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Statement submitted by Best Practices Policy Project, Inc, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.

Statement

This Written Statement is made with input from members of the Sex Workers Rights Coalition. Our advocacy focuses on gender-related and human rights-related processes, fully participating in several United Nations processes such as the Commission on the Status of Women, the Convention on the Elimination of All Forms of Discrimination against Women, and the Committee on the Elimination of Racial Discrimination. Sex workers are everywhere. We live and work in every social stratum and represent every social group. Just like all human beings, we seek to enjoy all our human rights and to live our lives. We are in solidarity with oppressed communities worldwide.

We are responding to the themes of the 70th session of the Commission on the Status of Women, that include the Priority theme to ensure and strengthen “access to justice for all women and girls, including by promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies, and practices, and addressing structural barriers” and the review theme agreed to in the conclusions of the sixty-fifth session to ensure, “[w]omen’s full and effective participation and decision making in public life, as well as the elimination of violence, for achieving gender equality and the empowerment of all women and girls.” Our statement addresses the legal, political, and structural exclusion and criminalization of sex workers worldwide and the impact of these issues on many communities of women and gender expansive people.

Criminalization of our work and lives undermines the right to work and the right to freedom from violence for sex workers. Sex work is stigmatized and in many places aspects of our work

are criminalized by antiquated laws against receiving payment for sexual services, providing housing (including both work and living spaces), against “crimes against nature”, and being part of a community and/or family that includes sex workers. Many other laws are used to criminalize the lives of sex workers, including restrictions on being in public space (anti-loitering, anti-camping, and trespass statutes) and providing services such as massage “without a license.” In 2018 the United States passed restrictions with global impact via the Stop Enabling Sex Traffickers Act and Allow States and Victims to Fight Online Sex Trafficking Act limiting the sharing of vital safety information for sex workers online and causing economic harm and social marginalization.

Criminalization leads to policing, which leads to arrest and incarceration. Street-based or outdoor workers, transgender and gender-expansive people, Black, Indigenous and People of Color, im/migrants, substance users, youth, and incarcerated sex workers, consistently bear a heavy burden of law enforcement abuse and harassment, institutional discrimination, and violence. The current administration of the United States is hostile to human rights, violating, in particular, the rights of im/migrants and transgender people. Involvement with court systems is extremely harmful to low income people and all other groups of folks who do not have access to power and privilege. As advocates we have seen court rooms dedicated to processing arrests for prostitution that are set up for all to plead guilty. The risks of pleading not guilty are enormous and lead to ongoing police harassment, legal threats, and monetary costs. Criminalization of our lives is insidious, stigmatizes us, and forces us to the margins. Current forms of criminalization impinge on our right to organize and engage in digital assembly.

Trans rights including the intersection of sex work issues and anti-trans laws should be of great concern for the 70th Session of the Commission on the Status of Women. A significant concern we have highlighted in all our human rights advocacy at the Commission on the Status of Women is the pervasive police harassment of and violence against transgender sex workers. Criminalisation creates conditions of increased precarity, and makes sex work less safe. We have reported on the issue of increased risk of violence faced by sex workers and transgender sex workers. This systemic abuse underscores the urgent need for decriminalizing sex work and the ending of criminalization of our lives in general, to protect trans lives.

We receive, via our human rights documentation processes, harrowing accounts of systemic violations against trans people and sex workers. Community members report being targeted by police, subjected to violence, and excluded from justice mechanisms. In cases involving sexual assault and police misconduct even when crimes are reported, they are often met with disbelief or further abuse by law enforcement. The inability to access justice is a recurring theme. Many respondents note that affected individuals often cannot seek help due to systemic biases or fear of retaliation. Community members could not get help or seek justice because the police were the perpetrators. These stories highlight the cyclical nature of harm, where those most in need of protection are further marginalized by the very systems meant to serve them.

These issues are intensified by the broader legislative landscape, where an increasing number of anti-trans bills are being introduced. As of early 2025, nearly 120 anti-trans and anti-Lesbian, Gay, Bisexual, Transgender, Queer/Questioning/+ bills have been filed across the United States, surpassing previous records and signaling a challenging year ahead for transgender and queer

communities. These legislative efforts often intersect with issues of sex work, further marginalizing trans people engaged in this line of work.

On the African continent, United States based actors have worked to eradicate sex work through government policy and Lesbian, Gay, Bisexual, Transgender, Queer/Questioning/+ persons through evangelical religious influence. In 2009 in Uganda, a group of evangelical pastors kicked off a campaign against homosexuality that incorporated local churches, governments, and civilians in targeting Lesbian, Gay, Bisexual, Transgender, Queer/Questioning/+ persons. Community members from Uganda report that the United States based evangelical influence on legislation has been felt deeply in transgender sex worker communities. Uganda's most recent Anti Homosexuality Act is a direct result of lobbying by hate groups based in the United States. This law has compounded the hostility prescribed in colonial law which Uganda retains. Over more than two decades, the campaign has led to increasingly discriminatory laws targeting persons profiled as belonging to Lesbian, Gay, Bisexual, Transgender, Queer/Questioning/+ and/or sex worker communities. A spate of evangelical backed anti-homosexuality laws across the continent have compounded the consequences for queer and trans persons, including sex workers.

Globally, access to justice for women and girls remains obstructed by deep-rooted inequalities and systemic exclusion. For sex workers, queer women, and women living with HIV, these barriers are multiplied by stigma, criminalization, and violence. Discriminatory laws that penalize sex work, restrict HIV response efforts, or criminalize same-sex relationships not only endanger lives but also strip individuals of their right to fair and equal treatment under the law.

We are gravely concerned about the targeting of migrants in the United States. People profiled as immigrants, no matter their documentation status, are now targeted for removal from their communities with little recourse available once they are in custody. Migrant sex workers face heightened risk of arbitrary detention due to the increasing number of ways they are criminalized. This threat is heightened for street based workers who must risk run-ins with law enforcement to have their needs met. The United States targets migrants regardless of compliance with immigration law while seeking to dismantle an inadequate immigration framework. Stripping refugee and asylum pathways for the most vulnerable women is a threat to the rights to life, liberty, and security of the person.

Conclusions

We are excited to engage with the themes of the 70th Session of the Commission on the Status of Women we are hopeful that the Commission will highlight the issues we have shared in this statement. Strengthening access to justice requires bold political will and structural transformation. It demands that governments/State Parties:

- Eliminate discriminatory laws, policies, and practices that target sex workers, Lesbian, Gay, Bisexual, Transgender, Queer/Questioning/+ persons, and people living with HIV.
- Promote inclusive, community-led legal reforms that center lived experiences and ensure no one is left behind.

- Invest in gender-responsive, rights-based legal systems that guarantee fairness, dignity, and protection for all women and girls, regardless of identity, occupation, or health status.
- Prioritize the rights of all immigrants, including women, girls and gender-expansive people.

Justice cannot exist in spaces where fear, stigma, and criminalization persist. To achieve equality, we must build systems that see, hear, and protect every woman and girl including those society has pushed to the margins.

True justice is not selective; it is inclusive, equitable, and universal.