and stronger primary prevention and empowerment work. This situation relays also on a contradiction: to advertise for prostitution is still officially forbidden, as for instance, with safer sex practices, but it is tolerated to announce "without taboo", what means "without condom". Therefore, there are some voices starting to demand the return of the compulsory medical examinations (*Bockschein*) for sex workers, which was abolished in January 2001.

Changes in the Sex Worker Population

There were no big changes in Germany concerning the sex worker's population: still about 60% are migrants, being the main group women from Central and Eastern Europe (about 50% of the migrant's part). Nevertheless, there was an increase of women from Poland and the Baltic countries through the EU enlargement. And among Asian sex workers (female and transgender), there has been an increase of sex workers from Indonesia.

The patterns of mobility changed only what concerns the EU enlargement. As it facilitates the mobility within the European Union, there has been observed a bigger come-and-go movement mainly of Polish women, because of the border proximity.

In Dortmund and Frankfurt has been observed an increase of minors working as sex workers: girls, from 14 years old onwards, Germans. They work on the street, near the usual prostitution scene and around some specific restaurants.

Changes in Services available to Migrant Sex Workers

There were no changes what concerns the social or health services offered to (migrant) sex workers. Public health care services offer voluntary, anonym and free of charge HIV and STD test, examinations and certain treatments.

ITALY

Political Changes

There have been no changes in the Italian immigration law on prostitution and the fight against trafficking. Since its application last March the implementation of the law on immigration has become more severe and regularisation more difficult.

There have been important cuts on the financial side and as a consequence free health services have been reduced. Although projects which sustain trafficked persons are still financed, their budgets have been reduced and financing arrives late.

Parliamentary debates on prostitution which seemingly wanted to approve a law against came to a stop in 2004 for several months. Last March, *Lega Nord*, a political party which is plainly racist and against migrants, especially migrant prostitutes, requested the discussion on the issue to be re-opened.

Changes in the sex worker population

Changes in the composition of sex workers, in this given period, are due to the following factors:

- the enlargement of Europe which permits the easy entrance of people who had already planned to migrate into Italy (the presence of Rumanians over the last year is the highest among east European migrants);
- Repression by the police on the roads and against night clubs ;
- Economic crisis which has greatly reduced the buying power of clients and diminished the earnings of sex workers.

Due to the reduction of clients in nightclubs and the consequent abundance of sex workers, there is now a new situation in these bars. This evidently renders bar proprietors nervous who demand a lot from sex workers and fire them for the least reason. Given the situation, women in these conditions have more to lose than to gain.

Quite a number of the sex workers who work in night clubs in North East Italy come from Hungary. They are

self-organised women who arrive in groups of three or four and share their travel expenses. They stay in Italy for 2 weeks and then return to their country for other 2 weeks. These women were already present on the sex market before the enlargement of Europe but are now more visible and organised.

As it appears, women, from countries which recently joined the EU, do not enjoy much freedom from the criminal organisations even though they are not illegal immigrants according to the Italian law.

Thanks to the reports from art. 18 projects, citizens to whom shelter has been given are mostly Rumanians, which shows the strong influence these criminal organisations over them.

Changes in services available to migrant sex workers

There have been no significant changes in the organisation of services save for the huge cuts in health services by the local health board and the municipalities. As a consequence services available either for Italian or immigrants have been reduced. Health treatments are tailored according to their costs and not in correspondence to a patient's need. The number of poor families and of poor people below the poverty line is on the increase. Immigrants are often classified in this group. Regular immigrants who work in Italy also encounter difficulties in integrating into the society. Housing costs are very high and are practically out of control. Inflated salaries and the insecurity of temporary job contracts have a negative effect on the psychophysical well-being of person.

Even projects with special objectives destined to the less advantaged have difficulty in guaranteeing health assistance.

A note of optimism, interventions on public health have not changed and as such STD and AIDS services are still offered free of charge.

LATVIA

Political Changes

Since 1998, prostitution is legal although procuring is not legal in Latvia. In 2000 the Regulations for Limiting Prostitution were introduced and come into the force accepted by the Cabinet of Ministries. Those regulations partly legalized prostitution, mainly street prostitution. In Latvia the Ministry of Interior has elaborated a program to limit and control prostitution.

In May 2000 Parliament amended the criminal law to address the issue of involving minors in prostitution, adding Article 165', which deals with the sending of an individual to be used sexually. In April 2000 the Cabinet of Ministers adopted new regulations on limiting

prostitution: Accepted by the Cabinet of Ministers on 2 April 2001, Riga A.

Prostitution is controlled by the Regulations on the Restriction of Prostitution, which requires prostitutes to work in places determined by local authorities. Prostitutes must carry a medical card, which is to be issued by a certified dermato-venerologist. Those who do not carry a health card or who work in the wrong area may be fined up to 250Ls (€ 332,00). Adult prostitution is legal, but procuring, pimping and forcing someone into prostitution is not. Article 164 of the Criminal Code punishes compelling someone to engage in prostitution by up to three years' imprisonment, custodial arrest, a fine, and/or confiscation of property. Article 165 punishes anyone who lives off the profits of prostitution by a sentence of up to four years and possibly confiscation of property.

A new Law on Sexual and Reproductive Health entered into force on 1 July 2002 guaranteeing the right to abortion - a right previously granted only through the Welfare Ministry Regulation of 1993.

On 25 April 2002 Parliament amended the Criminal Code strengthening norms against trafficking in human beings. In 2002, charges on sending a person abroad for sexual exploitation with the person's consent were filed in 13 criminal cases, bringing the total number of cases to 25.

Latvia has signed the Convention for the Suppression of Trafficking in Persons and the Exploitation of the Prostitution of Others in 1992.

The attitudes of the society regarding sex work and prostitution have generally changed during the 90s. Through the creation of conditions for the empowerment of sex workers, the reduction of discriminatory and stigmatising attitudes towards sex work, special attention has been paid and measures has been undertaken mostly by NGOs which work with the mass media like newspapers, TV/radio and Internet. The stigmatisation of sex work, the humiliation of their civil rights, dignity, safety, the lack of confidential services, and the ignorance regarding their socio-economic position, health, and possibilities for rehabilitation, are still widespread in our societies.

Changes in the Sex Work Population

By NGO "GENDERS" estimation, this year there is an increasing amount of Latvian, Belarus and Ukraine sex workers active on the streets of Latvia. According to the Vice Squad, some 100 women and men depart Latvia each month to go to various European countries to work as prostitutes. The police tend to have only fragmentary information about what these people are actually doing abroad. There is usually only data about and from prostitutes who have been deported back to Latvia.

Changes in Services Available to Migrant Sex Workers

There are laws checking uncontrolled immigration and standard law regulations concerning all migrants in Latvia.

- Adult sex workers have no legal protection from government, nor are there any state institutions to assist migrant sex workers;
- No state funding has been budgeted for preventing the spread of HIV among migrant prostitutes;
- No funding allocated in the National Budget for the State Police that would help to create new working places for special force in dealing with existing problems of violence in sex industry.

In the social and medical assistance field, the role of government and NGO organizations is significant. NGO "GENDERS", Latvian STD Clinic and Latvian National AIDS Centre works with prostitutes and provide different medical and social assistance:

- Medical assistance and consulting service for sex workers is available on daily basis at "GENDERS" office;
- Regular outreach work is carried out by NGO "GENDERS"
- Two times per week in the evening hours, the medical check up is available at the Drop-in-Centre, which is located in the Latvian STD Clinic in co-operation with NGO "GENDERS";
- The National AIDS Centre provides 24-hours service, free HIV testing and needle exchange for drug-using prostitutes.

LITHUANIA

Political Changes

The Lithuanian government has worked out a legal amendment to impose fines on both sex workers and their clients. The government proposes to fine the customers of sex services with around 400 litas (€ 116,00). To this day, penalties have been applied only to sex workers.

In accordance with the landmark amendment, after a repeated arrest for the above crime, an individual shall pay a fine of about 750 litas (€ 217,00), or be placed under detention for 30 days.

The government approved the new change in the Administrative Code and will submit it to the Lithuanian Parliament, the government press service reported. In light of international law, the Lithuanian government is also set to consider legal norms which would allow exempting the victims of human trafficking from administrative responsibility.

At present, Lithuania has no legal norms exempting the people who were involved in prostitution or suffered

from trafficking in human beings from administrative liability.

Changes in the Sex Work Population

Regardless of the age, nearly all sex workers experience physical or sexual violence caused by their clients or pimps. They are often robbed, cheated by clients or suffer from the "contract" violation. This is shown by the bitter statistics: 50 percent of sex workers die during the first five years of their "career", they commit suicide, die of diseases, or are murdered by sexual maniacs or their pimps.

Prostitution has become one of the organised crime forms, related to the appropriation of untaxed income. Streetwalkers suffer from criminals. Analysing the specific cases (let's take the most dangerous sex workers' working district - the approaches of Vilnius railway station) we learn that what threaten sex workers the most is juvenile gangs. 16 to 17 years old striplings don't need sex - they come to the station to humiliate the sex workers. The crimes of this type take the most improbable forms: one sex worker says that she was pulled naked into a hole in the ice and held there until she collapsed, then the scared delinquents got away. Another girl recalls her skin being ironed and her eyelashes being burned with matches; after the contempt the girl went blind. In sex workers' words, the delinquents are usually wealthy families' offspring who have given up studying and try "life universities".

Being afraid of young felons, the just started sex workers leave the station district. Teenage girls from Belarus come into their places. They don't appear in daylight as they run the risk of being arrested and sent back home.

The girls do not make complaints to the police as this brings no results. The police don't interfere. The only function perfectly performed by them is fine collecting. The amount of the fine (100, 200 or 300 Lt.) depends on the policeman's mood. According to sex workers, the ones who don't pay the fine are taken to the local police station and are used by the policemen while held there.

One more connection between prostitution and crime is the organised women trade. After the fall of the Berlin wall, thousands of young women poured towards West Europe. Victims are often misled - they are offered a job in European countries but as soon as they cross the border the passports are taken away and they are made to work in night clubs or brothels under inhuman conditions. Lithuania is becoming the country of sex trade (the statement from EU conference), the country of sex worker export. Women trade for sexual purposes has become an organised crime in international scale. It is an international problem, not a one-country business.

Experts conclude that extent of women trade in Lithuania is the largest among the Baltic countries.

Though, the real number of trafficked women is unknown (presumably about 2000-3000 women become victims of trafficking per one year, and a half of them are from Lithuania). Experts agree that this number has been growing since 1990 (when the first cases were reported), and the list of destination countries is even longer.

A quite big share in prostitution business takes women from Russia, Belarus, Ukraine and Moldova. The Russian speaking sex workers are in greatest demand, though sometimes the foreigners are used only as replacement. Number of foreign sex workers has decreased because of visa requirements for citizens from countries non-EU members and because of high fines for human trade and trafficking. Besides, Lithuanian smaller towns and country-side women push out the foreigners from their environment. As reported, Lithuania still is a transit country, and many sex workers are staying here only temporarily and upon any chance go (or are sold) to the West. The main destination countries of women migration and trafficking remain Germany, The Netherlands, Great Britain, France, Sweden and Spain, though, new, more exotic countries are also chosen, for example Japan. Some of the countries, e.g. Germany, often are not the final destination but transit countries as well while women are resold to other countries – Italy, Spain, Turkey, etc.

Changes in Services Available to Migrant Sex Workers

Up to 20 organisations in Lithuania provide certain services to trafficking victims. Those with longest operation background are Missing People Families Support Centre and International Migration Organisation Vilnius Office. Later several NGOs and GOs have been involved into this work, e.g. Lithuanian Caritas, Women Crisis Centres, etc. Their actions were stimulated by the Programme for the Control and Prevention of Trafficking in Human Beings and Prostitution for 2002-2004 adopted by the Lithuanian Government. This programme foresees to support the projects of both governmental and non-governmental organisations following an aim "to lend social support and promote reintegration of victims of the forced prostitution". Support to women –victims of human trafficking is available also in other Lithuanian cities – Kaunas, Klaipeda, Alytus, etc. however, it should be noted that services of these organisation differ a lot: one of them are oriented towards prevention, information of population about the threats of work abroad and about phenomena of prostitution, others provide information to the victims and their close people, others help the women to integrate into society and assure psychological rehabilitation.

Medical and social support (and shelter) is mainly available in the *Missing People Families Support Centre* in Vilnius, *Vilnius Mother and Child Pension*, *Klaipeda*

Social and Psychological Support Centre – in the biggest cities of Lithuania. The Lithuanian AIDS Centre is able to assure professional medical consultations, testing and treatment, as well as psychological and social support.

LUXEMBOURG

Political Changes

In Luxemburg the street prostitution under 18 years isn't allowed by law, while prostitution over 18 years isn't mentioned. Punished by law is violence against women, pimping and trafficking in women. No changes in the police regulation of May 2001 (new location and fixed working hours). Also no changes in the law of May 2004 concerning the non-EU Artist Visa (women from non-EU countries get no more Visa to work in a Luxemburg cabaret as an artist).

Changes in the Sex Work Population

Luxemburg is a very small country and the street prostitution is only in Luxemburg town (about 90.000 citizens). Approximate 762 prostitutes are working there per year.

- There are more sex-workers on the street, and an increasing number of Africans and Latin Americans.
- There are also a frightening rising number of drug-users involved in prostitution. Main nationalities: Luxembourgese and Portuguese.
- About 76% of the sex workers are migrants.
- About 90% of them are women.
- 10% are travesties/transgender.
- There's no male prostitution on the streets.

The working conditions changed a lot during the year of 2001 because of a new police regulation in the city of Luxemburg.

- New locations in two really small streets, very exposed to citizens
- New fixed working hours: 8 pm to 3 am

In Luxembourg, there is only street prostitution and the prostitution in private flats. In the Cabarets and Clubs there's officially no prostitution. For several years women in cabarets were coming in majority from non-EU countries (Belarus, Russia) and they had a visa from one to six months as an artist. This changed on the 1st of May 2004, a new law was decided, which was a real surprise for everybody. These special visas will no more be allowed, that means:

- no more possibility for non-EU women to come to Luxemburg to work as an artist
- non-EU women who were working in a cabaret, had to stop immediately for the 1st of May

Result: some cabarets had to close their door, which was a disaster for owners and artists.

Changes in Services Available to Migrant Sex Workers

In Luxemburg there's only one service working especially with sex workers: the Dropln Croix-Rouge, which opened his doors in October 1998. The Dropln Centre is a very large and welcoming place for all sex workers, open from Tuesday to Saturday from 6 pm to midnight. Tuesdays and Fridays it opens at 3 pm.

Some other services have contact to prostitutes, and therefore we created a Luxembourg Network with:

- The *Planning Familial* (gynaecological questions)
- The *Youth & Drug* help (for drug using sex workers)
- The *Abrigado* (for drug users)

The objectives of our centre are:

- Defence of the interests of all sex workers
- Respond to there needs
- Engagement to increases there live quality
- Solidarity
- Denunciation of all kind of discrimination
- Disposal to listen to all there problems
- Prevention and medical help

The following services are offered:

- Medical treatment (diagnostic, prevention, vaccination). Presence of a doctor (gynaecologist and other specialist physicians) once a week.
- Social advises (available on demand)
- Psychologist presence on demand, as well as a lawyer (available on demand)
- Information about safer sex
- Condoms and lubricating jellies
- Left-luggage boxes, showers, toilets, washing-machine, telephone
- Syringe exchange

Through the TAMPEP CD-Rom, developed during TAMPEP 6 and part of TAMPEP 7 activities, the Dropln had the possibility to involve other services and organisations dealing with sex workers and/or migrants, in the framework of the TAMPEP programme. The project was a great success.

Many services and organisations work with the TAMPEP material: the Ministry of Health, the Ministry of Chance and Equality, Juridical Help Services, different Health Services and a NGO's throughout the country.

THE NETHERLANDS

Political Changes

Legislation with regard to prostitution: the law legalising prostitution dating from 2000 is ambiguous and still not in full operation which means that the duties of sex workers are not fully determined and their rights are not completely observed: sex workers are obliged to pay income taxes but are not yet entitled to enter welfare system.

Legislation with regard to migrants working in prostitution: given there is no possibility to receive a work permit for work in prostitution, the migrants from outside EU without residence permit with permission to work are excluded from (legal) work in prostitution. The women coming from new EU countries (except for Malta and Cyprus) can establish themselves as self employed sex workers. The procedure varies slightly according to the municipality, but in principle is as follows: the woman has to register herself as a self employed sex worker in the local Chamber of Commerce. For this she needs a prove that she has a residence place in the Netherlands (extract from the bank is enough) and she should be in possession of a copy of rent contract with a owner of sex business. Afterwards she has to register herself in the tax office where she will receive a tax identification number. She also has to register at the Aliens Police (or in some towns at the municipality) as EU citizen.

The women from Associated Countries (Bulgaria and Romania) have firstly to apply at the embassy of the Netherlands in their countries for so-called MVV (a promise for residence permit that would authorise them to work as self employed persons) and only then they can follow the procedure of arranging their self employment status.

In spite of the fact that these regulations have been in force for almost one year now, still very few women from new EU countries are aware that they can work legally in prostitution and/or do not know how they can arrange their work as self –employed sex workers. It leads to their dependency on third parties (pimps, traffickers, go-betweens, sex business owners, malafide lawyers, etc) and augments their vulnerability. Many women from outside the EU try to arrange residence permits in other ways such as for example through (fake) marriages, which leads them into situation of dependency.

Income taxes: sex workers are supposed to pay taxes. Most of the prostitution streets are visited regularly by the tax office functionaries who spot the women who do not pay taxes and summon them to prepare tax declarations. This procedure is quite complicated so most of the women must have an accountant, which means for many of them high spending on his/her remuneration.

Health insurance: most of self-employed sex workers are entitled to health insurance, however, only the ones who are officially inscribed in the population register are entitled to the low- cost insurance, the rest have to get an insurance for which they have to pay very high monthly costs.

There are no any changes in the societal attitude towards prostitution: it is still being perceived in the terms of sensation and/or victimisation.

Changes in the sex worker population

The **population of sex workers** hasn't changed significantly last times. Still, the largest group of sex workers is composed by the migrants of whom some 70% are the women from Central and Eastern Europe. As the result of the enlargement of the EU, Bulgarian and Romanian women (who until then dominated in the group of CEE women) had to leave the country (or go into hiding). Their place is taken by growing numbers of women from Poland, Hungary and Baltic States. For many of these women work in prostitution is a life option: they regularly commute between the Netherlands and their country and they are very eager to learn more about the work in prostitution so that they can earn more money in a safe way. According to the women, work in prostitution is not so profitable as before as the number of clients diminished significantly as the result of introduction of euro. They state that they have to work now more hard and have longer working days. However, there are no signals that there is more work without a condom.

There are also some clandestine prostitution settings, where work the women who had to leave the official circuit. These women are in complete power of the owners of these illegal brothels and the pimps. There is still a big involvement of trafficking networks in prostitution who arrange EU passports, the passage to the Netherlands and introduction to prostitution scene. There are numerous women (usually Russian and Ukrainian) with arranged EU passport of the new EU country. Most appalling is the fact that even the women from the new EU countries who can easily establish themselves as self-employed workers still come with the help of an intermediary/pimp for whom they work and to whom they have to pay every day (big) amounts of money.

The **mobility** of the women has increased significantly. Due to the fact that the women (from new EU countries) can work freely and can choose the place they work, they are continuously on move while looking for new and better places to work. Some prostitution streets/ towns that are known to be quiet and safe are used as a sort of "training camp" where women new to trade get affinity in prostitution so that they can move further to better places. Women are often moved by a pimp – if a woman does not earn enough money in one place, he places her in another prostitution place.

Changes in services available to migrant sex workers

There have been no changes in the offer of services available to migrant sex workers. As before, in the vicinity of major prostitution settings, there is a low threshold service point provided by public health services whose functionaries often carry out outreach work – sometimes even with the help of a cultural mediator.

NORWAY

Political Changes - Legislation: The latest legal change was in 2003: A new § on trafficking including parts of the old § on pimping. The punishment can be up to 5 years imprisonment, 10 years if the violation is grand. That enables the police to introduce certain methods of investigation.

There is an on-going public debate on prohibiting the buying of sexual services. The present Government is not in favour of this, and so far it seems not to be the policy of the opposition either.

There have been a government appointed working group to investigate the effects of Dutch and Swedish legislation. You can read the report on: <http://odin.dep.no/id/engelsk/bn.html>
Recommended reading!

Welfare/health systems: There has not been any major change in laws. Our service (Pro Sentret) has increased our health services, both for nationals and migrants.

The National Plan of Action against Trafficking 2003-05 is now being evaluated in order to prolong it. An essential part of the existing plan is introducing a "reflection period" up to 45 days. The Norwegian Directorate of Immigration has published guidelines for this period, stating that the victim must have the intention to leave prostitution and co-operate with the police. The guidelines have been criticised because reflection period is too short, the terms are too strict and it is uncertain what will happen after the 45 days. Most likely she will be transported back home. The English version of the Action plan is also available at: <http://odin.dep.no/id/engelsk/bn.html>

Otherwise, there have been no big changes.

Societal attitudes: For several reasons sex workers have been more visible in the public debate the last year. Last October the first Conference for Scandinavian sex-workers were held in Oslo. In general this has led to a more positive attitude towards sex workers with politicians, but a more openly hostile attitude from a small group of "radical feminists" working for criminalisation.

The fact that we have more visible migrant sex workers, mainly in Oslo, has brought about a vigorous debate, reflecting a lot of different fears like fear of mafia, of migration out of control, of more visible prostitution, of increase of prostitution etc. Unfortunately only few voices are pinpointing global poverty, lack of opportunities for women etc.

As mentioned on the last GM, there has also been a debate in Oslo on street prostitution as public nuisance. The police has been induced to move prostitution to a certain area at the same time as the more or less "open

drug scene" has been pushed into the same area. This creates of course new problems, and the debate is going on.

Changes in the Sex Worker Population

Total amount of sex-workers in Norway is estimated to be at the most 3000 individuals' per year. This is a small increase compared to earlier years. There is an increase of migrants and a decrease of national sex workers. 2/3 is assumed to be in the in-door scene (massage-parlours, flats, hotels).

1403 sex workers were in touch with Pro Sentret last year. 63% were migrants.

The major change in street prostitution is that migrant sex workers are increasing up to 80 % in Oslo, while national sex workers (mainly iv. drug-users) are diminishing, either quitting or working less.

Last year we have had an increase of West African sex workers in street prostitution, mainly Nigerians coming through Italy. This increase is growing further this year. Last year we were in touch with 128 Nigerians. The first 3 months of 2005 we have met 150.

Last year there was an increase of Estonian sex-workers. Eastern and South-European women are the dominant group.

Roughly speaking here is the distribution of migrant sex workers in Oslo by region:

▪ South-East Asia:	17%
▪ Africa (mainly West)	21%
▪ Latin America	13%
▪ Eastern & Central Europe	40%
▪ Western Europe	5%
▪ Unknown	3%

So far little have been documented on migrant sex work in other cities, but last year the police have investigated cases including migrants in 4 other cities and the social services are hesitantly looking into the phenomena.

Changes in Services available to Migrant Sex Workers

In addition to the services provided by Pro Sentret and the NGOs already giving service to sex workers in the major cities, there has been established a project called "Stop the trade in women". Their main purpose is to provide safe houses for victims of trafficking and to operate a hotline.

So far, Pro Sentret is the only service employing cultural mediators. We now have C.M from Russia, Albania, Dominican Republic, Thailand and Nigeria

Besides using and disseminating TAMPEP material, we have published our own information in 9 languages. You can read it on our web site: www.prosentret.no

POLAND

Political Changes

In Poland prostitution is not punishable but forcing, having benefits or persuasion is penalized. According to Article 203 "Who by violence, illegal threat, trap or using dependence or critical situation lead another person to the prostitution, is liable to punishment of 10 years of the deprivation of freedom"

Procurement is punished with 3 years of imprisonment. If the victim is under 18 the punishment is from 1 to 10 years. This same punishment is for the person who kidnaps another person others and forces her to prostitution.

In Poland next to the traditional prostitutes like streetwalkers or working in the hotel still exist nightclubs, which are cover for the prostitution. Currently there is much more agencies called "flats" than nightclubs and the number of the agencies with the signboard is reduced. The Police Department is not very active to fight with this form of prostitution and they are not involved in any activity against the owners of agencies like that.

The police statistic says that in Poland are about 1000 agencies (night clubs) and started 9 procurement investigations but police department has not proved that there were any profits from prostitution. It is not so easy because agencies in Poland are registered as a legally entertaining business.

The owners of the agencies very often use the expedients and elusions signing the work contract. They force women to sign the statement saying they will never work as a prostitute. Even if woman is so brave to testify the owners will find other witnesses who impair their testimony. A lot of women work by their own as a call girls and a lot is seeing as a luxurious one.

There are still prostitutes working next to the roads and highways but during the last year the form was changed. Women stand not directly next to the road but hide in the forests, stand on the parking lots, next to the motels and gas stations. These changes are results of the last year police project rests on "cleaning off" prostitutes from the side of the highways as a danger for the traffic.

In new legislation the law regulations related to the trafficking has changed. It used to be a crime now it is in the paragraph about sexual freedom and customs, as a one of the sections related to the prostitution.

According to the Article 204 § 4: „Who entices or kidnaps another person to be a prostitute and takes her abroad is liable to punishment of 10 years of the deprivation of freedom". Terms „entice" describe the all activities of the person who forces or using dependence

convinces another person to change the residence on the place wanted by the defendant for example by taking away passport or any other identification documents, promising legally work and later force to the prostitution. Terms "kidnaps" means taking away another person in different place without the permission. The difference between the old legislation and the new one is the permission. The new legislations say that if somebody will entice or kidnap another person and this person will agree to be a prostitute Art. 204 § 4 has no application. In the old legislation the permission made no difference. The defendant was guilty with or without the permission of the victim.

We assume that there is a prime time for organized groups taking care of women's trafficking. They have developed the methods of enticing and exporting women to the countries of West Europe. They offer a job in few ways: colleagues offer a waitress's or hostess's job, in the newspapers they can find tempting advertising, offers well paid job in abroad. It is very difficult to find and charge somebody who is responsible for the crime. Generally it is known that the scale of trafficking is very high. From one side Poland is a country which has a huge number of "exported" women to the West and in the other hand is a huge "importer" of women from the East: Bulgaria, Romania, Ukraine, Belarus or Russia.

Changes in welfare system are regulated to the families and single parents raising their children (included women) not directly to the prostitutes. We have knowledge form our clients that they are granted as a: single mothers, caring, nursing or for the family. In 2003 the alimony fund was liquidated and the obligation was removed to the local autonomies as a grant. Free social insurance is possible to receive if the person is registered in Local Work Office as an unemployed able to work. Who is not able to work and is handicapped the social care pays for the health insurance and pays stable grant. This grant is only for the people without any evidenced years of work including prostitutes. Usually they say that they work casual. A very experienced street worker of TADA, Dariusz Wojtko, says that he had never met any prostitutes who admitted that she works as a prostitute. A lot of them cooperate in the morning with him as a social worker in the social help office, and in the evening go with him as a streetworker or just listener. Prostitutes regularly ask for help and use the grants as: seasonal for basic needs and intentional- grant for the coal, rent, water, gas, electricity supplies, shoes for the children and others. If they have children in school age they are authorize to get hot meals in the schools, financed by regional or local social centre of help. Children also can be in day-rooms with an alimentation.

What is important: in Poland, any governmental help received by our clients, is not related to their job as a

prostitute, but rather to the fact that they are single parent, unemployed, victims of violence in the family, poor or dependent to psychoactive substances. This situation is truly tight to the legal aspect of prostitution in Poland which is not penalized, but also not legalized.

Changes in the Sex Worker Population

Police sources say that the number of prostitutes is about 13.500, being 2.500 are migrants. This data comes from the internet and we are in progress trying to confirm this information with the Police Headquarter. This are the newest information given by Szczecin Police Department related to prostitutions in Szczecin and on the Zachodniopomorskie region:

Szczecin: number of Polish prostitutes on December 31th, 2005:

Between 15 and 18 years old: 7 women and 3 men
Above 18: 500 women and 260 migrants

(The following data includes only women.)

Number of agencies (brothels):

78: 345 Polish sex workers and 217 migrants

Number of prostitutes:

▪ Highways and main roads:

Between 15 and 18: two women including 1 transsexual
Above 18: 43 Polish and 4 migrants

▪ One massage service in Szczecin hires:

Between 15 and 18 years old: 1 woman
Above 18: 3 women

▪ Prostitution in hotels, restaurants, discos:

Above 18: 110 Polish and 18 migrants
Other places (streets, parks)
Between 15 and 18: 13 women

Koszlin and area, Unieście, Świnoujście

Above 18: 161 women and 120 migrants
Less than 15 (juvenile): was not noticed

▪ In regional Court are cases:

1 case Art. 204 (trafficking) of international character:
Polish-Ukrainian
1 case of child abusing

Changes in Services available to Migrant Sex Workers

There are only a few non-governmental organizations helping prostitutes, included migrants. Currently known in cooperation to TADA are: Parasol (An Umbrella) in Krakow and La Strada in Warsaw. In last year almost nothing has changed in the offer for our clients. Changes unfortunately are related to the funds for HIV/AIDS and STI prevention from central resources (Ministry of Health via National AIDS Centre). According to this change, it appears to be a need to remove financial responsibility regarding prostitution to the local authorities. Supposedly because none of the local authorities realize this kind of projects.

PORTUGAL

Political Changes

The Portuguese legislation remains the same since 1998. Portugal still does not have a law that regulate prostitution. The authorities and the general population choose to close their eyes, instead of having an attitude about this matter. Sex workers are not considered criminals, but in reality they are repressed in a subtle way. Actually, although prostitution doesn't constitute a crime, sex workers, especially migrant sex workers, feel repressed in their work place, and in their social life, by the authorities and general population. Usually they are not informed about their rights, some of them live in fear of being caught and repressed, concurrently with the lack of a regulative and protective legislation, which put them apart of all kind of social and health care services.

Clearly trafficking constitutes a major problem in Portuguese reality, because the lack of an appropriate legislation and the covert repression and exclusion are favourable to trafficking mafias and sex workers exploiters. The Portuguese situation make sex workers easy targets for these organized agents and difficult any kind of efficient plan of intervention with this population, not only on STD's prevention but also in the grant of mental and physical integrity and in the protection of Human Rights.

Changes in the Sex Work Population

Migrant sex workers represent in the present a great part of sex workers working on the country. The media already refer that migrant sex workers are the leaders of prostitution in Portugal. Actually, most of the Portuguese men that look for sex workers already prefer the migrants, because of their exotic characteristics.

Concerning the origin countries, there are no significant differences comparing with the last year. Most of them come from Brazil, African and East European countries. However, especially in Lisbon there are already some Asian sex workers working in hotels. There are no differences on mobility patterns.

Changes in Services Available to Migrant Sex Workers

MAPS initiated in the last year two different projects, supported by the *National Commission against AIDS*, placed in two different points of Algarve. With these services MAPS is able to offer a care and beauty space just as specialized information about STD's prevention. We also obtained the approbation of a training program on Portuguese and English Language to migrant population.

On the national level we are now cooperating with the *Commission of Women Rights* in an EQUAL Project named CAIM, which pretends to fight trafficking.

ROMANIA

Political Changes & Changes in the sex worker population

There have been no significant changes in these fields since the Final Report of TAMPEP VI was written.

Changes in services available to migrant sex workers

ARAS, the only NGO providing specific services to commercial sex workers has developed 6 new locations (districts), besides Bucharest. Soon, 4 new locations will be opened.

All activities are based on outreach work.

SLOVAKIA

Political Changes

Slovakia reports no major changes. The sex business is still goes unmentioned in the legal system. Welfare and health care provisions are difficult to access for all citizens, and especially for sex workers. Sex workers suffer enduring stigmatisation and discrimination.

Changes in the Sex Worker Population

The clients of Odysseus services are Slovak sex workers. This group has remained the same. No statements can be made about sex workers from other countries.

Changes in Services available to Migrant Sex Workers

Odysseus is still the only organisation working with sex workers in a low threshold centre. In Bratislava there is NGO Prima. This organisation does street work: distribution of condoms and things for safer drug use. There are more organisations which work in the field of trafficking and domestic violence, but for them sex workers are not the main target group of clients.

SPAIN

Political Changes

There have not been any significant changes in the above issues. Although it is worth mentioning that the legalisation deadline is now open and it finishes in May 2005. In order to obtain a permit, they have to hand in a registration form (before June 2004), a penal certificate (to be applied at the Embassy), a valid passport and a work contract.

Changes in the sex worker population

- Increase of immigrant population coming from Eastern European countries, especially from Romania. The working place where we usually find them is in clubs, however we have also make

contact with them in flats. Many of them come or are with their partners, who very often are unemployed.

- An increase, too, of immigrant population coming from Africa.
- Decrease in the number of women coming from Brazil, comparing to previous years.
- Mobility of places. It continues being every 21 days. A lot of women have their own circuit, and they move within it.

UNITED KINGDOM

Political Changes

There has been no significant change in legislation. But both the Home Office in England & Wales and the Scottish Executive have over the last year initiated and published reviews of prostitution policy and legislation. The English Review 'Paying the Price' covered all sectors of the sex industry, but paid little attention to the situation and needs of migrant sex workers. The report was put out for consultation in July last year but the final report and conclusions following the consultation and recommendations have not yet been published. The Scottish review focussed its first phase on street prostitution (and therefore has no current relevance for migrant sex workers) and was put out for consultation December last year, they intend examining the indoor sex industry over the next year.

However law enforcement action against the indoor sex industry has continued to increase with police working with Immigration officers in raiding establishments with the specific purpose of seeking out victims of trafficking and migrant sex workers. We understand deportation levels are high.

There has been increasing pressure within the NHS, to restrict health care to 'foreigners' who do not have entitlement to free health care within the UK. Many hospitals now employ officers to check if patients have free NHS treatment entitlement.

There has been an increase in media representation of all migrant sex workers as trafficked, with little attention being paid to the protection of migrant's rights or the protection of the rights of those who have been trafficked beyond their usefulness as potential witness.

Changes in the Sex Worker Population

London continues to be the working location of most migrant sex workers within the UK, with one London project reporting more than 80 different nationalities attending their clinic. All London projects continue to report high levels of migrants within the indoor sex industry (60+%), however projects are reporting an

increase in the number of migrants from the new EU members from Central and East Europe.

Outside of London the percentages reported continue to remain low from 0-20%. There have been reports of migrant sex workers disappearing in towns where there has been a concerted action by police and immigration, however, but projects report that once the action is over the numbers start to rise again - we have no information about where they go in the meantime.

Changes in Services available to Migrant Sex Workers

The increasing pressure within the NHS to restrict free health care to foreigners without entitlement has made it more difficult for migrant sex workers to access health

service. Sexual health (STI) care remains free for all in the UK, however, if migrant sex workers need referrals to other health care such as termination then many projects report that this has become more difficult.

One London project is currently developing an IT audio resource for working with migrant sex workers, and the software will be offered free to other UK projects working with migrant sex workers.

Last year the Poppy Project was established in London to provide support to victims of trafficking, but takes an abolitionist stance on prostitution. The IOM is setting up a voluntary repatriation support service, again in London, which will take referrals from across the UK.