



UNIONIZATION OF SEX WORKERS

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ABSTRACT:

Unionization of sex workers in India will be a significant movement for the recognition of rights of laborers, social security and legal recognition. Despite of criminalizing sex work there are few organizations like Durbar Mahila Samanwaya Committee and the National Network of Sex Workers have emerged to educate and safeguard about the rights of sex workers. These types of organizations work to protect the working conditions, health, legal protection and put end to police harassment. However, there are few challenges due to which the whole rights for the sex workers have not been provided because of legal ambiguities and lack of policymaker's resistance. Sex workers organizations / unions are making few policies which includes decriminalization of sex work and also providing social welfare schemes for the sex workers. These unions are working towards discrimination, brutality of police and social ostracization. Unionization, granting them equal rights, dignity and social security can empower the sex workers. This paper provides the impact, evolution and challenges of the sex workers and their unions which are faced and their key role in emphasizing the advanced labor rights and human dignity. This paper argues that the sex work should be made as a legitimate labor and ensure legal protection by unionizing, providing rights to sex workers will make our society to be positive and equitable.

Keywords: Unionization, Sex Work, Decriminalization, Dignity, Legal Recognition, Discrimination, Social Security.

INTRODUCTION:

Unionisation of sex workers is a key step which can be taken forward for the. Purpose of ensuring the recognition as a legal profession, respect and rights of workers. Sex work though being one of the oldest occupations in our nation it still render illegal resulting exploitation, systematic violence, resulting in lack of accessibility to fundamental services such as financial stability, legal protection as well as health care, while the work of sex within itself has not been prohibited the Immoral Traffic Prevention Act 1956 (ITPA)³⁵ does criminalize any kind of actions relating to it including maintaining brothel, soliciting and also pimping to a large extent this ambiguity with in the aspect of leads to difficulties. This form of legal

ambiguities usually puts sex workers facing political searches into forced erections, moral policing there by leading harassment from law enforcement and general public³⁶. Social stigma also plays a pivotal role which further exacerbates their challenges their by challenging them to breath taking diseases such as AIDS/HIV as well as assaults and economic hazards. Additionally uncertain legal laws to prevent sex workers from accessing any kinds of benefits from the society leave them financially more vulnerable. Due to this distress sex workers have resorted collective fights by forming unions in order to enforce their rights. One land mark example is the Durbar Mahila Samanwaya Committee (DMSC) which has

³⁵ Immoral Traffic Prevention Act 1956

³⁶ Ditmore, Melissa Hope, et al. Sex Work Matters: Exploring Money, Power, and Intimacy in the Sex Industry. Zed Books Ltd., 2013.



been founded in Kolkata in the year 1955 and has grown to include over 65000 members presently. DMSC advocates the various types of social rights including the right of voter IDs, ration cards, efficient health care, were also working towards decriminalization of sex work. DMSC has also set up different forms of regulatory boards in order to ensure that women entering in to this come into it voluntarily aiming at combating human trafficking others are significant groups includes Veshya Anyay Mukti Parishad (VAMP) Maharashtra based which focuses on labour rights and legal support as well as healthcare for sex workers. How so ever despite all these effort sex workers have been facing stringent opposition from anti trafficking and consecutive groups in the society who often conflate consensual sex work with forced form of trafficking. This has led to a restrictive legal environment there by hindering basic rights and accesses most of them in the field also face imminent discrimination from different forms of fields in the society including landlords, financial institutions as well as health care providers, some organisations have even advocated for criminalization of sex work. The complete criminalization and a ban on sex work has also been advocated by various organizations which could lead to force rescues and retaliation that could violate the autonomy of consenting adults. Even though unionization has led to significant amount of progress including legislative changes at the local level, financial inclusions, as well as the improved health care access³⁷. Sex workers have still faced considerable barriers this includes DMSC works for example Sonagachi, the red-light district in Kolkata, which is contributing to significant AIDS reduction as well as HIV transmission. Unionization as the resort has also provided collective voices from all the sex workers there by giving them a platform to engage with legislations, law enforcement as well as educate to the public for their rights and

demand their fundamental rights as human beings. Court cases as well as campaigns have further this process where in new means have affectively challenged the narrative of sex workers being newer victims and had raised awareness about their integral issues. The tremendous and consistent growth of sex workers unions in India thus require sustainable law being in order to facilitate progressive legislative changes there by decriminalizing sex work³⁸. If successful such decriminalization could lead to sex work being duly recognized as a form of legitimate labour there by granting access to workers under the realm of labour laws there by providing them with improved conditions of living and social security benefits, greater media exposure as well creating public awareness still stand as an essential ingredient for shifting the cultural perceptions in this globalised new era increased collaborations between feminist groups, legal professionals, human right organizations as well as different unions is the only way we could pave a path for policies that can be brought into implementation in order to duly recognize sex work lawful form of labour rather criminal activity in our nation.

RESEARCH QUESTIONS:

1. What effects does India's current legal system have on sex workers' rights and working conditions?
2. In what ways has unionization enhanced the legal, social, and economic standing of Indian sex workers?
3. How does unionization affect sex workers' access to healthcare and ability to avoid HIV/AIDS?
4. What legislative adjustments are required to guarantee improved labour rights and safeguards for Indian sex workers?

RESEARCH METHODOLOGY:

³⁷ Kumar, Sandeep Kumar Dr. Pradeep. WOMEN IN THE STRUGGLE : A PAST AND PRESENT TURN. Laxmi Book Publication, 2023.

³⁸ Ghose, Toorjo. Sex Work and Social Movement in India: Mobilizing in the Time of Pandemics. Taylor and Francis, 2024.



The "doctrinal technique of research" serves as the foundation for the current research article. Doctrinal research is a type of study that necessitates gathering the necessary knowledge inside a library's confines. As a result, it indicates that the material needed for the doctrinal form of study is primarily acquired in its secondary nature through books, other research papers, journal articles, newspaper articles, etc. The doctrinal type of research is the most appropriate methodology for the current study, so it has been used in accordance with that.

LITERATURE REVIEW:

The literature on Indian sex workers' unionization sheds light on the difficulties, laws, and socioeconomic effects of collective organizing. Important topics covered in the paper include labour rights, social stigma, legal recognition, and the function of unions in promoting improved working conditions and safeguards. This review uses previous research and real-world examples to critically analyse these elements. The legal uncertainty under the Immoral Traffic (Prevention) Act, 1956 (ITPA) is the main issue with regard to the Unionization of sex workers. Even though sex work is not illegal but the inclusion of running a brothel, involving third parties and soliciting comes under illegal activities, due to this the sex workers are facing more problems in getting rights of workplace and legal protection. This paper shows how much difficulties they face like social isolation, instability of economy and harassment of police. In few countries like Germany and New Zealand the sex work is officially recognized and has been legalized and decriminalised by which the workers gained the access towards the legal protections, benefits of health, and social security. Because of lack of work from policy makers and social stigma the unions are still continuing to be marginalised and function illegally in India. Sex worker unions like the National Network of Sex Workers³⁹(NNSW) and

Durbar Mahila Samanwaya Committee (DMSC)⁴⁰ are playing a very important role in promoting social security, decriminalization, and legislative reforms in India. DMSC, the self-regulating board model, helps to stop trafficking in human and guarantees the people to join willingly in a profession is also been highlighted in the present research paper. The model's ability has earned a greater recognition in differentiating between human trafficking and voluntary sex work. In the literature both the ongoing problems/difficulties and notable advancements are been highlighted with regard to the unionization of sex workers in India. The economic, medical, and legal services are made more accessible through the unions but their efficacy is not hampered by social stigma and legal restrictions. This paper gives a strong argument for legal recognition, decriminalization of sex workers and improvement of social security, rights of labour and relief from human right abuses.

ANALYSIS:

The unionization of sex workers is a new labour rights issue which is overlapping with the fields of law economic human rights and social justice. Sex work is the one of the oldest occupation but it is also one of the industry which is the most stigmatized and marginalized industry. Sex workers in most nations are subjected to persecution under the law, social stigmatization, economic vulnerability, and violence. Basically these issues arises as there is failure from recognizing sex work as a legitimate form of labour and it also lacks protection for sex workers. The controversy which surrounds around sex work is very high there might be some factions which supports it to be decriminalized and have protection under law while others feel like it needs to be completely abolished as it is morally or religiously wrong⁴¹. In this controversy, one of the main thing is neglected that is sex

³⁹ Murthy, Laxmi, and Meena Saraswathi Seshu. *The Business of Sex*. Zubaan, 2014.

⁴⁰ *Sex Work and Social Movement in India: Mobilizing in the Time of Pandemics*. Taylor and Francis, 2024.

⁴¹ Ascencio, Cristina Cayo. *Silenced Voices: Sex Workers' Human Rights in Europe*. buch and netz, 2024.



workers forming a union and for protecting them and the rights which are needed for their betterment. Unionization role is to support labours for better payment, good working conditions, and protecting them against exploitation. But in this scenario of sex workers forming union is sometimes not acceptable due to its stigma around it or by the nature of the business. If sex work is illegal in a country forming a union will lead to prosecution. Even if it is legal they cannot enjoy their rights completely. Despite all these challenges around the globe there are some unions which is based on sex workers campaigning for their rights which includes workplace protection, fair treatment, legal recognition, and safety from violence and harassment by police. These unions are also important in differentiating voluntary sex work from human trafficking to ensure that consensual adult workers' rights are protected while eliminating forced labour and exploitation.

1. LEGAL FRAMEWORK FOR SEX WORKERS:

The legal framework determines if sex workers can fight and organize for their rights. Generally, there are three prominent legal models that regulate sex work globally:

A. Criminalization

In some countries in which sex work is criminalized to an extent or completely, sex workers in those countries will be majority e in the grey areas of the law. Criminalization basically prohibits the purchase, sale, or facilitation of sex work, resulting in a number of adverse effects:

Inability to Unionize – Sex workers are technically criminals and therefore cannot unionize or organize into recognized collectives.

Greater Police Harassment – Sex workers are frequently targeted by police in the form of arrest, fines, and physical abuse. Common in criminalized environments are allegations of police brutality, extortion, and sexual favours in exchange for release. **Unsafe Working Conditions** – The threat of arrest compels sex

workers to work in isolated spots or undercover, making them more susceptible to violence.

Legal Disempowerment – Criminalized sex workers tend to be disempowered and cannot report a crime, such as rape, assault, or theft, without fear of the law.⁴²

Countries like the United States (excluding certain areas of Nevada), South Africa, and China have rigorous criminalization policies in place, which render unionization almost impossible.

B. Legalization (Regulated Sex Work)

There are some nations which go for legalization, where the sex work is legalized but tightly controlled and regulated by the state. Such regulations generally mandate registration of sex workers with the government, employment at licensed premises, and compliance with certain health and safety standards.

Limited Unionization Rights – Laws may legalize various types of sex work, yet the legislation favours the employers (brothel owners, managers) over employees, limiting unionization rights of the latter.

Exclusion from General Labour Laws – So legal frameworks don't consider sex workers as employees under labour laws, not considering them as employees will deprive them of their rights such as minimum wage, workplace protections, or social security.

Discrimination and Bureaucracy – In some cases being registered often leads to social discrimination which leads not participating in official unions. Examples of places where prostitution has been legalized are Germany, the Netherlands, and some parts of Australia. In Germany, for example, prostitution is legal but workers are yet to be able to create recognized trade unions because of administrative limitations.

C. Decriminalization (Worker-Centric Model)

⁴² Jones, Angela, et al. Sex Work Today: Erotic Labor in the Twenty-First Century. NYU Press, 2024.



Decriminalization is the most commonly held belief to be the optimal legal solution for the safeguarding of sex workers' rights. It eliminates criminal charges for consensual adult sex work while permitting workers to unionize and fight for their rights under ordinary labour legislation. Unionization and Labour Rights – Sex workers can legally unionize, negotiate improved wages, and receive workplace protection similar to any other profession.

Police Violence and Exploitation – Usually when they get arrested if there are no unions they might feel unsafe with making decriminalization they can report any kind of abuse.

Good Health and Safety – Decriminalization will give chance for better health services like having regular check-ups.

New Zealand is a one of the prime case of a nation that decriminalized sex work effectively with the Prostitution Reform Act 2003, with this its sex workers are able to enjoy legal protection and unions which are there for their rights.

2. SOCIAL CONTEXT: STIGMA AND DISCRIMINATION:

Even in areas where the sex work is legal or decriminalized, there is still broad stigma which continues to be an important obstacle for unionization. Many times Social and cultural opinions about sex work influence how sex workers are treated by governments, employers, clients, and the public.

A. Stigma and Marginalization

Moral and Religious Attitudes: Sex work is usually considered as immoral, sinful, or degrading by most of the societies, which ultimately results in less public sympathy for sex worker rights. Conservative and religious beliefs tends to promote abolishing measures that criminalize sex work instead of enhancing protections for labour.

Social Exclusion: Sex workers are discriminated and they are deprived from housing, health care, and banking. Sex workers rights are

usually stigmatized or repressed by the authorities.

Family and Community Pressure: There is fear of judgment from their families to try to hide identity of the work they do. This secrecy complicates collective action.

B. Gender, Class, and Racial Discrimination

Feminist Controversies: The work they do is argumentative in the eyes of feminists. Some radical feminists has an opinion that the work they do is exploitative and it should be eradicated. Some might think it should be decriminalized. This divide impacts policy formulation and unionization.⁴³

Intersectionality: Sex workers usually belong to marginalized groups like LGBTQ+, migrants, racial minorities—are already subjected to discrimination, this makes it more difficult for them to get any legal and social protections.

Economic Inequality: There are many reasons but people who come from poor family or who is unemployed are the key reasons why individuals engage in sex work. Sex workers' economic vulnerability is increased when they rely more on brokers (pimps, brothel owners) who opposes the fact of creating unionization as it might affect their work .

C. Media and Public Perception

Stereotyping: Media present sex workers as victims or criminals, not as workers with rights. This informs public opinion and constrains political support for unionization.

Success Stories and Activism: In the last decade, sex worker organizations and activists have become increasingly prominent, demanding equitable labour legislation and combating harmful stereotypes. Activations such as the "Red Umbrella" movement have promoted a shift in discourses around sex work from criminalization to labour rights.

3. THE ROLE OF STATE AND LAW ENFORCEMENT:

⁴³ Tompkins, Kyla Wazana, et al. Keywords for Gender and Sexuality Studies. NYU Press, 2021.



The state and law enforcement are directly involved in facilitating or repressing sex worker unions.

Police Brutality : In most of the countries sex workers are subjected to police brutality like unlawful detention, harassment and extortion of money. When sex work is criminalized, law enforcement often acts with impunity.

Government Regulation and Surveillance: In legal settings, overregulation by government can deter unionization since sex workers fear being exposed, discriminated against, or overtaxed.

Political Will: Governments with strong priorities on labour rights and human rights will be inclined to be supportive of sex worker unionization. Progressive policy-makers can enact laws to legitimate sex work as work and protect union organizing

KEY AIMS OF SEX WORKERS UNION:

Sex worker unions seek to enhance the working conditions, safety, and rights of sex workers. These unions operate just like any other workers' organization, fighting for just treatment, legal rights, and economic security⁴⁴. Theirs, however, is a more difficult struggle owing to legal restrictions, social stigma, and moral opposition to sex work. The following are the key aims of sex worker unions:

1. Labour Rights and Decent Wages

One of the key objectives of sex worker unions is to gain labour rights that are comparable to those of workers in other sectors.

A. Workers' Status

Most governments fail to recognize sex workers as workers under the law, which denies them access to labour rights such as minimum wage, sick leave, and social security.

Unions struggle to have sex work legally recognized as a profession to enable workers to access employment rights and union benefits.

B. Economic Security and Fair Wages

Most sex workers are victimized by wages because of the unequal power relationships between workers, brothel managers, clients, or middlemen (pimps, agencies).

Unions press for open prices and equitable contracts to avoid exploitation by clients or managers in withholding or underpayment of wages.

Providing pension schemes, financial support systems, and banking access is also a priority, as most sex workers are not included in mainstream financial services.

C. Protection against Arbitrary Dismissal

In legalized environments, sex workers employed in brothels or agencies can be unjustly dismissed without notice.

Unions advocate for contractual arrangements that provide job security and safeguard workers against wrongful dismissal.

2. Health and Safety Protections

Sex workers are more likely to experience violence, harassment, and health problems, so safety at the workplace is a serious issue.

A. Protection from Violence

Most sex workers are subjected to physical, sexual, and psychological violence by clients, police, or employers. Unions promote severe penalties for acts of violence against sex workers and demand means for reporting abuse without fear of retaliation. In North Seattle also known as “ the blade” talks about violence, and it was also dealing with underage sex workers.

B. Access to Healthcare Services

There are stigmas around sex workers which leads to discrimination from people who are working in medical sector such as doctors and nurses due to this they don't receive the medical care which they need.

Unions demand affordable and non-judgmental healthcare services, including:

⁴⁴ Goldenberg, Shira M., et al. Sex Work, Health, and Human Rights: Global Inequities, Challenges, and Opportunities for Action. Springer Nature, 2021.



- Regular HIV/AIDS and STI testing
- Access to contraceptives and reproductive health services
- Mental health support to address trauma and workplace stress

C. Safe Working Conditions

So having safe working condition is a necessity as they work in most dangerous areas and sometimes in those areas where law enforcement avoid. Unions advocate for safe and regulated working environments (such as cooperatives or controlled brothels with security features).

D. Decriminalization for Improved Safety

Experience from decriminalized systems (such as New Zealand) indicates that if sex work is not criminalized, workers are able to report crime, access medical care, and work in safer environments. Sex Worker Education and Advocacy Taskforce (SWEAT) & Others v. Minister of Justice⁴⁵ in this it was challenging the laws which was criminalising sex work.

3. Legal Recognition and Decriminalization Initiatives

Sex worker unions are important in fighting for legal reforms that acknowledge their profession and defend them against discrimination and violence.

In the case of Budhadev Karmaskar v. State of West Bengal⁴⁶ it was held that right to dignity⁴⁷ and social security for sex workers should be recognized. They should not be harassed or deprived of their rights.

A. Decriminalization vs. Legalization

Unions tend to fight for decriminalization as opposed to legalization because:

Legalization tends to come with strict government controls (e.g., compulsory health checks, tight brothel regulations, registration) that continue to leave many workers at risk.

Decriminalization eliminates criminal sanctions and enables sex work to be addressed as any other type of labour.

B. Anti-Discrimination Laws

Sex workers are socially and institutionally discriminated against even in jurisdictions where sex work is legal. Unions advocate for anti-discrimination legislation in the workplace, health care, and housing to ensure workers' rights.

C. Right to Unionize

Most legal systems prohibit sex workers from establishing recognized trade unions.

Unions push for labour law reform so that collective bargaining rights are guaranteed.

4. Anti-Exploitation and Trafficking

Arguably the greatest criticism of sex work is its link to human trafficking and forced labour. Sex worker unions are key to differentiating consensual adult sex work from trafficking and pushing for policies which protect voluntary workers but keep out exploitation.

A. Combating Human Trafficking

Most sex worker unions collaborate with anti-trafficking groups to ensure that policies:

- Focus on traffickers and not on consensual sex workers.
- Make a distinction between coerced and consensual sex work.
- Offer exit plans for individuals who wish to leave sex work.

B. Eliminating Middleman Exploitation

Most sex workers work under pimps, brothel owners, or agencies that get a large share of their earnings. Unions push for self-organized and worker-controlled cooperatives to cut reliance on third parties who exploit them.

C. Legal Protection Against Coercion

Sex workers usually face coercion from police, clients, or employers, that forces them to participate into unsafe sex work or unpaid work.

⁴⁵ Case No: 3378/07 2024

⁴⁶ Criminal Appeal No(s).135/2010

⁴⁷ Constitution of India



Unions main motive is for stronger laws which protect them at the end.

5. Social Inclusion and Reducing Stigma

As there is a lot stigma surrounding them union focuses on changing how public opinion is on them which ultimately gives them better facilities such as justice, healthcare and economic opportunity.

A. Public Awareness Campaigns

Unions conduct education campaigns to combat negative sex work stereotypes. Campaigns such as the Red Umbrella Movement support sex workers' rights and dignity.

B. Media Representation

Unions push for equitable media representation of sex workers, away from victimizing or criminalizing portrayals.

C. Social Support Networks

Most unions provide peer support, counselling, and crisis intervention for sex workers experiencing discrimination or abuse.

6. Economic Alternatives and Career Transition Support

While unions battle for the rights of sex workers, they also understand that some of them want to leave the industry and require assistance to do so.

A. Access to Alternative Employment

Some unions offer vocational training and education to assist workers in entering other sectors.

B. Financial Assistance and Microloans

Most unions helps sex workers to create their own entrepreneurial journey so that they have alternative careers.

C. Support for Older or Retired Sex Workers

Sex works don't get any retirement funds or pensions. But unions actually give pension schemes and economic stability for sex workers.

CASE STUDIES:

The sexual workers struggle for their rights has given rise to unions and activist groups in support of them in every corner of the world. There has been many legal changes and social gains with some of the movements, and yet there are some countries which do not accept them. Following above are the case studies in which they deal with legal and social contexts from across the world, also highlights the achievements and setbacks among sex worker unions.

1. New Zealand: The New Zealand Prostitutes' Collective (NZPC)⁴⁸

Background

New Zealand is one of the country which legalised sex worker rights through the Prostitution Reform Act (PRA) of 2003⁴⁹, which decriminalized sex work. The New Zealand Prostitutes' Collective (NZPC) was other union which bought the legal changes for sex workers.

Achievements of NZPC:

- **Legalizing Sex Work:** The legalization of sex work through PRA gave many chances to them such as labour rights, health care and workplace protection
- **Worker Unionization:** NZPC is a union in which it helps sex workers to access legal assistance, health care, and advocacy services.
- **Decrease in Police Harassment:** Sex workers if they face any abuse they can go to police to complaint without any threat.
- **Better Health Results:** Sex workers now can access to health care and get screening to STI, contraceptives, and health assistance.

Challenges

- **Public Stigma:** There is still some stigma even if it is decriminalized after many legal changes.

⁴⁸ Armstrong, Lynzi, and Gillian Abel. Sex Work and the New Zealand Model: Decriminalisation and Social Change. Policy Press, 2021.

⁴⁹ the Prostitution Reform Act (PRA) of 2003



• Migrant Workers: The PRA does not include migrant sex workers, this give people to get exploit them as well as potential deportation.

2. India: Durbar Mahila Samanwaya Committee (DMSC),

Background

In India sex work is not prohibited but running brothels are criminalized. In spite of the limitations, Durbar Mahila Samanwaya Committee (DMSC)⁵⁰, an organization led by sex workers from Kolkata, has been able to gain labour rights and social cover.

Successes of DMSC

- Collective Bargaining: DMSC it is a union which fight for proper wages, workplace safety, and legal services.
- Healthcare and HIV/AIDS Prevention: DMSC organize many healthcare programs which offers free medical check-ups and HIV/AIDS prevention services to sex workers.
- Financial Inclusion: It also offers financial security and also gives protection from getting exploited by loan sharks.
- Education and Children's Welfare: It also operates schools for sex workers children to provide education for them and also can have them to do whatever they want to.

Challenges

- Legal Ambiguity: The limited criminalization often prevents sex workers to form unionization and also the workers remain vulnerable to the attacks by legal enforcers.
- Police Harassment: Despite it having powers ,DMSC has many experiences for their share of police brutality and exploitation.
- Lack of National Policy Support: Sex work has not been officially endorsed by the Indian government as labour, and it is challenging for unions to acquire complete legitimacy.

3. The Netherlands: PROUD (Dutch Union for Sex Workers)

Background

The Netherlands legalized and governs sex work, and Amsterdam's Red Light District is a famous example. Yet even with legalization, sex workers continue to experience strong legal and financial constraints. PROUD, the union of Dutch sex workers, was established to fight discriminatory policies.

PROUD's Successes

- Legal Safeguards: PROUD campaigned successfully against discriminatory taxation policies that disproportionately affected sex workers.
- Protection From Trafficking: Cooperates with the Dutch government to prevent human trafficking while safeguarding the rights of voluntary sex workers.
- Assistance to Independent Workers: Protects independent sex workers who struggle to rent rooms to work due to banking sanctions.

Challenges

- Excessive Regulation Harms Workers: Repressive government controls (e.g., compulsory registration) have forced most sex workers into the shadows, making unionization more difficult.
- Banking and Financial Exclusion: Most sex workers in the Netherlands are subjected to bank discrimination and exclusion, making it difficult for them to open bank accounts or access loans.
- Ongoing Stigma: Legalization failed to end stigma, and numerous sex workers are still afraid of discrimination by employers, landlords, and families.

4. Argentina: Asociación de Mujeres Meretrices de Argentina (AMMAR)

Background

In Argentina, sex work is neither legal nor illegal. Sex workers are discriminated against and

⁵⁰ Upadhyaya, Anjoo Sharan, et al. Women's Empowerment in India: From Rights to Agency. Taylor and Francis, 2024.



experience police brutality. AMMAR, an organization established in the 1990s, has led the fight for sex workers' labour rights.

Successes of AMMAR

- **Decriminalization Campaigns:** Successfully campaigned for sex workers to be decriminalized from Argentina's criminal code.
- **Workplace Rights:** It campaigns for the inclusion of sex workers in labour laws to provide them with equal remuneration and pension and also to provide them with social security.
- **Healthcare and Education:** It encourages to get free medical check-up and also provides vocational training so that they change the profession if they wish to change.

Challenges

- **Police Corruption and Harassment:** Police still continue to extort and harass sex workers in spite of many legal changes.
- **Legal Ambiguity:** Unclear laws regarding sex workers complicates union to fully achieve legal recognition.
- **Economic Instability:** Economic crisis is a major problem in Argentina and has rendered financial security to sex workers.

5. United States: Sex Workers Outreach Project (SWOP)

Background

Sex work in some part in US is decriminalized, only with the exclusion of Nevada brothels that have licenses. SWOP is an activist organization based on the grass roots it also promotes decriminalization and also implementing harm reduction policies.

Successes of SWOP

- **Policy Advocacy:** Strives to decriminalize sex work in some states in the U.S.
- **Legal Support:** Offers pro bono legal services for sex workers arrested or harassed by legal officers.

- **Public Awareness Campaigns:** It also operates educational campaigns to reduce stigma and disinformation concerning with sex work.

Challenges

- **Severe Criminalization:** Criminalization of sex work across most U.S. makes forming of union nearly impossible.
- **Police Brutality:** Sex workers are frequently subjected to violence by the police, limiting their chance to form an union in a safe manner.
- **Anti-Trafficking Legislation Turned Against Workers:** Legislation such as SESTA/FOSTA (intended to fight trafficking) has been utilized to close down internet platforms that sex workers use for secure business practices.

CONCLUSION:

Unionization of sex workers in India will be a pivotal step where social security, labour rights and legal recognition will be ensured to the marginalized group of people. Organizations like the Durbar Mahila Samanwaya Committee (DMSC) and the National Network of Sex Workers (NNSW) are playing a key role in promoting decriminalization, workplace protections, and access to healthcare despite the legal ambiguities and criminalization of some aspects of sex work. The present paper / report emphasizes that how the sex workers are benefited through unionization with the better conditions of living, better economy, less violence, easy access of health, especially in the case of prevention of HIV/AIDS. Nonetheless, the movement encounters strong opposition from conservative organizations, law enforcement, and legislators who frequently confuse consensual sex employment with human trafficking. Still Sex workers are not acknowledged as the members of official labour force because they are denied from the necessary social benefits and protections.

Changes in the policies are required to make India more successful if Unionization of the sex



work is recognised as a legal profession under labour laws, to fight against stigma and prejudice few initiatives like Legal literacy, coverage of media and awareness in by conducting the campaigns. Unions, Organizations like Human Rights and legislative officials should work together in order to guarantee the rights, human dignity and safeguards of sex workers. Sex work should be recognised as legal labour and unionization must be encouraged which will make our society just and equitable.

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