

December 17th 2020

SUBJECT : INTERNATIONAL DAY TO END VIOLENCE AGAINST SEX WORKERS

We are writing today on the occasion of the International Day to End Violence Against Sex Workers. You are certainly aware that people who sell or trade sexual services currently suffer many forms of violence in Canada and elsewhere in the world.

On this day, we wish to remind you that sex workers have a voice that should be heard and that we, as a society, must allow them to define their own experiences and identities. The labels imposed on them such as "victim" or "undesirable" are a stigma and a form of violence. Instead of attempting to save sex workers, we should give them rights !

Indeed, sex workers do not have the same rights as workers in other economic sectors. Giving them rights is an urgent matter and will help achieve self-determination and fight against exploitation. Canadian laws participate in this ongoing violence as they result in the isolation of sex workers and pose major obstacles to the access to the justice system.

Furthermore, the stigma around sex workers leads to discrimination, namely in child custody, access to housing, employment, or health and social services. Sex workers, especially racialized and trans workers, suffer systemic violence and, among other things, more police brutality, which comes in the form of physical violence as well as verbal abuse.

This year, and partly because of the COVID-19 pandemic, laws criminalizing many activities linked to sex work put people who sell sexual services in a highly precarious situation. As organizations providing psychosocial services for sex workers in Montreal, we can testify that many could not have access to financial support programs such as the Canada Emergency Response Benefit (CERB) because declaring their income would pose risks. Confinement periods are therefore particularly hard for sex workers, leading to more risk-taking behaviour in order to work.

FEDERAL GOVERNMENT

Criminalization of sex work-related activities leads to systemic violence towards people who trade sexual services. You have the power to put an end to this violence. To this end, we ask that you withdraw the following provisions from the Criminal Code: 213(1), 213(1.1) et 213(2); s. 286.1(1) – 286.1(5); ss. 286.2(1)–s. 286.2(6); s. 286.3(1) and 286.3(2); s. 286.4 et s. 286.5(1) – 286.5(2). These provisions constitute obstacles to communication with colleagues and clients, which is vital for the organization of work and to insure good working conditions. They contribute to the stigmatization and marginalization of sex workers. These provisions therefore isolate sex workers and place them in unnecessarily dangerous work conditions.

Provisions already included in the Criminal Code can appropriately punish violence against sex workers, notably ones about theft, assault, intimidation, harassment, death threats and forcible confinement. Calling on these legal articles instead of sex work specific laws would allow for a better distinction between consensual practices, and what constitutes violence, exploitation and human trafficking.

Furthermore, the absence of specific laws regulating sex work would allow people who trade sexual services to have their rights respected as workers, through legal recourse on their employers. This is currently impossible because reporting an employer would lead, for many sex workers, to a loss of income.

Even if the Government of Canada has acknowledged systemic racism, we are far from having sufficiently acted against it. Criminal laws around sex work perpetuate violence, particularly against Indigenous and racialized sex workers. Canada must act and demonstrate a real commitment to reconciliation and reparation towards Indigenous peoples.

On this International Day to End Violence Against Sex Workers, we urge you to act and, above all, to listen to the voices of sex workers' so that this perpetuation of violence ends.

SIGNATORY ORGANIZATIONS



Action Santé Travesti(e)s et Transsexuel(le)s du Québec (ASTT(e)Q) - CACTUS



Passages



RÉZO (santé et mieux-être des hommes gais et bisexuels)



Les 3 sex*



Club Sexu



BRAS Outaouais



AQPSUD



Projet d'Intervention auprès des MineurEs ProstituÉEs (PIaMP)



Jeunesse Lambda



Table des organismes communautaires montréalais de lutte contre le sida (TOMS)



Coalition des organismes communautaires québécois de lutte contre le sida (COCQ-SIDA)



Id-est



PACT de rue



Project 10



Travailleuses et Travailleurs Progressistes de l'Éducation (TTPÉ)



Association Étudiante Modulaire en Sexologie



En Marge 12-17



TransEstrie



AlterHéros



Action Jeunesse de l'Ouest-de-l'île (AJOI)



AIDS Community Care Montreal (ACCM)



Action LGBTQ avec les ImmigrantEs et RéfugiéEs - AGIR



Groupe d'action trans de l'Université de Montréal