

WHA! Statement of Solidarity Sex Work Decriminalization



The Women and HIV / AIDS Initiative (WHA!) stands in solidarity with sex workers and sex workers' rights initiatives across Ontario in support of full sex work decriminalization.

We acknowledge the harmful impact of criminalization through laws such as The Protection of Communities and Exploited Persons Act in 2014, Bill 251 (Combating Human Trafficking Act, 2021), federal immigration regulations prohibiting migrant people from doing sex work, Ontario's Anti-Human Trafficking Strategy (2021), municipal bylaws that promote the racial and social profiling of outdoor sex workers and indoor sex work establishments, and the over policing and under protection of sex workers in all areas of the sex industry.

We acknowledge the structural factors of stigma, inequality, and discrimination that, combined with criminalization and profiling, contribute to HIV risk, poverty, a lack of housing, and the erosion of sex workers' rights, freedom, safety, and health.

We acknowledge the leadership of sex workers in the HIV/AIDS movement and in sexual health advocacy across Ontario and beyond.

We acknowledge the racist, sexist, anti-migrant, and anti-sex work ideology underscoring laws and policies.

We acknowledge that the elimination of laws and policies that fuel violence would substantially reduce sex workers' risk for HIV and STBBI transmission.

We stand in solidarity with sex workers and allies across Ontario and beyond to dismantle these systems. We support the actualization of policies that uphold the rights and safety of sex workers in our communities, including the full decriminalization of sex work, meaning the repeal of laws criminalizing sex workers, clients, and third parties.

"So long as sex work is criminal in Canada, sex workers cannot enjoy their international and Charter rights to freedom of expression, freedom of association, security of the person, right to work, and right to enjoy just and favourable conditions of work"

<https://www.hivlegalnetwork.ca/site/our-work/sex-work/?lang=en>

"...Criminalization reduces sex workers access to health, social and legal services, undermines their autonomy, health and safety, and violates sex workers' human rights."

<https://www.hivlegalnetwork.ca/site/submission-to-the-house-of-commons-standing-committee-on-justice-and-human-rights-review-of-the-protection-of-communities-and-exploited-persons-act/?lang=en>

The Protection of Communities and Exploited Persons Act (2014) "fuels stigma, discrimination, and other abuses towards sex workers and facilitated exploitation in the sex industry"

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"Decriminalization of sex work would have the greatest impact on the course of HIV epidemic across all settings, averting 33-46% of HIV infections in the next decade. Multipronged structural and community-led interventions are crucial to increase access to prevention and treatment and to promote human rights for FSWs worldwide."

<https://pubmed.ncbi.nlm.nih.gov/25059947/>

"Female sex workers (FSWs) bear a disproportionately large burden of HIV infection worldwide" and modelling shows that the "elimination of sexual violence alone could avert ...20% of HIV infections in Canada ...through its immediate and sustained effect on non-condom use among FSWs and their clients in the next decade."

<https://pubmed.ncbi.nlm.nih.gov/25059947/>