



Uncelebrated Victories: Highlighting Sex Worker-Led Decriminalization Efforts in Africa



#WeBelongAfrica



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Abbreviations and acronyms

ASWA	African Sex Worker Alliance
CAFOC-TS	Coalition de l'Afrique de l'Ouest et du Centre sur le Travail du Sexe
CHeRA	Community Health Rights Advocacy
CCM	Country Coordinating Mechanism
DDP	Dignity, Diversity and Policing
EASWA	East Africa Sex Workers Alliance
FSWA	Female Sex Workers Association
GBV	Gender-based violence
HRAPF	Human Rights and Protection Forum
INERELA+	International Network of Religious leaders Living with or Personally Affected by HIV and AIDS
IOM	International Organization for Migration
KISWA	Kisumu Sex Workers Alliance
LGTQ+	Lesbian, gay, trans and queer
NAC	National AIDS Commission
NSWP	National Sex Worker Project
NSWU	Network for Sex Workers in Uganda
PrEP	Pre-exposure prophylaxis
SWAA	Sex Worker Academy Africa
SWEAT	Sex Worker Education and Advocacy Taskforce
SRC	Sexual Rights Centre
STIs	sexually transmitted infections
SheZ	Sisterhood for Health Equality
SALRC	South African Law Reform Commission
SANPUD	South African Network for People Who use Drugs
SAPS	South African Police Services
SASWA	Southern Africa Sex Workers Alliance
SDGs	Sustainable Development Goals
TASWA	Tanzania Sex Workers Alliance
TWGs	Technical working groups
CESCR	United Nations Committee on Economic, Social and Cultural Rights
CEDAW	United Nations Committee on the Elimination of Discrimination against Women
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UPR	Universal Periodic Review
PEPFAR	US President's Emergency Plan for AIDS Relief
ZLHR	Zimbabwe Lawyers for Human Rights

Glossary

Commercial sexual exploitation involves adults or children providing sexual services against their will, either through direct force or through deception, violating their fundamental freedoms.

Criminalization can include not only the criminalization of the buying or selling of sexual services, but also the criminalization of aspects of sex work, including living off the profits of sex work, brothel-keeping and others.

In this model, sex workers face heightened health risks, a lack of labour protections and access to social security, vulnerability to violence and other human rights violations.¹

Full decriminalization is a legal model under which all aspects of consensual adult sex work are removed from criminal law. Laws preventing exploitation and trafficking remain in place to protect victims. This approach treats sex work as a legitimate form of labour and aims to provide sex workers with labour rights and safer working conditions.

Full decriminalization has been shown in numerous studies to improve health outcomes, reduce violence and exploitation, increase access to justice and legal protection, and empower sex workers.²

Legalization/regulation or conditional legality model makes sex work legal, but subject to significant government regulation, often including licensing, registration, designated zones and mandatory health checks. Sex work occurring outside these regulations is criminalized. The extent and type of regulation vary widely by country.

Legalization or regulation of sex work undermines sex workers' autonomy over their labour. It often grants undue power to managers, brothel owners and other third parties, which can limit the safety strategies sex workers employ. Furthermore, sex workers who operate outside these 'legal' frameworks remain vulnerable to arbitrary arrests and harassment. This disproportionately impacts marginalized groups such as immigrants, refugees, lesbian, gay, trans and queer (LGTQ+) individuals, and those engaged in survival sex work. It is further compounded by overlapping criminalization when lesbian, gay, bisexual, and trans people are also criminalized, intensifying their vulnerability to state surveillance and violence. Finally, such systems can impose a significant administrative burden on sex workers to comply with complex regulations.

Partial decriminalization is often referred to as the end user or end demand model. Under this model, the selling of sex is decriminalized. However, the buying of sexual services is criminalized. Clients who pay for sex face criminal charges, fines or other legal consequences. Aspects of sex work, such as pimping, brothel-keeping and profiting from sex work, remain illegal.

Under this model, sex workers continue to face increased danger, as criminalizing clients pushes sex work further underground, making it harder for sex workers to screen clients, negotiate terms, and seek help from law enforcement in cases of violence or abuse. It also undermines sex workers' autonomy, seeing them primarily as victims.

Sex work is defined as involving individuals aged 18 or older who receive money or goods in exchange for sexual services, whether on a regular or occasional basis.

1 Joint United Nations Programme on HIV/AIDS, 'HIV and Sex Work', Human Rights Fact Sheet Series, UNAIDS, Geneva, 2024, www.unaids.org/sites/default/files/media_asset/05-hiv-human-rights-factsheet-sex-work_en.pdf.

2 Ibid; International Planned Parenthood Federation, 'IMAP Statement on Sex Worker-Centred Sexual and Reproductive Health Services', IPPF, August 2025, <https://www.ippf.org/resource/imap-statement-sex-worker-centred-sexual-and-reproductive-health-services>. Global Commission on HIV and the Law, 'HIV and the Law: Risks, Rights and Health', UNDP, New York, 2015, <https://www.undp.org/publications/hiv-and-law-risks-rights-health>; Global Commission on HIV and the Law, 'HIV and the Law: Risks, Rights and Health', UNDP, New York, 2018, <https://hivlawcommission.org/report/>.

Sex worker is female, male and transgender adults, over the age of 18, who receive money or goods in exchange for sexual services, either regularly or occasionally, and who may or may not self-identify as sex workers.

Trafficking in persons is defined as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation”³

3 United Nations, 'Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol)', 2000, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons>.

Introduction

Decriminalizing adult sex work is essential for protecting sex workers from violence and abuse. It increases their access to justice, reduces their vulnerability to HIV, enhances their access to health care, and ensures vital worker protections.⁴ The United Nations 2030 Agenda for Sustainable Development commits all countries to end poverty, hunger, AIDS and gender inequality, promote inclusive societies and ensure that those left furthest behind are prioritized.⁵ Criminalization of sex work runs counter to these commitments. It drives inequality, reinforces stigma and exclusion, and hinders progress towards achieving Sustainable Development Goals (SDGs) related to health (SDG 3), gender equality (SDG 5), decent work (SDG 8) and reduced inequalities (SDG 10).⁶

Guided by the 2030 Agenda, the United Nations Development Programme (UNDP) Strategic Plan 2026–2029 reaffirms the organization’s commitment to human rights and to leaving no one behind, including populations who face exclusion and criminalization.⁷ It recognizes that inclusive and sustainable prosperity depends on eliminating the social and legal barriers that marginalize certain populations and ensuring that all people—including sex workers—can realize their rights and potential in safe, enabling environments.

Sex workers in sub-Saharan Africa face a severely disproportionate burden of HIV. The risk of acquiring HIV is estimated to be eleven times higher for sex workers in sub-Saharan Africa than for the wider population. Almost half of all new HIV infections in 2024 occurred among people from key populations and their sex partners, which includes sex workers and their clients. Despite the high risk, global antiretroviral therapy coverage among sex workers living with HIV is lower than the general adult population.⁸

Nevertheless, at least 41 countries in sub-Saharan Africa criminalize aspects of adult sex work, such as the selling and/or buying of sexual services, soliciting on the streets or in a public place, advertising, sharing premises with other indoor sex workers, brothel-keeping and facilitating or ‘profiting’ from sex work.

The impact of criminalization of aspects of sex work is profound and far-reaching. Studies show a strong link between criminalization and heightened health risks, with sex workers in criminalized environments facing significantly higher vulnerabilities to HIV.⁹ Beyond health, criminalization strips sex workers of basic labour protections, making them acutely vulnerable to violence from clients, law enforcement officers and other third parties.¹⁰ It denies them access to crucial social safety nets—a vulnerability starkly highlighted during the COVID-19 pandemic, when many were left without support.¹¹ Ultimately,

4 Ibid; Open Society Foundations, ‘10 Reasons to Decriminalize Sex Work’, OSF, New York, March 2015, www.opensocietyfoundations.org/publications/ten-reasons-decriminalize-sex-work.

5 United Nations, ‘The 2030 Agenda for Sustainable Development’, United Nations, New York, 2015, <https://sdgs.un.org/2030agenda>.

6 Ibid.

7 United Nations Development Programme, ‘Strategic Plan 2026–2029’, UNDP, New York, 2025, <https://strategicplan.undp.org/assets/docs/UNDP-Strategic-Plan-English-Summary.pdf>.

8 Joint United Nations Programme on HIV/AIDS, ‘AIDS, Crisis and the Power to Transform: UNAIDS Global AIDS Update 2025’, UNAIDS, Geneva, 2025.

9 Joint United Nations Programme on HIV/AIDS, ‘HIV and Sex Work’ above n 1.

10 Ibid.

11 National Sex Worker Project, ‘Impact of COVID-19 on Sex Workers in Africa’, NSWP, Edinburgh, 2020, www.nswp.org/news/impact-covid-19-sex-workers-africa; Southern Africa Litigation Centre, ‘The Impact of the Covid-19 Pandemic on Sex Workers in Southern Africa’, SALC, Johannesburg, 2021, www.southernafricalitigationcentre.org/wp-content/uploads/2021/02/Impact-of-COVID-19.pdf.

criminalization contributes to a variety of human rights violations against rights to life, housing, security, privacy and health.

However, even amid the harms of criminalization, sex worker-led organizations across Africa have made notable strides towards decriminalization and the recognition of sex workers' rights. Although none of these efforts has resulted in full decriminalization, they are crucial steps towards that goal.

These gains are often overlooked. This report seeks to remedy that by documenting and celebrating the concrete progress that sex worker-led organizations have made towards decriminalization. It is intended as a resource for sex work leaders, advocates, allies and activists across Africa and internationally. By highlighting examples of success, lessons learned and practical strategies, the report aims to inspire and equip sex worker movements to pursue similar advances in their countries. While African countries have different legal systems and social contexts, the experiences and approaches showcased here can be adapted to fit diverse national realities.

The report identifies nine areas where sex worker-led organizations have achieved significant gains towards decriminalization:

- Legislative reform
- Strategic litigation
- Inclusion of sex workers in policies
- Increasing access to justice
- Building of a sex worker-led movement
- Access to health services
- Reduction of violence, stigma and discrimination
- Inclusion in decision-making spaces
- Inclusion in international and regional spaces.

The discussion of each area starts by listing some of the most notable achievements. This is followed by a set of key takeaways that summarize the main points of the discussion. A checklist is also included to provide actionable steps for sex worker leaders to consider when engaging in that area. To provide a deeper understanding, each section features at least one case study that details how a specific sex worker-led organization was able to achieve that success.

This report highlights a wide range of successes in Africa: from large successes, such as legal victories limiting the application of laws criminalizing aspects of sex work, to smaller but still critical ones, such as reducing violence against sex workers by building positive relationships with local police, such as by cleaning police cells during the day. The report shows that any country can make progress towards decriminalization, regardless of how restrictive its environment may be.

The report was informed by a desk review and interviews with key sex worker leaders and activists, primarily from Kenya, Malawi, South Africa, Tanzania, Uganda, and Zimbabwe. While the focus of stakeholder engagement was on these countries, insights were considered within a broader regional context. The report is intended to provide illustrative perspectives rather than an exhaustive overview and reflects information available as of September 2025.

It is important to note that the political and funding landscape across the region continues to evolve. Many of the achievements documented in this report, such as increased access to health care services, were realized before recent shifts in donor priorities and political commitments. As a result, some of these gains now require consolidation and sustained advocacy to ensure they are not reversed. The report thus captures a critical moment in time, highlighting both the progress made and the ongoing need to protect and build on these hard-won advances.

Nine key lessons

This section synthesizes the common threads and overarching principles from all the case studies.

1. Sex worker-led organizations are at the heart of any decriminalization effort

Sex worker-led organizations were essential to all the successes chronicled in this report, such as legislative reform, access to public health services, and reduced police violence. Their lived experiences and deep understanding of the issues are irreplaceable. As the primary stakeholders, sex worker-led organizations ensure that advocacy efforts are grounded in the community's realities and priorities. Their leadership builds a resilient and empowered movement capable of navigating setbacks and securing long-term change.

2. Interconnected strategies lead to catalytic progress

The various tactics and successes, while distinct, are interlinked and mutually reinforcing. For example, building strong relationships with parliamentarians not only helps bring about legislative reform but also facilitates policy inclusion and can even lead to reduced violence. Similarly, successful policy changes, such as those ensuring access to health care, create safer environments that empower sex workers to engage more openly in advocacy for decriminalization. Progress in one area often creates momentum and opportunities for success in others.

3. The active presence of sex workers and their engagement in all influential spaces has been key to success

Sex worker-led organizations have proactively identified, occupied and actively engaged in all decision-making, policy-shaping and public spaces, including local meetings, even if not initially invited. This consistent engaged presence ensures sex workers' voices are heard directly, their issues are represented, and they are seen as a person—not just a sex worker—which is fundamental for building trust, advocating for rights and countering stigma.

4. Sustained advocacy is paramount for long-term change

No success identified in this report was achieved without dedicated, sustained advocacy by sex worker-led organizations and partners. Achieving incremental progress and eventual decriminalization requires consistent, long-term effort and funding.

5. Data collection and research are foundational

Robust, ethically collected data, evidence, research and lived experiences, often gathered directly by sex worker-led organizations themselves, are critical. This information provides the compelling evidence needed to inform legislative proposals, advocate for policy inclusion, sensitize stakeholders, counter misinformation and support strategic litigation. Without this evidence base, advocacy efforts would be significantly weakened.

6. Detailed understanding of institutional bodies and processes is essential for effective advocacy

Central to many of the successes documented is the sex worker leaders' and community's in-depth understanding of how specific bodies (such as Parliament, the police and health systems), processes (such as legislative drafting, court processes) and institutional frameworks operate. This detailed knowledge allows advocates to identify strategic entry points, tailor their advocacy and navigate complex systems effectively.

7. 'Bottom-up' movement-building and coordination are vital

Significant and sustainable change stems from empowering sex workers at the grass-roots level, especially in light of the changing funding landscape. Starting with local engagement, fostering new sex worker-led groups and then building robust national structures and coordination mechanisms ensures that advocacy efforts are rooted in lived realities and amplified effectively from the ground up. As the funding landscape has changed, focusing on creative, locally led strategies that are less dependent on large-scale international funding will be critical.

8. Cultivating and nurturing long-term relationships with diverse key actors, including other civil society organizations and movements, is critical

Successes are frequently contingent on the ability of sex worker-led organizations to build and sustain trust and collaboration not only with government officials, regional and international sex worker organizations and legal experts, but also with mainstream civil society organizations, donors, international networks and even unconventional allies such as local community champions. These enduring partnerships provide crucial support, open doors, amplify advocacy and foster a more receptive environment for change. Building trust and effective partnerships with government officials, legal experts, allied organizations, law enforcement and religious and traditional leaders is not a one-time event, but an ongoing process that demands persistence, adaptability and continuous engagement.

9. Adapting advocacy to a changing political and funding landscape is essential

The global landscape for human rights advocacy, particularly for marginalized communities, is becoming increasingly challenging. The reduction or redirection of funding from major international donors, combined with a global rise in assaults on human rights, will require sex worker-led organizations to become more strategic and creative in their advocacy. This means not only finding new ways to secure resources, but also developing new advocacy tactics and making current ones even more effective.

Nine successes

1. Legislative reform

Notable successes:

- **Nairobi, Kenya:** Sex worker-led organizations in Nairobi, Kenya successfully mobilized and leveraged relationships to secure the **withdrawal of proposed legislation aimed at limiting the freedom of movement** of sex workers.
- **Nakuru County, Kenya:** Sex workers successfully supported a Member of Parliament to **introduce a bill decriminalizing sex work**.
- **South Africa:** After sustained advocacy, **the introduction of the Criminal Law (Sexual Offences and Related Matters) Amendment Bill** in 2022, which proposed the decriminalization of adult sex work, was a significant achievement.

Key takeaways:

- Legislative reform is one of two ways to achieve decriminalization.
- Legislative reform encompasses both **pushing for new supportive laws and actively countering harmful legislation**.
- Building **strong, sustained relationships with parliamentarians** is a crucial way to bring about legislative reform. There are at least four ways this has been achieved:
 - **Sensitization training** with parliamentarians, either directly organized by established sex worker-led groups or through partnerships with other organizations
 - **Supporting parliamentarians** during their campaigns
 - Consistently **inviting parliamentarians to sex worker-led forums and events**
 - **Making submissions to parliamentary committees**
- **Relationships with legal experts** can also be helpful in understanding and communicating about proposed legislation.
- Legislative reform often requires **sustained advocacy and engagement** across multiple levels of government and civil society.

Checklist:

- ✓ Build relationships with Members of Parliament. Consider the following ways to do this:
 - Hold or take part in sensitization training for parliamentarians.
 - Support specific Members of Parliament with their campaigns by turning out members for events.
 - Invite specific Members of Parliament to your events.
 - Make submissions to parliamentary committees.
- ✓ Build or leverage existing relationships with lawyers and legal organizations to draft, understand and communicate about bills and also to make submissions to parliamentary committees.

Decriminalization of all aspects of sex work ultimately requires legal reform, achievable through either strategic litigation or legislative reform. Beyond initiating positive change, active engagement in legislative reform is critical for sex worker-led organizations to counter legislative attempts that undermine sex workers' rights or further criminalize aspects of sex work. Across Africa, these organizations have successfully pushed for supportive legislation and effectively challenged unhelpful proposals.

A key tool for legislative reform is building strong relationships with parliamentarians. Sex worker-led organizations often achieve this through sensitization training for parliamentarians. Less established groups, which might lack the funds or connections with parliamentarians to convene their own meetings, frequently partner with more established organizations to participate in existing meetings or convene jointly. More established sex worker-led organizations can convene their own sensitization training. For example, in Uganda, a sex worker-led organization organized breakfast meetings with parliamentarians, specifically targeting key committees such as the Committee on HIV/AIDS and Related Matters or the Committee on Human Rights, to advocate for their concerns.

Beyond sensitization training, sex worker-led organizations also build crucial relationships by supporting individual parliamentarians during their campaigns. For example, sex worker-led organizations have mobilized their members to attend campaign events and turn out for votes. This direct support fosters a strong relationship with the parliamentarian once they are elected. Furthermore, sex worker-led organizations consistently invite Members of Parliament and other key decision makers to their forums and events. This includes annual initiatives such as the 16 Days of Activism, commemorations of specific days, and events focused on particular issues facing sex workers. These gatherings provide invaluable opportunities for sex workers to directly interact with leaders, ask questions, and discuss pressing issues and potential solutions.

These relationships with parliamentarians are essential for ensuring informed legislative proposals. For instance, in Nakuru County, Kenya, a Member of Parliament who is an ally of sex workers approached sex worker leaders to discuss his interest in submitting a bill to Parliament legalizing sex work. In response, sex worker leaders organized an all-day meeting, bringing together sex worker leaders and allied lawyers from various counties, as well as the Member of Parliament who drafted the bill. During this extensive discussion, sex worker leaders articulated their actual legal needs for protection against violence and discrimination and explained why decriminalization is preferable to legalization, while the lawyers clarified specific legal terms from the proposed bill. By the end of the meeting, the bill was successfully changed from legalization to decriminalization before its submission to Parliament. The bill was eventually unsuccessful, but its introduction in Parliament was a significant success.

Strong relationships with parliamentarians are critical not only for advancing supportive legislation, but also for countering harmful bills and for regular monitoring of legislative proposals. For instance, in Nairobi, when sex workers learned of proposed legislation aimed at removing them from the city centre, they swiftly mobilized. Leveraging their existing connections with parliamentarians, partner organizations that had been identified through previous mapping efforts, and other stakeholders, they rapidly convened a meeting. This crucial gathering brought together county leaders, representatives from various government bodies, including the Ministry of Health, civil society partners and even the Member of Parliament who introduced the problematic bill. At the meeting, sex workers effectively highlighted the harm such a bill would cause, leading to its eventual withdrawal.

Bill to decriminalize sex work in South Africa

The proposed Criminal Law (Sexual Offences and Related Matters) Amendment Bill in South Africa in December 2022, though ultimately rejected, marked a significant milestone in the decades-long push for the decriminalization of sex work in South Africa. The proposal was bolstered by long-standing advocacy from organizations such as Sisonke, a sex worker-led organization, and the Sex Worker Education and Advocacy Taskforce (SWEAT), a growing recognition among government and civil society of how criminalization increases violence against sex workers, and awareness of global trends, such as the New Zealand model, demonstrating the benefits of decriminalization.

The path to the proposed 2022 bill involved several key developments:

- **2017:** The South African Law Reform Commission (SALRC), on behalf of the Department of Justice and Constitutional Development, investigated adult sex work and produced a report that, at the time, did not support decriminalization.
- **2018:** A summit organized by the Multi-Party Women’s Caucus reflected on the SALRC report, leading to the SALRC promising further research and public discussion on the matter. Later that year, the Presidential Summit against Gender-Based Violence and Femicide, attended by 1,200 people, including President Cyril Ramaphosa and various civil society organizations, discussed the link between gender-based violence and the criminalization of sex work. The summit’s declaration notably committed to legislative measures for decriminalizing sex work.
- **Growing support:** Subsequent years saw various institutions, such as the Commission for Gender Equality and the South African National AIDS Council, publicly express views favouring decriminalization.
- **2019:** The Department of Justice and Constitutional Development adopted the National Strategic Plan on Gender-Based Violence and Femicide 2020–2030, which explicitly committed to fast-tracking legislative processes to decriminalize sex work between 2020 and 2024.
- **2022: Consultations and bill introduction:** In February, the Deputy Minister of Justice and Constitutional Development, Mr. John Jeffery, initiated a series of consultative meetings with diverse stakeholders. This culminated in December with the Department of Justice and Constitutional Development gazetting the Criminal Law (Sexual Offences and Related Matters) Amendment Bill for public comment, which proposed decriminalizing the sale and purchase of adult sex work.

2. Strategic litigation

Notable successes:

- **Malawi:** A series of **legal victories affirming the rights of sex workers** and limiting the application of criminal laws affecting sex workers
- **Zimbabwe:** **Successful challenge against the conviction of sex workers for solicitation**, as all the elements of the crime were not present
- **Uganda:** The Constitutional Court **struck down sections of the Penal Code** that criminalized individuals as ‘rogue and vagabond’—provisions often used to arrest and harass sex workers.

Key takeaways:

- **Strategic litigation is a crucial way to decriminalize sex work and strengthen sex workers’ rights.** In Africa, significant successes have been achieved through legal challenges that affirm the rights of sex workers and limit the application of criminalizing laws.
- **Work with legal and other organizations that sensitize judges** to ensure inclusion of sex workers in sensitization workshops.
- **Build relationships with legal organizations and lawyers** that work well with sex worker leaders and understand the issues affecting sex workers. These relationships are essential to **counter the challenge of being excluded from aspects of the litigation.**
- **Collaborate with lawyers and legal organizations to collect data**, evidence and information to inform the litigation.
- **Build internal capacity and knowledge within sex worker-led organizations on the legal system, litigation and law**, to counter the challenge of being excluded from aspects of the litigation.
- **Incremental litigation**, even without direct arguments for full decriminalization, can significantly strengthen sex workers’ rights and limit the application of harmful criminal laws.

- **Consider challenging laws criminalizing petty offences.** Such cases can create important legal precedents that limit arbitrary arrests and gradually shift judicial attitudes towards recognizing sex workers' rights.

Checklist:

- ✓ Consider building the internal capacity of members of your organization on the legal system and how litigation works in your country.
- ✓ Build relationships with legal organizations and lawyers, as without them you will not be able to engage in strategic litigation.
- ✓ Build your capacity to collect data, evidence and relevant information to support litigation and engage in such collection in close cooperation with the lawyers filing the case.

Decriminalization of sex work will require either legislative reform or strategic litigation. In Africa, there have been significant successful strategic legal challenges strengthening the rights of sex workers and limiting the application of laws criminalizing sex work. In September 2025, the High Court in South Africa began hearing a case filed by SWEAT and S.H., a sex worker, challenging laws that criminalize consenting adults soliciting and engaging in sexual acts for reward, arguing that the laws violate constitutional rights.¹² The decision in this case will have a significant impact on decriminalization efforts. In Zimbabwe, a 2015 court decision limited the ability of law enforcement to arrest sex workers for solicitation. The court affirmed that arrests require actual evidence of solicitation—not merely assumptions based on a person's clothing, location or time of day—and that the alleged client must be present in court.¹³

For successful litigation, sensitizing judges is critical. Sex worker-led organizations primarily collaborate with legal organizations that already conduct judicial sensitizations to include information and personal experience from sex workers. For instance, the Africa Regional Judges Forum has invited sex worker leaders to speak to judges from around Africa to discuss their lived experiences. Judges from the Forum have reported that hearing from sex workers helped them better understand how criminalization harms sex workers and navigate cases that come before them.

A persistent challenge with strategic litigation is that lawyers often become deeply immersed in the case details, and sex worker leaders can inadvertently be left out of the process, leading to a lack of coordinated effort among partners. To counter this, sex worker-led organizations must build their own capacity to engage in the legal process. This involves understanding the court system and case procedures, and cultivating strong relationships with the lawyers so they can actively follow up and remain informed.

Challenging petty offences

In addition to laws specifically criminalizing aspects of sex work, sex workers and other marginalized populations in many countries in Africa tend to be arrested or harassed primarily under laws criminalizing petty offences, such as vagrancy and loitering. Legal challenges overturning these laws and directives to public prosecutors have been a critical tool for reducing arrests and harassment of sex workers. Notable victories in Africa have included the following:

- In 2019, the Director of Public Prosecutions in Kenya issued practice directions on handling the offence of touting.¹⁴

12 Chevon Booysen, 'Advocacy Groups Unite in Court for the Decriminalisation of Sex Work', IOL News, 3 September 2025, <https://iol.co.za/news/crime-and-courts/2025-09-03-advocacy-groups-unite-in-court-for-the-decriminalisation-of-sex-work/>.

13 Joanna Busza, Sibongile Mtetwa, Elizabeth Fearon, David Hofisi, Tinashe Mundwarara, Raymond Yekeye, Tapuwa Magure, Owen Mugurungi and Frances Cowan, 'Good News for Sex Workers in Zimbabwe: How a Court Order Improved Safety in the Absence of Decriminalization', *Journal of the International AIDS Society*, vol. 20, no. 1, p. 21860, 15 May 2017, <https://pmc.ncbi.nlm.nih.gov/articles/PMC5515058/>.

14 Campaign to Decriminalize Poverty and Status, 'Campaign Timeline', <https://decrimpovertystatus.org/campaign-timeline/>.

- In 2019, the High Court in Zimbabwe awarded damages to Ricky Nathanson, a transgender person, due to his wrongful arrest for being a ‘criminal nuisance’.¹⁵
- In 2023, the Constitutional Court of Uganda declared parts of the offence of being a ‘rogue and vagabond’ unconstitutional and therefore null and void.¹⁶

In addition, an effective way to build a collaborative relationship with lawyers and legal organizations is through cooperative data-gathering. In addition to legal analysis, strategic litigation requires comprehensive research, information and data to support legal claims, including evidence on how criminalization impacts sex workers. Sex workers are uniquely positioned to collect and share this information with lawyers. In Kenya, for example, the national decriminalization committee, organized by the national sex worker-led organization, has mobilized local partners to collect data specifically to support decriminalization efforts. This national organization is also driving broader decriminalization efforts, having developed a road map and identified a legal firm to lead these crucial legal challenges. In Zimbabwe, sex workers were able to proactively collect information on the specific laws used for their arrests. This meticulous data collection helped prove that petty offences were used as the primary laws under which sex workers were being arrested.

Incremental litigation to strengthen rights of sex workers in Malawi

In Malawi, legal activists have successfully and incrementally strengthened the rights of sex workers through court cases, affirming their human rights and limiting the application of criminal laws affecting them.

The first significant legal case focused on the rights of sex workers was in response to the arrest of sex workers in Mwanza, Malawi in 2009.¹⁷ Eleven sex workers were detained, held overnight and then forcibly tested for HIV. Their HIV results were disclosed in open court, and those found to be HIV-positive were arrested on charges of negligently exposing people to sexually transmitted infections (STIs). The women were convicted by the Magistrates Court. Lawyers worked with the Centre for the Development of People and a newly formed sex worker-led organization to challenge the conviction, arguing that the forced HIV testing and disclosure of their HIV status violated their rights. In 2015, the High Court found that the rights of the sex workers had been violated and specifically noted that the Magistrates Court should not have used as evidence the results of an HIV test conducted without the informed consent of the sex workers. This decision affirmed that sex workers were entitled to basic human rights. However, sex worker leaders note that although the High Court ordered the government to pay damages to the sex workers, there has been little progress in achieving payment.

In September 2016, the High Court found that the criminal offence of living on the earnings of prostitution did not prevent sex workers themselves from living on their earnings.¹⁸ The Court held that section 146 of the Penal Code prevents an individual from living on the earnings from another person’s sex work, but was designed to protect sex workers from exploitation by third parties. This decision limited the application of a law criminalizing aspects of sex work.

Finally, sex work itself is not criminalized in Malawi. However, sex workers are detained for other offences, commonly known as petty offences, such as being a rogue or vagabond or loitering. These offences are broad and vague and are often used to harass sex workers. In January 2017, the High Court declared one of the rogue and vagabond offences unconstitutional; therefore, arrests made under this offence are unlawful.¹⁹ This decision helps restrict the ability of law enforcement to detain and arrest sex workers.

15 Nathanson vs. Mteliso and Others, [2019] ZWBHC 135, 14 November 2019, <https://zimlilii.org/akn/zw/judgment/zwbhc/2019/135/eng@2019-11-14>.

16 Francis Tumwesigye Ateenyi vs. Attorney General, Constitutional Petition No. 36 of 2018, 2 December 2022.

17 State vs. Mwanza Police and Others, Miscellaneous Cause No. 10 of 2011, oral judgment, 20 May 2015.

18 Republic vs. Pempho Banda and Others, [2016] MWHC 589, 8 September 2016, <https://malawilii.org/akn/mw/judgment/mwhc/2016/589/eng@2016-09-08>.

19 Mayeso Gwanda vs. The State, [2017] MWHC 23, 10 January 2017, <https://malawilii.org/akn/mw/judgment/mwhc/2017/23/eng%402017-01-10>.

This series of cases, none of which raised any arguments regarding decriminalization, has helped strengthen the rights of sex workers and limited the application of criminal offences to sex workers. It also establishes a strong legal foundation for a future case on decriminalization.

3. Inclusion of sex workers in policies

Notable successes:

- Every national HIV strategic plan in sub-Saharan Africa includes programming for sex workers.
- **KwaZulu-Natal, South Africa:** Sex worker-led organizations successfully advocated for the **inclusion of decriminalization of sex work in the Provincial Implementation Plan.**
- **Malawi:** Sex worker-led organizations successfully convinced the government to **include male sex workers in the National Strategic Plan for HIV and AIDS 2020–2025**, resulting in more HIV programming for male sex workers.
- **Kisumu, Kenya:** Sex worker leaders were able to **ensure that sex workers' needs were included** in Kisumu County's **Policy on Sexual and Gender-Based Violence.**
- **South Africa:** For years, sex worker leaders have worked with government **to develop the South African National Sex Worker HIV Plan.** It is now in its third iteration, and sex workers continue to be centrally involved in its development.

Key takeaways:

- **Policy inclusion is a crucial step towards decriminalization.** It means a higher chance of securing funding and programming for sex workers. It also helps change public opinion, fight stigma and build political allies, creating a better environment for decriminalization.
- **An important first step is research** to better understand the policy environment, including the policy process, challenges facing sex workers, and policy barriers that contribute to the challenges.
- **Data, including ethically approved research, other research and lived experiences,** are critical for making a case for the inclusion of sex workers in policies. This may include building strategic partnerships with research experts to enable inclusion in ethically approved research efforts.
- **Knowledge of who the key decision makers are and cultivating sustained relationships with them** is critical in policy advocacy.
- **Build long-term relationships with other civil society movements and organizations and the government.** Allies can champion the inclusion of sex workers in policies.
- Policy change requires **sustained effort.**
- **Inclusion in decision-making spaces** can be a significant boost to ensuring changes in policies.
- **Strong, well-informed sex worker movements** are critical because they drive policy reform and ensure their inclusion in policy discussions.

Checklist:

- ✓ Build your individual and organizational understanding of the policy environment. This can include:
 - The relevant policies that affect sex workers and whether they include sex workers in them
 - The challenges sex workers face and the policy barriers that contribute to the challenges
 - Understanding the policymaking process in your country
 - Understanding the key structures and decision makers involved in policy development.
- ✓ Gather relevant evidence by one or more of the following:
 - Conduct ethically approved research, possibly with research experts.
 - Collect evidence through interviews, surveys and other means outside the ethically approved research process.
 - Use lived experiences, especially to supplement other research.

- ✓ Build relationships with key decision makers and other allies, such as individuals from other movements.
- ✓ Leverage representation in decision-making bodies to advocate for specific policy change.
- ✓ Share research and lived experiences with the key decision makers and other allies.

A significant stride towards decriminalization made by sex workers in Africa has been their successful advocacy for the inclusion of sex workers in numerous national policies. This inclusion is a crucial incremental step, as policies directly influence a country's funding and programming priorities. Without specific mention of sex workers and their unique needs within these frameworks, critical funding and programming in key areas would likely remain absent. Beyond resource allocation, the inclusion of sex workers in policy contributes directly to conditions for successful decriminalization efforts. Such policies can help shift public opinion, counter pervasive stigma and cultivate political allies, thereby fostering a legal and policy environment more amenable to decriminalization. Furthermore, the implementation of programmes resulting from these policies requires service providers and other implementers to work directly with and for sex workers, which can help break down barriers and raise awareness of sex workers' lived realities, ultimately paving the way for broader decriminalization.

A crucial first step towards achieving policy inclusion is for sex worker-led organizations to better understand the policy environment. This can include a mapping of whether relevant policies include and successfully address the needs of sex workers, identifying the challenges sex workers face and pinpointing the specific policy barriers that contribute to the challenges. For instance, in Kenya, Kisumu Sex Workers Alliance (KISWA) undertook research to understand the specific violations experienced by sex workers. It examined the types of violations sex workers experience, whether they were reported to authorities and addressed, and the reasons why many cases went unreported or were unsatisfactorily resolved. The findings, which starkly highlighted significant gaps in protection and redress, now serve as a powerful tool in KISWA's ongoing advocacy efforts to influence policy changes and effectively address these identified shortcomings.

This research and data collection is often then strategically shared with decision makers to foster a deeper understanding of the challenges sex workers face, illustrate the efficacy of specific solutions, and demonstrate how targeted policy changes can resolve these issues. However, policymakers will often request additional data and research. For example, in Kenya, sex worker-led organizations found that existing HIV programmes often failed to address the unique needs of sex workers' children living with HIV, particularly regarding their access to medication. When this concern was raised with government officials, the initial response cited insufficient data to warrant policy modification or the inclusion of these children in existing programmes. In response, sex worker-led organizations took the initiative to collect comprehensive data across five Kenyan counties.

As research and data collection are critical tools for policy inclusion, it is important for sex worker-led organizations to build their capacity for research and gathering evidence. Some groups have done this by collaborating with research experts on data collection. This not only built their capacity but also helped develop relationships with these experts for future data collection and research efforts.

Beyond conducting vital research and sharing findings with decision makers, knowledge of the key structures (e.g. national committees) and who the key decision makers are and the cultivation of sustained relationships with key stakeholders have also proven crucial for achieving policy change. A prime example of this long-term strategy is the successful inclusion of sex workers' issues in the gender-based violence (GBV) policy in Kisumu, Kenya. KISWA developed strong relationships with three mainstream women's groups in Kisumu. Originally, these groups were reluctant to build relationships with sex worker-led organizations. However, KISWA identified three mainstream women's organizations that were open to working with sex workers. Working with them, KISWA began a consistent campaign of posting weekly content on sex work-related topics, including highlighting cases of violence against sex workers and introducing questions for discussion, such as 'Do you think a sex worker deserves to be beaten?'. This approach served as a crucial sensitization tool, resulting in some mainstream women's organizations reaching out for more information and offering support. Over time, this strategic engagement shifted the landscape significantly, increasing the number of mainstream women's

organizations willing to publicly support and collaborate with sex worker advocates from an initial 3 to 14 active allies.

These alliances have proven instrumental in broader advocacy efforts. When Kisumu County developed its GBV policy, mainstream women's organizations actively championed the inclusion of sex workers in the policy development process. Their vocal advocacy ensured that sex worker issues were integrated into the GBV policy. A significant outcome of this collaboration is the 24/7 hotline and online service for providing information and support to victims of GBV, a change explicitly advocated for within the policy to accommodate sex workers, who often experience violence at night.

In South Africa, sex workers advocated for the development of the South African National Sex Worker HIV Plan in 2016 to ensure HIV programming for sex workers.²⁰ The third comprehensive plan is currently being reviewed. Similarly, in KwaZulu-Natal, South Africa, decriminalization of sex work was included in the Provincial Implementation Plan 2023–2028.²¹ This significant victory was the direct result of a sustained effort focused, most importantly, on building strong and trusting relationships with local decision makers and influencers over an extended period.

Malawi: Inclusion of male sex workers in the National HIV Strategic Plan

There was little HIV programming in Malawi targeting the high vulnerability of male sex workers to HIV. Community Health Rights Advocacy (CHeRA), working with partners, identified this as a key challenge for male sex workers. Their research revealed that a primary reason for this limited programming was the exclusion of male sex workers from the definition of key or vulnerable populations in the Malawi National Strategic Plan for HIV and AIDS 2015–2020.

Recognizing this, CHeRA and its partners sought to include male sex workers in the Malawi National Strategic Plan for HIV and AIDS 2020–2025. Their primary goal was to provide the National AIDS Commission (NAC), responsible for drafting the new plan, with the necessary data to show both the significant population of male sex workers in Malawi and their heightened vulnerability to HIV. Leveraging existing relationships with other organizations, CHeRA conducted a situational analysis, which highlighted the distinct needs of male sex workers compared to both female sex workers and men who have sex with men, and presented compelling data illustrating their elevated HIV risk.

Although this initial evidence was presented to the NAC, it was deemed insufficient. To strengthen its case, CHeRA supplemented the data with the lived experiences of male sex workers. It strategically brought community members to key meetings, enabling them to directly share their personal stories with members of the NAC. This combination of data and lived experience ultimately convinced the NAC to include male sex workers as a key population group in the new strategic plan.

The successful inclusion of male sex workers in the Malawi National Strategic Plan for HIV and AIDS 2020–2025 has yielded tangible results, including specific programming for male sex workers.

20 South African National AIDS Council, 'The South African National Sex Worker HIV Plan 2016-2019', SANAC, Centurion, 2016, <https://www.prepwatch.org/wp-content/uploads/2018/12/SouthAfrica-Sex-Worker-HIV-Plan.pdf>.

21 KwaZulu-Natal Provincial Government, 'KwaZulu-Natal Provincial Implementation Plan for HIV, TB, STIs 2023-2028', KwaZulu-Natal Provincial Government, Durban, 2023.

4. Increasing access to justice

Notable successes:

- **Sex worker paralegals** have successfully negotiated with the police to release detained sex workers and have built relationships that lead to police notifications of arrests in at least seven countries in Africa: Kenya, Malawi, Nigeria, South Africa, Uganda, Zambia and Zimbabwe.
- **Zimbabwe:** Providing **'know Your rights' training** and access to lawyers empowered sex workers to assert their rights during arrest and subtly shift power dynamics with the police.
- **Kenya:** A sex worker-led organization helped **achieve 18 case completions and 4 murder convictions** for crimes committed against sex workers.

Key takeaways:

- **Strategic partnerships with legal organizations are crucial.** These collaborations provide essential services such as legal representation, paralegal training and 'know your rights' education for sex workers.
- **Empowering sex workers through paralegal training and community networks** has been highly effective. Trained sex worker paralegals can negotiate with the police, accompany individuals to court and refer complex cases to lawyers, building vital relationships with law enforcement in the process.
- Increasing access to justice efforts can result in the **collection of data on arrests, violations and legal processes, creating a crucial evidence base** for advocacy.
- Other tools used to increase access to justice include **direct advocacy, support in court and engaging with specific committees.**

Checklist:

- ✓ Build a strong relationship with a legal organization or likeminded lawyers. Work with lawyers and legal partners to do the following:
 - Train members as paralegals. Ensure that those who have been initially trained are able to train other members.
 - Conduct 'know your rights' campaigns and training sessions for members.
 - Ensure regular availability of legal representation for sex workers in addition to paralegal support.
- ✓ Build relationships with law enforcement officers, prosecutors and court clerks.
- ✓ Consider training relevant law enforcement officers such that they understand the specific issues facing sex workers and how to investigate sex worker-related cases.
- ✓ Build your organization's understanding of complaint systems, including how to file complaints against the police and health care workers. Support members in filing such complaints.
- ✓ Provide support to members in court cases, including attending court with them.
- ✓ Consider implementing a hotline where sex workers can report complaints.

Sex workers require access to justice in two primary ways. First, when their rights have been violated by the police, a client or a community member, they need recourse and support for redress. This often means requiring the police to investigate and support their case, especially if it goes to court. Second, they need assistance when facing harassment or arrest by law enforcement due to laws criminalizing sex work. Sex worker-led organizations have made significant strides in increasing access to justice for sex workers in both types of situations. Although further efforts are necessary, this steady progress strengthens the empowerment of sex workers and holds the potential to reduce stigma—both essential components of successful decriminalization efforts.

A critical component of increasing this access to justice has been strategic partnerships with lawyers and legal organizations. A strong collaboration with a legal organization that understands the issues facing sex workers can provide legal representation in cases, including strategic litigation, training for

paralegals, and 'know your rights' training for sex workers. All three elements have been crucial to expanding sex workers' access to justice across Africa.

In Uganda, the Human Rights and Protection Forum (HRAPF), a legal organization working with key populations, trains sex workers as paralegals. The trained sex workers are then able to train other sex workers as paralegals. When sex workers are arrested, these paralegals can negotiate with the police—for example, by demanding a warrant or advocating for the sex worker's release. If a sex worker must attend court, a paralegal can accompany them. Should a case exceed their expertise, paralegals can call on HRAPF for a lawyer. Through this work, sex worker paralegals have built strong relationships with the police, who now often call to notify them when a community member has been arrested, and have built their skills in mediation and documentation.

Increasing access to justice in Zimbabwe

In Zimbabwe, violence and extortion of sex workers were major challenges. Sex workers often lacked knowledge of their general rights and, crucially, their rights during arrest. To address this, the Sexual Rights Centre (SRC) leveraged its strong relationship with Zimbabwe Lawyers for Human Rights (ZLHR) to develop 'know your rights' training specifically for sex workers.

To further empower sex workers, the SRC provided sex workers with business cards with its contact number, ensuring sex workers had an immediate resource to call if arrested. Sex workers carried the cards and would present them to law enforcement officers during arrests. They became aware of their right to a phone call and that they could not be held indefinitely in police vehicles, and they were able to use that information to negotiate with the police. Access to legal support subtly shifted the power dynamic with the police, as sex workers now knew they had support from the SRC and other allies.

Additionally, sex workers travelled to South Africa to be trained as paralegals. As sex workers became more empowered, they began proactively collecting information on the specific laws used for their arrests. They would ask for documentation and obtain receipts for any fees paid. This meticulous data collection built a critical evidence base, clearly identifying petty offences as the primary laws under which sex workers were being arrested.

Beyond legal support, the SRC also had all community members complete a detailed form. This form, accessible in case of an arrest, contained critical information such as medication needs, including where to find it, emergency contacts, including whether the contact knew they were a sex worker, and details about children needing to be picked up from school. Even if a sex worker did not want a lawyer, they could call the SRC number to access their medication or arrange care for their child. This initiative fostered a strong sense of community and reduced feelings of isolation among many sex workers.

Beyond paralegal support, some sex worker-led organizations also directly assist members in filing complaints with the police for rights violations, as seen in Kenya. If initial complaints are not addressed, sex worker-led organizations escalate them to higher authorities, including the commanding station and, if necessary, the Officer Commanding Station. While not always successful, this escalation has led to complaints being addressed, partly due to prior police sensitization. This sensitization has also made the police more willing to assist sex workers when clients have assaulted them, even testifying in court on their behalf.

Supporting sex workers to file complaints and access justice can also help with the development of evidence for broader advocacy. For instance, SWOP Ambassadors document all reported cases of violence, maintaining a database and soft files, which are kept locked. It uses a standardized template to document violence, which is shared with partners such as the National AIDS and STI Control Programme through the Master Facility List code. This documentation not only helps sex workers achieve justice, but also builds the evidence base for advocacy.

Sex worker-led organizations also provide crucial support when cases affecting sex workers go to court. This includes cases where sex workers have been arrested, or when a perpetrator of violence against them is being held accountable. They organize the community to attend these court cases, wearing T-shirts to show their solidarity and support for the victim.

Beyond direct court support, sex worker-led organizations in Kenya sit on the court users committee. The committee meets quarterly to address case backlogs, including efforts to reduce fines for petty offences to reduce the number of people imprisoned. This has resulted in a reduction in fines for petty offences. While seemingly small, these adjustments represent important incremental progress for sex workers.

Increasing access to justice in Kisumu, Kenya

KISWA has achieved remarkable success in increasing access to justice, with 18 cases successfully completed, including 4 murder cases resulting in perpetrator convictions. Such convictions significantly boost sex workers' morale and encourage further reporting by demonstrating that their cases can lead to tangible justice.

KISWA's success stems from a well-structured response mechanism and strong relationships with key stakeholders. When a GBV incident occurs, sex workers can report it directly through KISWA's hotline or via hotspot leaders, who are trained in identifying, preventing and reporting violence, as well as sensitizing the community on safety measures. KISWA's paralegals, who are also sex workers, then assess the situation.

For cases requiring medical attention, sex workers are immediately referred to the Gender Recovery Centre, where, due to an established relationship with KISWA, the sex worker receives prioritized services without queuing. Concurrently, KISWA engages directly with the gender desk at police stations to ensure cases are properly recorded. It has also cultivated relationships with police leaders, ensuring that investigating officers assigned to its cases understand the specific issues faced by sex workers.

Beyond the initial reporting and police engagement, KISWA maintains a strong relationship with court clerks and prosecutors. This relationship is particularly vital in cases of arbitrary arrest, such as during police raids. Court clerks advise KISWA on case location and assigned prosecutors, offering information on court responses. They may provide guidance on how sex workers should respond in court. In more complex criminal cases, prosecutors offer legal advice on next steps, including recommending legal representation.

Throughout the judicial process, KISWA's paralegals meticulously track cases, following up on reports, assigned officers and court dates. A legal team on KISWA's board provides crucial legal representation for cases requiring it. In instances where cases do not proceed to court, KISWA works to ensure sex workers receive appropriate compensation through alternative dispute resolution mechanisms. This comprehensive, dedicated approach, from initial reporting to judicial completion or alternative resolution, has increased access to justice for sex workers in Kisumu.

5. Building a sex worker-led movement

Notable successes:

- There has been a **significant increase in the visibility of sex workers in Africa**.
- There is at least **one sex worker-led organization in almost all countries** in sub-Saharan Africa.²²
- At least **eight countries** in sub-Saharan Africa have **more than one sex worker-led organization**.²³

Key takeaways:

- **Sex worker-led movements are essential for decriminalization.** Building a sex worker-led movement is critical not only to advocate for legal change but to ensure implementation.
- **Many sex worker-led organizations started by being housed within an existing organization.** Many successful sex worker-led organizations began by being incubated within existing civil society organizations. This offers vital administrative support and mentorship, and helps secure initial funding, allowing young organizations to build capacity before becoming independent.
- Nascent sex worker-led organizations have sought **to build trust and organize the community through safe spaces and informal gatherings**.
- **Registration may be a challenge but is achievable.** It may require a name change or changes to mission and vision. Established organizations can guide newer groups through this process.
- **Capacity-building** in areas such as project management, fundraising, proposal writing and human rights is vital. Networks such as the African Sex Worker Alliance (ASWA), the National Sex Worker Project (NSWP) and the Southern Africa Sex Workers Alliance (SASWA) and other regional sex worker-led organizations, particularly through initiatives such as the Sex Worker Academy Africa (SWAA), are crucial resources in this respect.
- **Connect with bigger networks.** Regional, continental and international networks are not just for capacity-building; they also link sex worker-led organizations to in-country stakeholders and donors, and provide technical and financial support.
- Sex worker-led organizations have established **national structures as local movements grow**. National networks or national organizations with provincial offices help coordinate advocacy, facilitate partnerships and ensure grass-roots impact and can drive coordination for decriminalization efforts.

Checklist:

- ✓ Consider being incubated within an allied organization.
- ✓ Build your individual and organizational capacity by leveraging the opportunities provided by international, continental and regional sex worker-led organizations, such as ASWA, the NSWP and SASWA.
- ✓ Secure registration for your organization if required in your country.
- ✓ Build the sex worker movement by creating safe spaces, informal training, gatherings and other activities that do not require significant resources but provide opportunities for sex workers to meet and connect.
- ✓ Nurture connections with national and regional networks for capacity-building, collective advocacy, links to key stakeholders, donors, and technical and financial support.
- ✓ Once local groups are established, consider building national structures to help coordinate national-level advocacy.

One of the most significant successes in the past 20 years has been the development of a diverse sex worker-led movement in Africa, resulting in an increase in the visibility of sex workers on the continent and the emergence of subregional and continental sex worker networks, namely ASWA, SASWA, the

²² National Sex Worker Project, 'Members', www.nswp.org/members.

²³ Ibid.

East Africa Sex Workers Alliance (EASWA) and Coalition de l'Afrique de l'Ouest et du Centre sur le Travail du Sexe (CAFOC-TS).

A well-capacitated sex worker-led movement is critical for influencing law and policy reform and eventually decriminalization. It is important not only for advocating for decriminalization, but also to ensure implementation of any legal or policy change and respond to any backlash. One of the core components of building a sex worker movement is the creation of well-capacitated sex worker-led organizations. Over the past 20 years, Africa has seen a significant increase in the number of national sex worker-led organizations throughout the continent.

National sex worker-led movements

Many national sex worker-led organizations initially grew out of existing civil society organizations. For example, in Malawi, the Centre for the Development of People fostered the creation of both CHERA and the Female Sex Workers Association (FSWA). Similarly, in South Africa, Sisonke was developed within SWEAT.

Often, the individuals who went on to lead these national sex worker organizations started as peer educators, working with key populations. Through this work, they recognized the specific need to advocate for sex workers' rights and well-being and began organizing sex workers. They did this through training, condom distribution and small activities that provided safe spaces for sex workers to meet, share experiences and converse. For instance, in Zimbabwe, the SRC organized coffee mornings. While they did not have funds to provide transport vouchers, they offered coffee and sandwiches, and most importantly, provided a safe space at their offices where sex workers could drink coffee, talk and share information.

Being housed within an established organization also offered nascent sex worker-led organizations crucial support. This support often included administrative infrastructure, such as office space, legal assistance, financial management, mentorship and guidance from experienced civil society leaders, and credibility which aided in securing initial funding. This incubation period allowed them to build their capacity and expertise before registering as independent entities.

In many African nations, civil society organizations must be officially registered to operate independently. Unfortunately, sex worker-led organizations often encounter significant obstacles when trying to register. For instance, in Malawi, the FSWA was initially called the Malawi Sex Workers Association. However, it was forced to change its name because the government objected to the use of 'Malawi'. In other instances, sex worker-led organizations have had to obscure their specific focus on sex workers, sometimes by altering their name, mission or vision. For example, the Tanzania Sex Workers Alliance (TASWA) changed its name to Women with Dignity to secure registration. However, once a sex worker-led organization successfully registers, it can often support and guide newer sex worker-led organizations through the complex registration process, helping them to navigate the very challenges they themselves overcame.

As national sex worker-led organizations have matured within their respective countries, they have established national networks or organizations with offices spanning various provinces. This expansion allows for more coordinated efforts and broader reach. In Uganda, for instance, sex worker leaders came together to found the Network for Sex Workers in Uganda (NSWU). This network brings together sex worker-led organizations and support groups from across the country to help coordinate work. Currently, the NSWU has 62 affiliated organizations nationwide and operates with its own secretariat and national coordinator. As a national entity, it plays a crucial role in coordinating national advocacy efforts and facilitating partner collaborations on specific projects. Similarly, in South Africa, Sisonke operates as a national sex worker-led organization. To ensure effective advocacy at the grass-roots level, Sisonke has established offices in at least five of South Africa's nine provinces.

These national networks, with their provincial affiliates or offices, are a critical coordination tool for planning decriminalization efforts. In Kenya, for example, the national organization has established a national decriminalization committee, which includes leaders from local sex worker organizations. This committee has already developed a road map for decriminalization and identified a legal firm to lead these crucial efforts. Most importantly, local partners are actively contributing by collecting data to support the decriminalization campaign, demonstrating the power of coordinated action from the ground up.

Building a sex worker movement in Kenya

The sex worker movement in Kenya was founded on the principle that meaningful and lasting change stems from collective power. Instead of relying on a handful of individuals to spearhead advocacy, the strategy focused on cultivating a broad, decentralized movement led by sex workers themselves. The underlying belief was that sex workers from all walks of life across the country—whether from urban centres, rural areas, semi-arid regions, or diverse religious and social backgrounds—possessed the inherent ability to be leaders. This inclusive approach allowed the movement to reflect the diversity of Kenya’s sex worker community and nurture leadership at every level.

The movement’s expansion began in 2010. Starting with just three sex worker-led organizations, leaders recognized the urgent need to address escalating violence. They embarked on county-by-county outreach, identifying sex workers and engaging them through small activities and training sessions. These initial events served to raise awareness, build trust and pinpoint individuals passionate about driving change. Those who showed interest and commitment were then encouraged and supported to form their own local organizations or groups. Capacity-building was central to this process: new leaders received training in organizational management, fundraising, proposal writing and strategic planning. Established organizations provided mentorship, and partnerships with donors, allied movements and government institutions helped secure resources and create opportunities for further growth.

As of 2025, there are over a dozen sex worker-led organizations throughout Kenya, as well as a national umbrella body that coordinates national-level advocacy.²⁴

Regional and continental sex worker-led movements

Alongside national sex worker movements, strong regional and continental sex worker-led networks have emerged. Regional, continental and international networks, especially the NSWP, ASWA, CAFOC-TS, EASWA and SASWA, have played a critical role in supporting national sex worker-led organizations. This has included coordination of national movements and providing space for networking, sharing knowledge and building relationships among national movements, bringing national sex worker leaders to regional and international spaces, mentoring emerging sex worker leaders, and building the capacity of national sex worker-led organizations.

One of the key capacity-building activities has been the SWAA hosted by ASWA. Indeed, in Tanzania, the sex worker rights movement began as a series of informal groups which became TASWA after leaders of the informal groups attended the SWAA, where they built their leadership skills and were able to strategically map hotspots, identify key challenges faced by sex workers, and develop their mission and vision. Since then, the movement in Tanzania has grown to include 45 formal and informal groups. Capacity-building topics have included training on project and financial management, resource mobilization, proposal writing, human rights and movement-building, among others. Similarly, the NSWP has supported national and regional sex worker-led organizations in developing law reform campaigns and engaging with international human rights bodies and processes.

Beyond direct capacity-building, the connections forged with international, continental and regional networks—as well as with other allied organizations—have been instrumental in helping nascent sex worker-led groups build vital relationships with in-country stakeholders and donors. For example, in Mozambique, SASWA played a key role in connecting local sex worker-led organizations with relevant groups and individuals, significantly amplifying their advocacy efforts. Similarly, in Zambia, SASWA facilitated Sisterhood for Health Equality (SheZ)’s access to ASWA and the NSWP, opening doors to their capacity-building programmes and other forms of support. These networks also linked SheZ to international organizations, which provided crucial technical and financial assistance.

24 Kenya Sex Workers Association, ‘About’, <https://keswa-kenya.org/about1.html>.

Sex Worker Academy Africa (SWAA)

Since 2014, the SWAA has played a significant role in the growth and success of sex worker movements across Africa. Its unique strength lies in its peer-to-peer, South-to-South learning model, which brings together sex workers from diverse countries throughout the continent, fostering a rich exchange of experiences and strategies to advocate for legal reform and rights-based laws and policies.

At the SWAA, experienced sex workers from countries such as Kenya share their knowledge and insights with participants from countries with less established movements. This direct exchange is transformative, allowing individuals who initially attend as isolated representatives to return home equipped with critical knowledge and valuable links to more experienced sex worker leaders. The practical lessons learned from seeing established sex worker-led organizations in action, such as visiting five clinics run entirely by sex workers in Kenya, are a critical component of the SWAA and serve as powerful inspiration. These exposure visits allow participants to witness sex workers successfully managing a clinic and inspire them to do the same.

Beyond inspiration, the SWAA provides essential capacity-building to sex worker-led organizations to engage in advocacy. This includes training on crucial skills such as proposal writing and fundraising, guidance on identifying diverse donors beyond conventional sources, and direct technical support during country visits focusing on finance and project management.

Many participants have attended the SWAA and returned home to establish new sex worker-led organizations—such as in the Democratic Republic of the Congo, Malawi, Nigeria, Rwanda (which had no sex worker-led movement prior to sex workers attending the SWAA) and the United Republic of Tanzania—or launch new advocacy initiatives, such as placing a representative on the Global Fund to Fight AIDS, Tuberculosis and Malaria's CCM.²⁵

Finally, attending the SWAA has also resulted in engagement in international human rights processes and greater in-country partnership and collaboration.²⁶

6. Access to health services

Notable successes:

- In at least four African countries—Côte d'Ivoire, Kenya, Togo and Uganda—**sex worker-led organizations independently operate and deliver health care services** for sex workers.
- **Kenya:** KISWA has **integrated its services directly into a government facility**, ensuring sustainable and expanded health care for sex workers.
- **Uganda:** Lady Mermaid initially created **drop-in centres** for sex workers and eventually established a **registered clinic** with a qualified doctor providing expanded health care services for sex workers.

Key takeaways:

- There has been **significant progress in increasing access to health care** for sex workers, due in part to their identification as a key population in Africa.
- There are a number of ways sex worker-led organizations have increased access to health care services for sex work:
 - Creation of **drop-in centres**
 - Establishing **registered clinics** to provide a wider range of services that drop-in centres cannot, ensuring tailored, stigma-free care

25 Public Health Innovations, 'African Sex Workers Alliance: Sex Worker Academy Africa Evaluation Report', PHI, December 2019.

26 Ibid.

- **Integrating sex worker-led service provision into government health facilities.** This approach reduces operational costs, expands service scope beyond HIV and ensures uninterrupted access to essential care.
- **Strong, long-standing relationships** and mutual trust with government health departments are crucial.
- **Sex worker-led organizations actively collaborate in government health outreach, contributing resources and mobilizing their communities** for initiatives such as cervical cancer screening, helping government programmes meet targets.
- **These health initiatives also serve as vital data collection tools**, providing valuable information beyond service provision.

Checklist:

- ✓ Increase understanding of the health care system.
- ✓ Build relationships with key health departments and health care professionals.
- ✓ Consider ways to ensure sustainability of health care provision to sex workers, especially given the new funding environment. Specifically, consider integrating sex worker-led service provision into government health facilities.

As sex workers were frequently identified as a key population, efforts to reduce their vulnerability to HIV became central to initial HIV programming. Consequently, sex worker-led organizations have achieved significant success in increasing sex workers' access to health care services.

Ensuring sex workers have access to health care services can help reduce stigma and discrimination from key stakeholders, thereby creating an environment more amenable to decriminalization. When health services are reliably accessible, it can normalize the sex worker community in the eyes of policymakers, health professionals and the public.

A novel strategy to increase and sustain sex workers' access to health care has been the integration of sex worker-led service provision into government health facilities. In 2023, for instance, KISWA secured a significant partnership with Kenya's County Department of Health, enabling it to move its service provision directly into a government-run facility. This strategic decision was driven by the desire for long-term sustainability, aiming to reduce operational costs while simultaneously expanding the scope of health care services offered to sex workers beyond HIV. KISWA entered into a memorandum of understanding with the government, allowing it to operate at a subsidized rate for utilities. Its presence within a government facility also ensures uninterrupted operation, providing essential services to sex workers who might otherwise have no access.

This successful integration was a direct result of KISWA's strong, long-standing relationship and mutual trust with the Department of Health. The partnership has also proven beneficial for the government. It allows it to demonstrate its commitment to providing health care to key populations and helps increase the county's patient engagement numbers. Furthermore, KISWA now collaborates with the government on outreach initiatives, such as cervical cancer screening, ensuring sex workers are included. KISWA mobilizes its members to attend these screenings, which helps the county meet its screening targets. KISWA also contributes monetary resources to health-related events by providing resources such as tents or T-shirts. Its integration model is now even being used by the Department of Health as a template for other implementing partners considering moving into government facilities.

Development of drop-in centres and health clinics in Uganda

Lady Mermaid began by establishing drop-in centres as safe spaces for sex workers. At the drop-in centres, sex workers could discuss concerns, engage in community advocacy, address gender-based violence, access essential services such as condoms, lubricants and pre-exposure prophylaxis (PrEP), and use the bathroom and shower. In addition, Lady Mermaid provided psychosocial support and mental wellness services through a network of trusted counsellors. It

also ran a toll-free hotline for all members to access support. The first centre operated from its offices, with a second later opening in the community.

Recognizing that the drop-in centres could not offer the full range of services sex workers needed due to government guidelines, Lady Mermaid decided to open a registered clinic. This required a fully qualified doctor. Leveraging long-standing relationships developed through years of running the drop-in centres, Lady Mermaid approached a doctor who had previously worked with the organization, and he agreed to support the clinic's registration.

The resulting clinic, Merm Care Clinic, now provides a significantly wider range of services than the drop-in centres. They include testing for malaria and typhoid, and dispensing medication. The drop-in centres and registered clinic are staffed by psychiatrists and counsellors working 24/7, significantly expanding mental health support. Complex cases are referred to partner organizations. The clinic is staffed by qualified clinicians and laboratory technicians. This expansion has not only increased access to vital services for sex workers but also serves as an important data collection tool.

7. Reduction of violence, stigma and discrimination

Notable successes:

- **South Africa:** A **comprehensive training manual** was developed and implemented with the South African Police Service and used to empower and sensitize the police to sex workers and other key populations.
- **Kenya:** Sex workers **reduced migrant sex workers' vulnerability to violence** by working with migrant sex workers and international migrant organizations to ensure all migrant sex workers had appropriate documentation.
- **Malawi:** Sex workers **cleaned local police cells** during the day, which built relationships with the local police and gave the sex workers a level of protection from violence.

Key takeaways:

- **Reducing violence, stigma and discrimination is a critical catalyst for efforts to decriminalize aspects of sex work.** When violence and stigma lessen, sex workers are safer and more empowered to advocate for decriminalization, and the reduction of stigma shifts public perception, making policymakers more willing to consider and support legal reforms.
- **Major tools** to reduce violence, stigma and discrimination include:
 - **Training and sensitization** of key stakeholders, such as health care workers, traditional leaders and law enforcement officers
 - **Strategic relationship-building with law enforcement** by inviting them to community activities and through novel approaches such as cleaning police cells
 - **Proactive media and social media engagement and sensitizing journalists** to raise awareness of sex workers' realities and contributions, such as an annual magazine, and to ensure an accurate portrayal of sex workers' lives
 - **Targeted support to address specific barriers** that heighten the likelihood of violence, such as a lack of documentation for migrant sex workers
 - **Increasing access to justice**, in part by increasing legal literacy and building relationships with sensitized legal professionals.
- To maximize impact and address **challenges in training**:
 - It is crucial to ensure **participants are individuals who are directly interacting with sex workers.**
 - Sex worker-led organizations must **ensure continuity** of sensitization training by informing local organizations when trained officers or health care workers are transferred and proactively engaging new personnel.

Checklist:

- ✓ For training and sensitization of law enforcement and health care workers:
 - Consider partnering with another organization, such as government agency, development partner or other civil society organization.
 - Use existing relationships with government agencies, development partners and other civil society organizations to ensure sex workers are invited to training and sensitization activities.
 - Build and leverage relationships with government and development partners to ensure inclusion of sex workers in training and sensitization activities.
 - Consider attending consultations, training and sensitization activities even if not invited. Be respectful if attending, but ensure sex workers' concerns are raised.
 - Build an understanding of how law enforcement and the health care system are organized, to ensure the people invited to the training or consultation are the ones who directly interact with sex workers.
 - Follow up with training participants by either visiting them at their place of work or other means.
- ✓ Build a relationship with law enforcement.
 - Convening or attending training and sensitization workshops can help build relationships with law enforcement.
 - Invite law enforcement officers to relevant sex worker-related events to highlight the work sex workers do in the community.
 - Consider taking small actions that help build relationships with local law enforcement, such as cleaning police cells.
 - Identify potential allies in police stations and include sensitized police champions in emergency response teams.
- ✓ Consider having an active social media presence that highlights the work sex workers do in the community and the violence and discrimination they face.
- ✓ Consider developing an annual magazine where sex workers can write about their lives.

Some of the most significant barriers sex workers face are pervasive violence, stigma and discrimination from a wide range of stakeholders, including service providers, clients, community members and law enforcement. The continued criminalization of various aspects of sex work is a key factor enabling this perpetuation of harm, as affirmed in numerous studies.²⁷

Reducing violence and stigma is a critical catalyst for efforts to decriminalize aspects of sex work. When violence and stigma lessen, sex workers are safer, more empowered, and better able to organize and advocate openly without fear of immediate reprisal. Simultaneously, reducing stigma is integral to shifting societal opinion. As public perception moves away from viewing sex work solely through a lens of morality or criminality, it fosters greater understanding and empathy, allowing for more constructive dialogue and making policymakers more amenable to considering and supporting legal reforms.

One of the key strategies employed by sex worker-led organizations to reduce violence, stigma and discrimination is the training and sensitization of key stakeholders, particularly health care providers, religious and traditional leaders and law enforcement personnel. These training activities are either hosted or co-hosted by sex worker-led organizations, or sex worker representatives are invited to present at training activities convened by others.

To maximize their reach and impact, sex worker-led organizations often collaborate with government bodies such as the Ministry of Health or National AIDS Council, as well as with other civil society organizations and development partners. For example, in Malawi, sex worker-led organizations actively partner with the Ministry of Health to train health care workers. Similarly, in Kenya, sex worker advocates have leveraged established relationships with the Ministry of Health and the National AIDS and STI Control Programme to ensure their inclusion in law enforcement training sessions. This strategic partnership led to a critical discovery: they could effectively engage with the police through the AIDS

27 Joint United Nations Programme on HIV/AIDS, 'HIV and Sex Work' above n 1.

Control Unit, which is responsible for HIV reduction initiatives in Kenya. Now, when sex workers want to conduct training, they formally request personnel from the AIDS Control Unit in various counties, specifically targeting officers from the gender-based violence desk and linking the training content to both HIV prevention and violence reduction. Following the training, sex workers often visit local police stations to foster ongoing dialogue and collaboratively develop action plans aimed at reducing violence within the community. In Zimbabwe, sex worker advocates work with the International Network of Religious leaders Living with or Personally Affected by HIV and AIDS (INERELA+) to sensitize religious and traditional leaders and identify potential champions.

In addition to hosting or co-hosting training activities, sex worker-led organizations will accept invitations to relevant training or will invite themselves to meetings. In Malawi, for instance, sex workers consistently attend any relevant meeting, even if uninvited or unpaid, to ensure participants hear directly from them when discussing issues that affect their lives.

However, a significant challenge to the effectiveness of these training activities is ensuring that the attendees are those who directly interact with sex workers, rather than more senior officers. Therefore, it is crucial to ensure that participants are precisely the individuals directly interfacing with sex workers in both law enforcement and health care settings.

Even when front-line personnel are successfully trained, high turnover rates in law enforcement and health care professions pose another substantial challenge, as trained personnel are frequently transferred or relocate. Some sex worker-led organizations have strategically addressed this by leveraging their relationships with other local sex worker organizations. When a trained police officer is transferred, they promptly inform the sex worker-led organization in that new county or province about the officer's prior training and relocation. This collaborative approach aims to ensure continuity of sensitization. Furthermore, sex workers actively seek introductions to new police transferees or health care workers, or proactively introduce themselves, to maintain the vital continuity of these relationships. This consistent effort to be present and engaged has proven highly effective in building and sustaining strong working relationships with key county entities such as the Department of Health and the police.

Beyond training, building strong relationships with law enforcement, health care workers and religious and traditional leaders has been instrumental in reducing violence, stigma and discrimination. Sex worker-led organizations employ various methods to cultivate these crucial connections. Some always invite law enforcement personnel to their activities, including health-related initiatives, enabling officers to see sex workers as contributing members of the community and as full individuals, not merely those who sell sex. Additionally, sex worker-led organizations actively insert themselves into relevant discussions and spaces, contributing and asking pertinent questions. By actively engaging rather than simply occupying a space, they ensure their presence is recognized, which has proven highly effective in building collaborative partnerships.

In addition, some sex worker-led organizations have sought novel ways to build relationships with the police and others to minimize violence. In Malawi, for example, a sex worker-led organization regularly cleans police cells for free during the day. Through this consistent cleaning and interaction with officers at the station, the sex workers have developed a strong personal relationship with the officers who patrol their neighbourhood, and they can now call on the police when they have complaints. In Kenya, organizations have built relationships with male champions, such as bouncers or bartenders at specific hotspots. These champions look out for sex workers and can contact sex worker representatives when they believe a sex worker might be in danger.

An effective yet underutilized tactic for reducing stigma and discrimination has been raising awareness through media engagement about the challenges sex workers face and their lived realities. In Uganda, sex workers regularly showcase their work on social media and publish an annual online magazine. This magazine features articles written by sex workers about their life and highlights their contributions to addressing HIV and supporting economic empowerment. In their public awareness work, they ensure they highlight and document every contribution they make while also discussing the need for decriminalization. The magazine has attracted significant attention, including from international journalists. As a result, sex workers were interviewed by Al Jazeera about the movement, which resulted in discussions about decriminalization in Parliament.

Finally, targeted support based on a deep understanding of the challenges and systemic barriers sex workers face has significantly reduced violence and harassment. For instance, in Kenya, migrant sex workers were highly vulnerable to violence, partly due to police raids. While SWOP Ambassadors reported these violations, they struggled to reduce the violence migrant sex workers faced. They sought to understand the specific factors making migrant sex workers more vulnerable, identifying the lack of proper documentation as a key reason. SWOP Ambassadors then learned about the complex refugee system and its documentation rules.

To address these specific barriers, SWOP Ambassadors worked on a case-by-case basis to update the documentation of all migrant sex workers. They mapped out where documents could be updated and connected many migrant sex workers with the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM), leveraging relationships built through their participation in gender-based violence technical working groups. They began with 3,400 women and now have only approximately 50 without proper documentation. SWOP Ambassadors also support migrant sex workers who have been through this process, to provide information to new migrants regarding the necessary documents and how to obtain them.

Training of police in South Africa²⁸

Sex worker-led organizations relied heavily on relationships with allies, including international civil society organizations, to develop systematic training for the police in South Africa. The Dignity, Diversity and Policing (DDP) programme began in 2015 as a partnership among SWEAT, TB/HIV Care, the Triangle Project and the South African Network for People Who use Drugs (SANPUD), among other South African civil society organizations, South African Police Services (SAPS), Aidsfonds and COC Netherlands.

In 2015, sex worker-led organizations worked with Aidsfonds to conduct a needs assessment in five Southern African countries: Botswana, Mozambique, Namibia, South Africa and Zimbabwe. The initial research identified violence perpetrated by the police against sex workers as a huge challenge. In South Africa, the problem identified was that SAPS officers lacked the adequate skills and competencies to provide comprehensive services to the most vulnerable groups in communities, specifically people who use drugs, sex workers and LGBTI+ people. To address this, COC Netherlands entered into a memorandum of understanding with SAPS, in part to develop a comprehensive training manual. Representatives from sex worker-led organizations and other civil society organizations worked with academics and SAPS to draft the training manual. Once the manual was developed, SAPS human resources management, sex workers and other key population members were trained to serve as trainers. The training manual was tested in Johannesburg, Pretoria, Cape Town and Durban and piloted with two different groups. The manuals were then used to conduct training for SAPS throughout all provinces in South Africa.

The involvement of sex worker-led organizations was instrumental in the DDP programme from its inception. They played a key role in the initial research, which identified police-perpetrated violence as a major human rights and public health issue for sex workers across several African countries. These organizations provided crucial subject matter expertise to SAPS by sharing their personal experiences with law enforcement and emphasizing the necessity of this training. The involvement of sex workers was vital in the design and review of the training manual, ensuring it accurately addressed their specific needs and experiences. Finally, they were trained as trainers and conducting training as part of the DDP programme.

28 South African Police Services and COC Netherlands, 'Lessons Learned: The South African Police Service's Dignity, Diversity and Policing Project: The Promotion and Protection of Human Rights, Dignity and Safety for All', South African Police Services and COC Netherlands, 2018, https://international.coc.nl/wp-content/uploads/2018/12/LL-48-October-2018_Original.pdf; Donna M. Evans, Marlise L. Richter and Munyaradzi I. Katumba, 'Policing of Sex Work in South Africa: The Positive Policing Partnership Approach', *Journal of Community Safety and Well-Being*, vol. 4, no. 4, pp. 80–85, 2019; Sonke Gender Justice and Positive Policing Partnership, 'Positive Policing Practices and Sex Work. Proceedings of a Roundtable Discussion', Sonke Gender Justice and Positive Policing Partnership, 22 May 2019, www.nacosa.org.za/wp-content/uploads/2019/09/PPP-roundtable-report_final-hi-res.pdf.

8. Inclusion in decision-making spaces

Notable successes:

- There are sex worker representatives on almost all the Global Fund to Fight AIDS, Tuberculosis and Malaria's CCMs in Africa, including four sex worker representative **seats on the CCM in Malawi**.
- **Kisumu, Kenya:** Sex workers are **represented in almost all relevant decision-making spaces**, including the Gender-Based Violence Committee, among others.
- **South Africa:** Sex worker representatives are **included in the South African National AIDS Council**.

Key takeaways:

- Inclusion of sex workers in decision-making spaces is **critical for building the case for decriminalization and effectively reducing violence, stigma and discrimination**. It also ensures solutions are tailored to sex workers' lived realities and vulnerabilities.
- **Strong relationships with diverse stakeholders**, including government officials, other movements and international organizations, are essential to ensure inclusion in decision-making spaces.
- A critical initial step is to **learn about the key decision-making bodies, how they operate and who is on them** to identify strategic entry points and advocate for inclusion.
- Sex worker-led organizations **have used a variety of advocacy tactics** to secure their inclusion:
 - Sending letters and emails to relevant ministries and decision makers
 - Coalition-building by partnering with other key population groups and broader civil society movements
 - Working with donors to pressure government for inclusion
 - Collaborating with existing members of the decision-making groups, including other civil society organizations, to advocate for sex worker representation
 - Attending meetings of relevant decision-making bodies even without formal inclusion, or accompanying partners, to ensure sex worker-specific concerns are raised.

Checklist:

- ✓ Build an understanding of key decision-making bodies, how they operate and who is on them.
- ✓ Build relationships with the key stakeholders and decision makers that have been identified.
- ✓ Consider using the following tactics to advocate for inclusion in specific decision-making bodies:
 - Sending letters and emails to relevant ministries and decision makers
 - Coalition-building by partnering with other key population groups and broader civil society movements
 - Working with donors to pressure government for inclusion
 - Collaborating with existing members of the decision-making groups, including other civil society organizations, to advocate for sex worker representation
 - Attending meetings of relevant decision-making bodies even without formal inclusion, or accompanying partners, to ensure sex worker-specific concerns are raised.

The inclusion of sex workers in decision-making spaces is critical for building a strong case for decriminalization and effectively reducing violence, stigma and discrimination. By directly participating, sex workers can advocate for policies and practices that genuinely address their lived realities and specific vulnerabilities—such as violence by clients or law enforcement and barriers to accessing health care and other essential services. This direct involvement ensures solutions are tailored and effective, moving beyond assumptions or moral judgements.

Furthermore, inclusion in these spaces is invaluable for building and strengthening crucial relationships with a broad coalition of actors essential for advocacy and policy change, including decriminalization. They include government officials, members of other movements, representatives of international

organizations, lawyers and health care workers, and offer vital opportunities to sensitize potential partners. Such decision-making bodies include CCMs, national and local technical working groups and relevant committees where sex workers can raise concerns regarding their treatment and other violations.

While sex worker-led organizations with strong relationships with key stakeholders may be directly approached to ensure their representation on decision-making bodies, less established groups or those facing uncooperative conveners employ various tactics to secure their inclusion. A foundational step is to first learn about the existence and operations of these decision-making bodies. For instance, many sex worker-led groups gained crucial knowledge about the CCM from capacity-building workshops hosted by ASWA and the NSWP. These workshops provided a deep understanding of how the CCM functions, relevant committees and the importance of sex worker representation. With this knowledge, sex worker-led organizations could effectively advocate for their inclusion in the CCM. This advocacy led to a significant success in Malawi, where sex worker representatives secured four seats on the CCM, with two occupied by female sex workers, one by a male sex worker, and one by a trans sex worker. In Tanzania, sex worker leaders mentored other key populations leaders, enabling them to join the CCM. With the current changes to the funding landscape, the fate of CCMs is unclear, but the tactics for inclusion remain similar for CCMs as with other decision-making bodies.

Once the operations of these decision-making bodies have been understood, sex worker-led organizations have used a variety of tools to advocate for their inclusion in them. For CCMs, sex workers frequently advocate for the key population seat to be filled by a sex worker representative by clearly demonstrating their commitment to representing all key populations—not just sex workers—and highlighting the lack of activities addressing sex workers' needs. For technical working groups (TWGs), sex worker-led organizations have sent letters and emails to relevant ministries requesting a representative on specific TWGs. They have also built coalitions with other key population groups and worked with donors such as the US President's Emergency Plan for AIDS Relief (PEPFAR) and the Global Fund to pressure governments for inclusion. Additionally, they collaborate with partners already on the TWG, encouraging them to advocate internally for sex worker representatives in the TWG. In some instances, sex workers attend TWG meetings even without formal inclusion, or they accompany a partner to the meetings so they can raise sex worker-specific concerns.

Inclusion of sex workers in the End Femicide movement in Kenya

For sex workers in Kenya, femicide has long been a critical issue. Sex worker leaders saw an opportunity to integrate their struggle into the broader End Femicide movement. Initially, partnering with some women's and human rights movements proved challenging, as they often viewed sex workers as exploited rather than as workers, so sex workers engaged in sensitization efforts to address this.

In 2024, sex worker leaders joined forces with wider feminist and women's movements to highlight the escalating number of cases of femicide. This strategic collaboration ensured that the unique vulnerabilities and high numbers of murdered sex workers were represented within the larger advocacy to end femicide. A key outcome of this strategic collaboration was the successful inclusion of a sex worker representative on the national committee organized by the civil society coalition seeking to end femicide.

The coalition organized major marches, including a significant one in Nairobi, which led to the submission of key recommendations to the government. A central demand was for the government to establish a specific committee addressing femicide, including government and civil society representatives, and to create a distinct offence of femicide. Advocacy efforts at the county level focused on sensitizing communities and ensuring femicide cases are well documented, reported and followed up through the legal system, with support provided to victims and activists.

Continued pressure, including street demonstrations, prompted the government to form the committee the coalition had requested. Crucially, a sex worker representative was one of only three presenters at its first national meeting. At the meeting, they shared vital data and insights

on the impact of femicide on sex workers, including findings from ongoing research and a documentary, and presented a comprehensive memorandum outlining the movement's demands.

Currently, the government committee is conducting public participation forums across counties, fully funded by the government. The End Femicide Kenya movement has strategically ensured its memorandum is submitted in every county the committee visits, and it is actively supporting community members, including sex workers, to attend and voice their recommendations.

9. Inclusion in international and regional spaces

Notable successes:

- Sex worker-led organizations from at least eight countries in Africa have sent **alternate submissions** to the Universal Periodic Review (UPR), the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) and the African Commission on Human and Peoples' Rights, among others.
- **Zimbabwe:** The CEDAW Committee **responded directly to issues raised in a submission by a sex worker-led organization** by asking the government to provide specific data relevant to sex workers.
- **Malawi:** SHeRA's submission to the UPR raising concerns about the exclusion of male sex workers from HIV programming **contributed to the eventual inclusion of male sex workers in HIV policy.**

Key takeaways:

- Engaging in international and regional processes is **crucial for decriminalization** advocacy. These bodies establish norms and issue recommendations that can directly influence national laws and policies. These processes also provide valuable information from governments.
- **Sex worker-led organizations play an indispensable role in these forums**, ensuring that sex workers' voices and issues are addressed. Without their direct input, critical issues would often be overlooked.
- **Strategic partnerships with regional and international organizations**, such as ASWA, the NSWP or UNDP, are vital. These partners provide capacity-building workshops on how to engage and why it is important for national advocacy, and offer technical support for drafting submissions.
- **Key ways organizations have engaged** with international and regional spaces:
 - Submitting **alternate reports**
 - **Monitoring country reviews** by these bodies
 - **Attending relevant sessions** and meetings
 - Directly **meeting with commissioners** and other decision makers
 - **Holding international bodies to account**
 - **Conducting advocacy with various stakeholders** present at these forums.

Checklist:

- ✓ Partner with an international or regional organization, such as ASWA or the NSWP, or development partners, such as UNDP, to build your capacity to engage in international and regional processes.
- ✓ Work with a partner organization to develop an alternate report, monitor your country's review and organize meetings with commissioners.

Sex workers in many African countries have successfully ensured their voices and issues are heard and addressed in international and regional spaces and processes. These forums include United Nations treaty bodies, such as the CEDAW Committee, the African Commission on Human and Peoples' Rights, the UPR process, and engagements with United Nations and African Commission Special Rapporteurs, among others.

Engaging in these processes is crucial for advocacy, as these bodies help develop international and regional laws and norms that can directly influence national legislation and policy. The recommendations issued by international and regional bodies are powerful tools for sex worker-led organizations to use in their national and local advocacy for decriminalization, and these issues would often not be addressed without direct input from sex workers. For example, the CEDAW recommended that Zimbabwe collect disaggregated data on sex work, a direct response to an alternate report submitted by the Zimbabwe Sex Workers Alliance.²⁹ Furthermore, these processes provide valuable information from governments that can be leveraged for national-level advocacy. For instance, after the SRC submitted an alternate report detailing how criminalization led to a lack of worker protection and limited health care access for sex workers, the United Nations Committee on Economic, Social and Cultural Rights (CESCR) specifically asked Zimbabwe to provide information on measures taken to ensure non-discriminatory access to health care for sex workers.³⁰

Sex worker-led organizations have successfully engaged in and with international and regional processes and bodies as part of their advocacy for decriminalization. They have generally worked with ASWA, the NSWP, UNDP or other regional or international organizations to build their capacity and obtain technical support. This support has included capacity-building workshops aimed to provide sex worker-led organizations with information on relevant international and regional bodies and processes, explaining why engagement can be helpful in national-level advocacy and decriminalization efforts, and detailing how to engage with these processes, and technical support to engage in these processes, including in drafting the alternate submissions.

Engagement has included submitting alternate reports, monitoring the country review, attending and making statements at relevant sessions, meeting with commissioners, and advocacy with stakeholders, including government officials. This engagement has led to tangible results. For instance, CHeRA raised the exclusion of male and trans sex workers from the definition of key populations in the National Strategic Plan for HIV and AIDS 2020–2025 in its submissions to the UPR. This advocacy led to the inclusion of this issue in the summary of stakeholders' information as part of the UPR process, and contributed to the eventual inclusion of male sex workers in Malawi's National Strategic Plan for HIV and AIDS 2020–2025.

Response to the report of the United Nations Special Rapporteur on violence against women and girls

When the United Nations Special Rapporteur on violence against women and girls released a troubling report on women and girls that specifically targeted sex work (referring to it as 'prostitution'), the global sex worker community, led by organizations such as the NSWP, swiftly mobilized.

A delegation, including leaders from Africa, went to the Human Rights Council in Geneva, Switzerland. During the oral presentations, sex worker representatives, including representatives from ASWA and the Kenya Sex Workers Association, directly challenged the Special Rapporteur's biased report, ensuring their voices were heard in this international space.

Beyond the formal interventions, the sex worker delegation, joined by supportive women's, transgender, LGBTI+ and feminist movements, organized a demonstration outside the United Nations building with handmade banners and T-shirts. Their protest culminated in a direct confrontation with the Special Rapporteur.

29 See United Nations Committee on the Elimination of Discrimination against Women, 'List of Issues and Questions in Relation to the Sixth Periodic Report of the Republic of Zimbabwe', CEDAW/C/ZWE/Q/6, CEDAW Committee, New York, 31 July 2019.

30 See United Nations Committee on Economic, Social and Cultural Rights, 'List of Issues in Relation to the Second Periodic Report of Zimbabwe', E/C.12/ZWE/Q/2, CESCR, Geneva, 6 November 2023.

Annex: Key resources

Relevant websites

African Sex Workers Alliance: <https://home.aswaalliance.org/>

Global Network of Sex Work Projects: www.nswp.org/

Southern Africa Sex Workers Alliance: www.saswa25.org/

Cases

Malawi: Republic vs. Pempho Banda and Others, Review Case No. 58 of 2016, [2016] MWHC 589, 8 September 2016, <https://malawilii.org/akn/mw/judgment/mwhc/2016/589/eng@2016-09-08>.

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Malawi: 'National Strategic Plan for HIV and AIDS 2020–2025' (2020): www.prepwatch.org/resources/national-strategic-plan-for-hiv-and-aids-2020-25/.

South Africa: 'South African National Sex Worker HIV Plan 2016–2019' (2016): www.prepwatch.org/wp-content/uploads/2018/12/SouthAfrica-Sex-Worker-HIV-Plan.pdf.

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Bills

South Africa: 'Criminal Law (Sexual Offences and Related Matters) Amendment Bill' (2022): www.gov.za/sites/default/files/gcis_document/202203/45823gen787.pdf.

Other resources

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African Sex Workers Alliance, 'Sex Work and Labour Rights', ASWA, Lanseria, South Africa, 2024, <https://home.aswaalliance.org/book/sexwork-and-labour-rights/>.

African Sex Workers Alliance, 'Violence Against Sex Workers in Africa', ASWA, Lanseria, South Africa, 2019, <https://home.aswaalliance.org/book/violence-against-sex-workers-in-africa/>.

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Aidsfonds, 'Religious Leaders and Sex Workers in Southern Africa', Aidsfonds, Amsterdam, 2024, <https://aidsfonds.org/resource/religious-leaders-and-sex-workers-in-southern-africa/>.

Global Network of Sex Work Projects, 'Global Findings on Sex Workers' Access to Social Protection and Sexual and Reproductive Health and Rights', NSWP, Edinburgh, 2024, www.nswp.org/resource/nswp-global-and-regional-reports/global-findings-sex-workers-access-social-protection-and.

Global Network of Sex Work Projects, 'Centring Sex Workers' Rights in Gender Equality: Lessons from the Beijing+30 Review and CSW69', NSWP, Edinburgh, 2025, www.nswp.org/resource/nswp-global-and-regional-reports/centring-sex-workers-rights-gender-equality-lessons-the.

Global Network of Sex Work Projects, 'Policy Brief: From Resistance to Reform: Sex Worker-Led Legal Reform Initiatives', NSWP, Edinburgh, 2025, www.nswp.org/resource/nswp-policy-briefs/policy-brief-resistance-reform-sex-worker-led-legal-reform-initiatives.



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