



SEX WORKERS PROJECT OF THE URBAN JUSTICE CENTER

STATEMENT ON PROHIBITIONIST NORDIC MODEL LEGISLATION IN NEW YORK

OPPOSE THE HARMFUL “SEX TRADE SURVIVORS JUSTICE AND EQUALITY ACT”

January 28, 2021

In collaboration with and guided by impacted communities, the Sex Workers Project (SWP) of the Urban Justice Center (UJC) provides legal advocacy to survivors of human trafficking and people who engage in sex work, regardless of whether they do so by choice, circumstance, or coercion. We engage in advocacy, education, and organizing to build a movement to protect the human rights of sex workers. We aim to create a world that is safe for all workers and where human trafficking does not exist.

One of the first programs in the nation to assist survivors of human trafficking, for 20 years the Sex Workers Project has pioneered an approach to legal services grounded in human rights, harm reduction and in the real life experiences of our clients. We share our expertise through legal education workshops for sex workers and trainings for service providers and community organizations. We engage in media advocacy, support sex worker-led organizing and pursue policy change, aiming to make a real and demonstrable impact in the lives of our constituents. We also conduct groundbreaking human rights documentation rooted in the real life experiences of sex workers and survivors of human trafficking.

As an organization led by current and former sex workers, and providing services to survivors of human trafficking and sex workers every day, we know first-hand that the so-called Nordic, End-Demand, or ***“Equality” model is simply a modern-era prohibitionist model that seeks to further stigmatize and criminalize our customers and clients and the sex trades in general.*** This approach directly harms people working in the sex trades under the guise of eradicating human trafficking. No matter what you call it (advocates of the model continue to change its name in order to appeal to liberal decision makers), this framework and the mindset that perpetuates it is prohibitionist, anti-sex, paternalistic, transphobic, and hugely assumptive, rooted in

hundreds of years of a white/European, missionary, rescue-mentality and approach to discomfort with sex, trans bodies, BIPOC sexuality, and sexual freedom in general.

Sex work is value creating work that includes many different sectors and types of sexual, erotic, intimate, emotional, and/or spiritual practices and services. We as **sex workers provide valuable services to people who need and/or want them**, including services to people who are struggling with social isolation, depression, anxiety, or physical disabilities. We provide entertainment, companionship and even end of life care to our customers and clients.

The so-called “equality” model certainly creates no “equality” for our customers and clients. Nordic model legislation relies upon a white supremacist, patriarchal criminal punishment system that disproportionately impacts BIPOC men (Black, indigenous and/or people of color), as do all criminal punishment policy solutions. Many exchanges in the sex trades occur intra-community, meaning whether you seek to criminalize workers or our customers, you are still **further criminalizing BIPOC communities**.

Nordic model policies directly harm workers by targeting our clients and customers, taking away our livelihood. The assumption that everyone in the sex trades can, wants to, or needs to “exit” the sex trades is a paternalistic assumption that is simply untrue and that invisibilizes hundreds of thousands of adults who work in the sex trades by choice and circumstance.

The Nordic model is an attack on transgender women and undocumented migrants who rely on the sex trades because of enormous barriers to employment in the formal economies. It is also an attack on sexual freedom and liberation, with its proponents believing they know what is best for other women while blatantly ignoring the realities of men, non-binary people, and people of all other genders in the sex trades. It is rooted in the same second wave “feminism” that has harmed transgender people for decades with violently transphobic language and actions. It is a “feminism” that is authoritarian and actually internalizes and replicates patriarchal norms, ignoring the human right to self-determination, the human right to work with dignity, the human right to sexual freedom, and the human right to bodily autonomy for sex workers.

Furthermore, ***the most effective way to combat human trafficking is to take sex work out of the shadows by fully decriminalizing the sellers, buyers and promoters of all adult consensual work.*** We already have laws in New York and at the Federal level to combat human trafficking, none of which the **New York comprehensive decriminalization bill (Stop Violence in the Sex Trades Act (SVSTA))** would alter.

New York has always been viewed as a progressive leader among states when it comes to protecting and promoting human rights. Now is the moment for New York to continue that proud legacy of human rights leadership by:

- acknowledging that sex work is work that provides valuable and sometimes life-saving services to people who need them;
- making clear that criminalizing the buying, selling **or** promoting of adult consensual sex work is criminalizing survival for trans women and migrants;
- ending the gender and racial profiling of transgender BIPOC women;
- providing comprehensive criminal record relief (vacatur) for survivors of human trafficking;
- ending the conflation of human trafficking and sex work

SWP calls for the repeal of the NY Penal Law of loitering for the purposes of prostitution, expansion of vacatur for survivors of human trafficking, rejection of the “equality” or Nordic model that criminalizes our customers, and passing full comprehensive decriminalization of the sex trades through the SVSTA.

We must collectively, as sex workers, survivors of human trafficking and our true allies, ***hold the proponents of the Nordic, end demand, or “equality” model accountable for the lifelong harms their actions cause.***

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