

# The sex worker rights movement and trade unionism in Europe

Case studies from Sweden, Germany and the United Kingdom

Katie Cruz and Tess Herrmann

Working Paper 2024.13

etui.





**The sex worker rights  
movement and trade  
unionism in Europe**

Case studies from Sweden,  
Germany and the United Kingdom

Katie Cruz and Tess Herrmann

Working Paper 2024.13

European trade union institute

**Katie Cruz** is associate professor in Law, University of Bristol, UK.

**Tess Herrmann** is a researcher with a PhD from the University of York, UK.

Cite this publication: Cruz K. and Herrmann T. (2024) The sex worker rights movement and trade unionism in Europe: Case studies from Sweden, Germany and the United Kingdom, Working Paper 2024.13, ETUI.

Brussels, 2024  
© Publisher: ETUI aisbl, Brussels  
All rights reserved  
Print: ETUI Printshop, Brussels

D/2024/10.574/30  
ISSN 1994-4446 (print version)  
ISSN 1994-4454 (electronic version)



The ETUI is co-funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the ETUI. Neither the European Union nor the ETUI can be held responsible for them.

# Contents

|  |           |
|--|-----------|
| Abstract.....  | 4         |
| <b>Introduction .....</b>  | <b>5</b>  |
| <b>1. Sex work, regulation and exclusion .....</b>   | <b>8</b>  |
| 1.1 Defining sex work.....   | 8         |
| 1.2 Sex work regulation across the European Union and the United Kingdom.....                                | 9         |
| 1.3 Sex work and systemic exclusion.....   | 14        |
| <b>2. Sex worker rights movement in Europe.....</b>  | <b>16</b> |
| 2.1 Defining social, political and union strategies in the context<br>of the sex worker rights movement..... | 16        |
| 2.2 Political and social strategies of sex worker organisations in Europe.....                               | 18        |
| 2.3 Sex worker trade unionism in Europe.....   | 19        |
| <b>3. Demands and strategies, barriers and successes of RUS, SW-S and SWU.....</b>                           | <b>22</b> |
| 3.1 Red Umbrella Sweden (RUS): Sweden.....   | 22        |
| 3.2 Sex Worker Section (SW-S): Berlin, Germany.....  | 25        |
| 3.3 Sex Workers' Union (SWU): United Kingdom.....  | 29        |
| <b>Conclusion .....</b>  | <b>35</b> |
| References.....  | 36        |
| Annex .....  | 43        |

## **Abstract**

In this paper, we review the European sex worker rights movement and instances of trade unionism that have grown out of it before focussing on three case studies of contemporary sex worker organising: Red Umbrella in Sweden (RUS), the sex worker section (SW-S) of the Freie Arbeiter\*innen Union (Free Workers' Union) in Germany, and the Sex Workers' Union (SWU) branch of the Bakers, Food and Allied Workers Union (BFAWU) in the United Kingdom. All three organisations demand decriminalisation, destigmatisation and decommodification and engage in social and political strategies to achieve these goals. In addition, SWU and SW-S are engaged in trade unionism in pursuit of decommodification. Read together, these case studies demonstrate that criminalisation, repressive regulation and stigma adversely affect sex workers' strategies, including the trade unionism that is supposed to decommodify their labour via access to individual and collective labour rights and broader social welfare rights. At the same time, these groups report several successes, from effective peer to peer support networks to growing acceptance within trade unions and legal victories concerning employment status and other workplace issues. European and international labour institutions and national trade unions are uniquely placed to play a key role in supporting the decommodification strategies of the sex worker rights movement. This support must, however, extend to decriminalisation and destigmatisation.

## Introduction

Within the space of six months, the Council of Europe (CoE) published a Human Rights Comment, and the European Parliament (EP) adopted a Resolution that contained opposed definitions of and regulatory responses to sex work and prostitution. The CoE's comment defines sex work as the consensual exchange of sexual services between adults. Sex work is considered in the comment to be a form of work that is not synonymous with sexual exploitation and violence against women, including that which occurs in the context of trafficking. A central argument contained in the comment is that criminalisation of the buyers of sexual services and third parties (for example, brothel owners) 'automatically and directly affects sex workers themselves as their working space overall becomes criminalised, with increased stigmatisation of their work and greater risks of violence'. Extensive research by human rights and global health organisations is cited that confirms this finding. To protect the fundamental rights of sex workers, the comment endorses decriminalisation of sex workers, clients and third parties, combined with access to labour and human rights, social security and assistance, including housing, health care and education (Council of Europe 2024). This perspective finds support from the World Health Organization (2012), Amnesty International (2016), Human Rights Watch (2019), and the UN Working Group on Discrimination against Women and Girls (2023).

The European Parliament's 2023 Resolution on the regulation of prostitution in the EU (2022/2139(INI)) defines prostitution, for most people, especially women, as involuntary and a form of sexual exploitation or violence against women. As such, it is strongly linked to trafficking for sexual exploitation. A core argument in the resolution is that criminalisation of those who purchase and profit from prostitution will reduce the incidence of both prostitution and trafficking for sexual exploitation. As evidence, the European Parliament resolution argues that the criminalisation of the purchase of sex has led to a reduction of prostitution and demand for it in Sweden and to 800 people in prostitution receiving support from exiting (rehabilitation) services in France. To protect the fundamental rights of people and women in prostitution, the resolution endorses criminalisation of purchasers and those who organise and profit from prostitution, combined with decriminalisation of prostituted people, effective exiting services, alternative employment opportunities, education and training of enforcement authorities (for example, the police) to encourage reporting and reduce discriminatory and stigmatising attitudes, and access to other substantive goods and services (such as health care) to prevent entry to prostitution. Criminalisation of clients to end

prostitution and trafficking is also the position of some trade union confederations and congresses in Europe.<sup>1</sup>

The sex worker rights movement is aligned with, and has endorsed, the Council of Europe comment (ESWA 2024a). Over the past 50 years and across Europe, the sex worker rights movement has influenced the position of human rights, migrant and global health organisations (see Section 2). However, while there is sporadic support for the decriminalisation of sex work from some European trade unions (Barbagallo and Cruz 2021; Cruz 2023; Gall 2016; Heying 2018; Mitrović 2009), to date European and international labour institutions have remained silent and have not expressed support or solidarity for sex workers (Boris and García 2021; García 2018). In this paper, we review the sex worker rights movement and instances of trade unionism that have grown out of it in Europe and focus on three case studies of contemporary sex worker organisations in Sweden, Germany and the United Kingdom, which we have selected based on our experience and expertise, and because each country has a different type of regulatory approach to sex work. We argue that European and international labour institutions and national trade unions are uniquely placed to play a key role in supporting the *decommodification* strategies of the sex worker rights movement. This support must, however, extend to *decriminalisation* and *destigmatisation* (see Sections 2 and 3).

The paper is organised as follows. In Section 1, we set out a definition of sex work and introduce the ‘labour’ perspective (1.1) and regulatory models across Europe (1.2), and comment on the exclusion of sex work from the agenda of European and international labour institutions (1.3). In Section 2, we outline the key definitions used in this paper: social and political strategies, unionism and decriminalisation, destigmatisation and decommodification (2.1). We then map the sex worker rights movement in Europe, which is made up primarily of social movements, collective pressure groups and advocacy organisations (Gall 2016; Majic 2013) that engage in *social* and *political* strategies (2.2.), and the instances of sex worker *trade unionism* that have emerged out of the broader sex worker rights movement (2.3). Sex worker trade unions have *always* also had to pursue ‘extra-economic’ political and social strategies because sex work is heavily criminalised and stigmatised (Gall 2016; Hardy 2010).

In Section 3, we show that Red Umbrella in Sweden (RUS), the sex worker section (SW-S) of the Freie Arbeiter\*innen Union (Free Workers’ Union) in Berlin, Germany, and the Sex Workers’ Union (SWU) branch of the Bakers, Food and Allied Workers Union in the United Kingdom all make the three demands seen across the sex worker rights movement (decriminalisation, destigmatisation, and decommodification) and engage in social and political strategies to achieve them. In addition, SWU are engaged in trade unionism, primarily with one section of the sex workforce that is not criminalised, strippers. SW-S have attempted to engage in unionism, but their efforts have been largely redirected by the new system of regulation in Germany. While RUS are interested in pursuing unionism strategies,

---

1. These include the Irish Congress of Trade Unions (2017) and the General Confederation of Labour in France (2022).



criminalisation and stigma in Sweden prevent them from doing so. Read together, the case studies from Sweden, Germany and the United Kingdom demonstrate that the very issues sex worker organisations set out to tackle – criminalisation, repressive regulation and stigma – are also their major *barriers*. These barriers adversely affect sex workers’ ability to pursue decommodification, including via access to labour and social rights. In terms of *success*, the case studies highlight the plethora of important work these new organisations have engaged in, from effective peer to peer support networks to growing acceptance within trade unions and legal victories concerning employment status and other workplace issues.

We conclude that it is essential that, in extending support for the decommodification strategies of the sex worker rights movement, national trade unions and European and international labour organisations *also* support demands for decriminalisation and destigmatisation. Indeed, RUS, SW-S and SWU were clear that they want and need trade union and EU level support and solidarity for their demands and strategies.

Before we outline our empirical study and findings, we offer a brief reflection on our methodology. Our central research aim was to understand what demands and strategies current sex worker organisations are pursuing, what barriers to effective action exist, and what success looks like. We are academics, organisers and trade unionists who have collaborated with SWU and other UK-based sex worker led organisations for many years (Barbagallo and Cruz 2021; Brouwers and Herrmann 2020; Cruz 2013, 2015, 2023; Herrmann 2022; x:talk project 2010). We have a commitment to centring the voices of workers within the sex worker rights movement in our research and to supporting their organising efforts. To this end, we interviewed one organiser from RUS, two organisers from SW-S, as well as three organisers from SWU. We chose to focus on three newly formed sex worker organisations, which can be contrasted in terms of how sex work, and in particular prostitution, is regulated in each country under study. As we outline in Section 1.2, the Swedish model can be characterised as abolitionism through *client criminalisation*, Germany’s approach is *legalisation and regulation*, and the United Kingdom aims at *partial criminalisation* (England and Wales; and Scotland). Throughout the text, we often refer to them in the order ‘Sweden, Germany, and the United Kingdom’ to reflect the order of the analysis of the case studies presented in Section 3, from lowest to highest levels of union organising.

# 1. Sex work, regulation and exclusion

## 1.1 Defining sex work

‘Sex work’ is a broad term that describes the direct and indirect exchange of sexual and erotic services for money, where the terms of the sale are agreed between the buyer and seller (Amnesty 2016; Harcourt and Donovan 2005; WHO 2012). These exchanges are often mediated by websites, platforms, agencies and brothel or club owners and include prostitution, or what sociologists and sex workers term ‘full-service sex work’ (FSSW)<sup>2</sup>, erotic dancing (lap dancing, table dance, striptease, and peep show), pornography, webcamming, phone sex, BDSM, sexual massage, and the provision of sexual content or materials (Harcourt and Donovan 2005). Over the past 25 years, there has been a proliferation of online spaces for the sale of sexual services, from the early development of escort agency websites that advertise full-service sex work to platforms that facilitate the sale of direct and indirect sexual services and content (ESWA 2023; Lasocik and Wieczorek 2020; Jones 2015; Sanders et al. 2018a; Swords, Laing and Cook 2023).

The social location or identities of sexual service providers and consumers are diverse. Sex workers also encounter several issues while at and outside work that are shaped by the sex work they engage in. Across Europe, most people who sell sex are cis gender<sup>3</sup> women and most buyers are cis gender heterosexual men (Adair and Nezhyvenko 2016; United Nations 2023). At the same time, there is evidence that among sellers and buyers are other genders and sexualities, including trans and gay male sex workers, and heterosexual female clients (Caldwell and de Wit 2021; Mai 2018; Oliveira and Janssen 2021; Sanchez 2006). The type of sex work corresponds to different workplace benefits and costs. Platform-mediated sex work, for example, can provide workers with flexible working conditions, enhanced safety, higher wages and fewer negative encounters with the police (Hardy and Barbagallo 2021: 535). However, platform-based sex work has risks of its own, including privacy violations, harassment, stalking and high levels of financial extraction and control over content (ESWA 2023; Hardy and Barbagallo 2021; Jones 2015; Basak and Nocella 2023).

Sex work is a divisive subject. The abolitionist perspective tends to focus on full-service sex work (rather than other forms) and male consumption as the manifestation of patriarchal entitlement to women’s bodies. On this view, there is

- 
2. Full-service sex work (FSSW) is a term often preferred by these groups due to the stigma that can attach to being a ‘prostitute’ or working in ‘prostitution’.
  3. A person whose gender corresponds to the sex they were assigned at birth.

no sexual exchange, only the ‘sexual exploitation’ of women by men, exacerbated by poverty, migration status and other forms of oppression. According to abolitionists, many forms of prostitution are largely indistinguishable from slavery and often fit the international definition of trafficking (Moran and Farley 2019; Gálvez Muñoz 2023; Finnegan et al. 2021; MacKinnon 2011).

Abolitionists tend to characterise those within the sex worker rights movement as viewing the sexual exchange as a free choice, empowering or as sexual liberation (MacKinnon 2011; Gálvez Muñoz 2023). This is not always the case. Rather, what can be characterised as the ‘labour’ perspective focusses on the constrained choices of those working in the sex industry and the social forces – economic and extra-economic coercion – shaping sex workers’ agency. It observes that sex work is populated mainly by cis gendered women, but also by trans people and men, many of whom are migrants and choose to sell sex in the context of the money generating options available to them. These options are shaped by the intersecting structures in which these different groups find themselves, namely economic and extra-economic forms of compulsion, including patriarchy, racism and repressive legal frameworks (ESWA 2024b; Cruz 2018; Cruz and Hardy 2021; Gall 2016; Holmstrom 2014; O’Connell Davidson 1998; Mac and Smith 2018).

Abolitionists and sex worker rights activists overlap in terms of a political concern with the social forces shaping the decision-making of both those who consume and those who provide sexual services. For example, abolitionists are concerned with poverty and the migration status of sex workers, and those who take a labour perspective are concerned with patriarchy and sexism. This means that to take a ‘labour’ perspective need not negate a concern with the social forces shaping sex work and sex workers’ choices. However, as we demonstrate in the next section, the abolitionist and labour perspectives do not overlap when it comes to proposals for regulating prostitution/sex work.

## **1.2 Sex work regulation across the European Union and the United Kingdom**

The regulation of sex work in EU Member States and the United Kingdom focusses mainly on the criminalisation (of buyer, seller, or third party activities) and/or legalisation of prostitution that may, or may not, be coupled with prostitution-specific regulation, such as mandatory registration of sex workers (Di Nicola 2021; Oliveira, Lemos, Mota, and Pinto 2020). In this section, we first locate the regulation of sex work in the EU and the United Kingdom within the context of anti-trafficking law and policy. This is because the legal requirement to ‘reduce demand’ in the context of trafficking has exerted a huge influence over the direction of prostitution law and policy in these jurisdictions. Second, we outline how sexual services other than prostitution are regulated in the EU and the UK, with a particular focus on two forms of sex work that sex worker rights organisations in general, and those in our case studies, are concerned with: strippers and platforms that facilitate the sale of direct and indirect sexual services and content. Throughout this section, we pay attention to the ‘abolitionist’ and ‘labour’ perspectives and highlight relevant law and policy related to each of our

three case studies: Sweden, Germany and the United Kingdom. As stated in the introduction, these three countries were chosen because they illustrate different models of the regulation of sex work and the impact this has on sex workers' ability to organise effectively.

### 1.2.1 Anti-trafficking, demand, and prostitution law and policy

It is against the backdrop of trafficking for sexual exploitation that the regulation of prostitution has been debated and developed across Europe over the past 25 years (Fitzgerald and Freedman 2022; Outshoorn 2018). The Council of Europe Convention on Action against Trafficking in Human Beings (2005) and the EU Anti-Trafficking Directive (2011/36/EU), combined with the Victim's Rights Directive 2012/29/EU, require that Member States take a holistic (criminal justice and human rights focused) approach to achieve the tripartite goals of prosecution, prevention and protection of victims. In the absence of trafficking, these laws contain no legal obligation to criminalise prostitution related activities, including the purchase of sexual services (Allwood 2018). The EU Anti-Trafficking Directive does, however, contain a requirement to discourage and reduce the *demand* that fosters trafficking for sexual exploitation.

The obligation to reduce demand in the context of trafficking has strengthened abolitionists' endorsement of the criminalisation of all prostitution related activities (clients and third parties). Abolitionists argue that both prostitution and trafficking for sexual exploitation exist because of male demand and will be ended by its criminalisation. The approach first found expression in Sweden (1999) and has since been termed the 'Nordic Model' of regulating prostitution (hereafter referred to as the 'Nordic Model').<sup>4</sup> Following recommendations from the Commission on Violence Against Women, Sweden legislated in 1999 that the buyer (who buys or attempts to buy) of sexual services would be criminalised and the seller decriminalised (Svanström 2017). Soliciting and brothel keeping fall under laws that prohibit the procurement, promotion or financial exploitation of a person selling sexual services. While people who sell sexual services are not criminalised for the sale per se, they can be prosecuted as a third party if they 'assist' a person selling sexual services, or if they work together (Svanström 2017; Vuolajärvi 2022). The Nordic Model has been implemented in Norway and Iceland (2009), Canada (2014), Northern Ireland (2015), France (2016), the Republic of Ireland (2017), and Israel (2018). It combines the criminalisation of buyers and third parties with exiting and rehabilitation strategies for women and prevention campaigns.

The Nordic Model has influenced prostitution law reform in the United Kingdom. The 'partial criminalisation' models in England and Wales mean it is legal to sell sexual services directly to a client, but the organisation of prostitution related

---

4. To be distinguished from what is commonly referred to in the social sciences as the Nordic model of economic development and social welfare in Scandinavian countries.

activities by sex workers (for example, soliciting), clients (for example, kerb crawling) and third parties (for example, brothel keeping, encouraging or inciting prostitution for gain) is illegal. Criminalisation of the purchase of sex from a person 'forced' into prostitution and the (coercive) exiting and rehabilitation of street based workers were introduced in 2009 (Carline and Scoular 2015; Munro and Scoular 2013). The partial criminalisation model is also found in Scotland, albeit with some important differences. For example, it was not until 2007 that Scotland introduced an offence of client kerb-crawling that applies irrespective of any public nuisance caused, and toleration zone proposals have been rejected (Scoular et al. 2011). Since 2015, it is an offence to pay for sexual services of a person in Northern Ireland, and loitering or soliciting for the purposes of selling sexual services has been decriminalised.

The obligation to reduce demand has received a different response from the sex worker rights movement. It argues that the criminalisation of the purchase of sex and third parties is not the best way to discourage trafficking for sexual exploitation, and it is *not* the best way to address issues – including violence from clients and other third parties – in the sex industry. This is because the demand for sexual services, trafficked or otherwise, and the causes of violence against sex workers cannot solely be explained by male sexual demand for access to women's bodies (as appealing as that explanation may sound). Demand for sexual services, including the services of trafficked sex workers, must be located within the broader dynamics producing the sex industry and trafficking, including a global supply of (often highly precarious) workers willing to work in the sex industry, whose choices are shaped by alternative forms of available work and state and legal regimes, including immigration law, austerity and lack of access to substantive goods, including housing and education (Cruz 2018; Anderson and O'Connell Davidson 2004; Sanders and Hardy 2012). O'Connell Davidson and Anderson provide an example, albeit in relation to a different workforce.

[I]n the poor and developing world, many children work as 'shoe-shine boys', whereas few do so in the affluent world. The absence of this form of child labour in affluent countries and its presence in poorer nations *cannot be explained through reference to different levels of absolute demand for shoe-shiners' labour. Here, as elsewhere, the relationship between supply and demand is mediated by a range of economic and social factors, as well as by government policies on employment (including child labour), immigration, education, and welfare.* (2004: 34)

The sex worker rights movement, researchers, human rights and global health organisations have amassed significant evidence of the negative impact that criminalisation of clients and third parties has on sex workers. The United Nations Working Group on the issue of discrimination against women and girls released a guidance document (2023) that observed that 'the criminalisation of third parties – even in the absence of criminalisation of sex work itself – automatically and directly affects sex workers themselves as their working space overall becomes criminalised, with *increased stigmatisation of their work and greater risks of violence*' (emphasis added). Furthermore, the academic literature has found

causal evidence that *decriminalising* prostitution-related activities *reduces* rape (Bisschop et al. 2017; Cunningham and Shah 2018).

Based on these insights, in order to protect sex workers and prevent trafficking for sexual exploitation, the sex worker rights movement and supportive organisations and researchers are calling for decriminalisation of all forms of adult consensual sex work, access to labour and human rights, and broader social protections, the self-organisation of sex workers as workers, regulation (developed in conversation with sex workers and the sex worker rights movement),<sup>5</sup> and an end to repressive immigration controls (Amnesty 2016; ESWA 2022; NSWP 2017, 2020; Mac and Smith 2018). Organisations and researchers with this perspective have, however, been excluded from several European decision-making processes and bodies (Ferčíková Konečná 2024; see also Fitzgerald and Freedman 2021).

The sex worker rights movement's 'labour' approach has some resonance in Germany. Since 2002, contracts between sex workers and third parties (for example, employers) and clients have been legal and can therefore be enforced (Thiemann 2020). In relation to sex worker–employer relations, employers have a limited right to direct sex workers to engage with clients, and this does not preclude the finding of an employment relationship. However, prostitution related activities (for example, controlling, exploiting, 'pimping'), although somewhat tweaked, remain criminalised (Czarnecki et al. 2014). Through exclusion zone ordinances, federal states can still prohibit all prostitution, including indoors, in specified areas, depending on the size of the municipality (Czarnecki et al. 2014).

The German public narrative has also been influenced by abolitionism. The 2002 Prostitution Act, which stripped sex work of immorality clauses, came under fire for allegedly failing to protect women by increasing the number of sex workers and workers trafficked for sexual exploitation in Germany (Probst 2023). Protectionist provisions were introduced with the 2017 Prostitutes Protection Act, which regulates and places obligations on brothel owners, including building standards and licensing requirements (Hofstetter 2022; Thiemann 2020). More controversially, to work legally, sex workers must register for and carry what sex workers call a 'whore pass', which requires evidence of a valid health check performed yearly, documents demonstrating the 'right to work', and proof of residence, which the police are empowered to monitor. This registration system has a particularly pernicious effect on migrant sex workers (Thiemann 2020).

As of 2024, the labour approach finds expression in Belgium. In 2022, Articles of the Criminal Code regulating procurement were repealed to decriminalise third party involvement unless an 'abnormal benefit' is derived by, for example, a brothel owner. Prior to this Belgium had operated under a 'partial criminalisation' model similar to England, Wales and Scotland. In 2024, a 'labour law' for sex workers was introduced that allows employment contracts between full-service sex workers and employers and specifies certain 'freedoms' for sex worker employees,

---

5. An excellent example of this is the 'right of refusal' contained in s.17 of New Zealand's Prostitution Reform Act.

including the right to refuse a client, invocation of which cannot be a valid reason for dismissal (Hausman 2024; UTSOPI 2022, 2024).

## 1.2.2 Regulating sexual services other than prostitution

So far, this section has focused on the regulation of *prostitution* in Europe. There is very little discussion about sexual services other than prostitution at the EU level (Lasocik and Wieczorek 2020). The regulation of sexual services other than prostitution across Europe is extremely varied but is somewhat shaped by countries' regulation of prostitution-related activities. For example, in relation to the countries from which we draw our three case studies, the purchase of and involvement of third parties in the services of strippers is not criminalised but it is regulated. Countries that are shaped by abolitionism (Sweden and the United Kingdom) have sought to curtail the existence of strip clubs, often under the premise of tackling sexual exploitation, via powers given to local authorities, including to refuse alcohol licences (Lasocik and Wieczorek 2020) and to cap the number of clubs in particular localities (Herrmann 2022, 2023; Cruz, Hardy and Sanders 2017; Cruz 2023; Sanders and Hardy 2014). On the other hand, there has been no move to curtail the number of strip clubs in Germany, which are regulated by federal and municipal public laws (for example, licensing, planning, taxation). Furthermore, the mandatory registration and licensing requirements introduced in 2017 to curb trafficking for sexual exploitation and to protect vulnerable sex workers do not apply to strippers or strip venues in Germany (Hofstetter 2022).

The production, distribution and consumption of online sexual content on porn and creative content platforms has risen significantly since the turn of the millennium (Cunningham and Kendall 2011; Sanders et al. 2018a, 2018b). Countries across Europe regulate platforms and websites containing sexual content, such as OnlyFans and Pornhub, via criminal offences related to distribution, consumption and possession of content that is harmful (for example, child or non-consensual, such as 'revenge porn' or 'deep fake porn') (Mania 2024) or obscene (for example, in England and Wales, the possession of 'extreme' pornography is an offence under s.63 of the Criminal Justice and Immigration Act 2008: see Nocella and Chiaro 2023). The EU Digital Services Act (2022), which will be applicable in Sweden and Germany, and the England and Wales Online Safety Act (2023) are two recent pieces of legislation that impose technical and organisational obligations on intermediaries (including websites and platforms that distribute pornographic content) to protect the public from user generated illegal sexual content.

Participation in the *production* of pornography and digital sexual content in Europe is legal. Despite this, labour relations between sex workers and platforms/websites, in the absence of illegal activity, have received scant attention by political, labour and legal institutions in Europe and internationally (Berg 2020; Nocella and Chiaro 2023; Sanders et al. 2018a). In addition, sex worker rights organisations and politicians in England have opposed elements of the 2023 Act, arguing that it will have negative effects on sex workers. In particular, the 2023 Act allows intermediaries to restrict, remove and report material that amounts to 'causing, inciting, or controlling prostitution for gain'. The concern is that

websites and platforms will remove sex workers' advertisements in a bid to meet their obligations, and that sex workers will be deterred from using the internet for fear of being prosecuted (English Collective of Prostitutes 2022).

In Section 1.3, we argue that the ongoing criminalisation and moralisation of prostitution-related activities is serving as a justification for the exclusion of sex workers from the protection and standard setting of national unions and European and international labour organisations.

### **1.3 Sex work and systemic exclusion**

Trade unions and labour organisations have historically tended to exclude, or reluctantly include, women workers, particularly when engaged in traditionally female dominated industries, and attempts at inclusion have taken place within, and been shaped by, broader social movements, including the women's and feminist movement (Boston and O'Grady 2015; Davis 2011; Fredmand, 1998; Schwartz 2014). These industries – for example domestic work, care work, sex work – have a long history of being devalued in law and society (including unions) precisely because of their association with women's *unpaid* socially reproductive labour (Albin 2012; Conaghan 2018, 2023; Cruz 2013; Cruz and Hardy 2021; Fudge and Owens 2006; Sedacca 2022). Such workers are also often precarious, which can be defined in terms of their exclusion from the compromise between labour and capital struck in the mid twentieth century that resulted in the so-called 'standard employment relationship' and associated individual, collective and social rights and protections (Fudge and Owens 2006; O'Connell Davidson 2014).

Today, however, unions and labour organisations are far more hospitable to workers whose labour is devalued and precarious. Domestic workers provide an example. They often lack basic labour and social protections, have irregular migration status, are stigmatised, experience high levels of violence and exploitation (Anderson 2000, 2007), and are often framed as victims of trafficking without agency rather than workers with rights (Schwenken 2003, 2017). The ILO adopted the Domestic Workers Convention in 2011, which is a nuanced human rights-based approach recognising that domestic workers' protection needs to be attentive to the fact that it is 'work like any other' *and* 'work like no other'. Framing domestic work as 'work like any other' means that domestic workers should not be exempt from generic labour and social protections; framing it as 'work like no other' means that sector based policies should be developed to remedy historical and ongoing sectoral disadvantage (Albin and Mantouvalou 2012; Blackett 2019).

Those who view sex work as a form of labour agree that it is devalued and precarious. As with domestic work, regulation needs to be attentive to the fact that sex work is work like any other *and* work like no other. However, sex work continues to be excluded from the agenda of European and international labour organisations and most national unions, as well as EU policymaking arenas in general. This is concerning, and in some cases paradoxical. For example, the ILO's 'decent work' agenda applies to *all* workers, but in practice it has excluded sex



workers (NSWP 2017). Boris and Garcia (2021) argue that while sex work has been characterised by ILO actors as an economic issue, it has also been excluded from the decent work agenda and setting of global labour standards due to the imbrication of sex work with questions of *morality* and *criminal justice*.

As we explore in the next section, sex worker organisations have, for over fifty years, been challenging the exclusionary effects of moralism and criminalisation via demands for destigmatisation, decriminalisation and decommodification.

## 2. Sex worker rights movement in Europe

A diverse and globally connected sex worker rights movement is well-established (Chateauvert 2013; Gall 2016; Hardy and Cruz 2018; Heying 2018; Hofstetter 2018; Kempadoo and Doezema 1998; Pheterson 1996), which enjoys strong identification among sex workers, even those who do not actively organise within it (Herrmann 2023). While there is evidence of sex workers protesting and striking against brothel closures as early as the fifteenth century, the foundation of the global sex workers' rights movement is typically located in the 1970s (Mac and Smith 2018). In Europe, the event that kicked off sex worker activism is most commonly attributed to a group of French sex workers who occupied six churches in 1975 to protest a new wave of repressive laws for full-service sex workers (Aroney 2018; Heying 2018). Since then, a rich tapestry of sex worker-led movements has engaged in *political and social strategies* and instances of economic *trade unionism* in several countries have emerged. The work of this sex worker rights movement has been orientated by three core demands and strategies: *decriminalisation, decommodification and destigmatisation* (Cruz 2013, 2023; see also Gall 2016).

### 2.1 Defining social, political and union strategies in the context of the sex worker rights movement

Over the past fifty years, the sex worker rights movement has engaged in a wide variety of social, political and economic activism with and for sex workers as humans and citizens entitled to human rights and/or as workers demanding access to labour rights and social protections (Gall 2016). In this paper, we distinguish between the social and political strategies of the sex worker rights movement, on one hand, and sex worker trade unionism on the other.

When sex workers' activism engages in *political strategies*, it is directed at political and legal institutions, decision-makers, and the wider public and seeks to influence policy and public narrative by lobbying, campaigning and education. *Social strategies* are directed towards the sex working community and seek to improve the lives of its members through community organising, mutual aid, peer support and community education. When engaging in *trade unionism*, sex workers engage in *economic strategies* by using the tools created by and for trade unions, that is, bargaining with their employer or client, either individually on behalf of one unionised sex worker or collectively as a group of unionised sex workers, in order to improve the terms and conditions of the wage-work bargain. Depending on the labour law framework of the individual countries and, relatedly,

the employment status of the worker (employed or self-employed), this can include works councils, formal trade union recognition, collective agreements, guidance on fees to charge to clients and the provision of model contracts (Gall 2016). Some of the sex workers who were already involved in the social and political strategies of the sex worker rights movement decided to expand the scope of their activism and founded new or joined existing trade unions to access the tools reserved for recognised trade unions (Gall 2016).

However, sex worker trade unions do not function as typical or traditional unions. Indeed, the distinction between sex worker trade unionism and the broader sex worker rights movement is not clear cut. Sex worker trade unions have *always* had to engage with political and social strategies because of the barriers that sex workers face when trying to access traditional union avenues (Cruz 2023; Gall 2016; Hardy 2010; Hardy and Cruz 2018; Jackson 2013; Mgbako 2020). There are examples of this approach among trade unions more generally. For example, the UK Trades Union Congress (TUC) campaign ‘Active Unions, Active Communities’ saw local TUC branches working with several community organisations (Holgate 2015), and the German service sector union ver.di has collaborated with Fridays for Future (Liebig and Lucht 2022).

The sex worker rights movement has been orientated by three core demands and strategies: decriminalisation, destigmatisation and decommodification (Cruz 2013, 2023).

*Decriminalisation* is the abolition of a sexual offences framework that separates adult consensual sex work from other forms of labour by exceptionalising it. Laws that criminalise non-consensual, exploitative and forced labour remain in place. This includes, for example, national and international anti-trafficking laws.

*Destigmatisation* entails challenging the misrecognition of sex workers as immoral, deviant, dirty, unchaste and passive victims (Armstrong 2019). Derogatory terms to describe sex workers, such as ‘whores’ or ‘hookers’, though now reclaimed by some sex workers’ movements, have traditionally been associated with this perception. This ‘whore stigma’ affects every interaction and relationship in a sex worker’s life and is manifested in attitudes and institutions, including legal, state and media arenas, public services (health care, the police) and the public (Benoit et al. 2017; Herrmann 2023; Pheterson 1996). Stigmatisation occurs both in direct interactions between individuals and on the political level, where it is used to oppress, govern and control marginalised populations (Tyler 2020).

*Decommodification* is the reduction of the commodity character of labour power that is provided to workers by rights and protections in *and* out of the labour market (O’Connell Davidson 2014; Papadopoulos 2005). It includes access to labour protections that apply to workers in other industries, as well as the provision of social services that prevent complete dependency on the labour market. These demands are *necessarily* interlinked. For example, decommodification for all sex workers is only possible when it is not directly or indirectly criminalised and when it is no longer stigmatised by trade unions, labour organisations and all other social, economic and political spheres of life.

In the following two sections, we provide brief overviews of first the political and social strategies and successes of the sex worker rights movement in Europe, and second the instances of sex worker trade unionism.

## 2.2 Political and social strategies of sex worker organisations in Europe

The First and Second International Whores' Congresses were held in 1985 and 1986 in Amsterdam and Brussels, respectively, and brought together representatives of sex worker-led organisations from mainly European countries to collect reports about sex workers globally (Hardy 2010). The International Committee for Prostitutes Rights was then founded, which later became the European Sex Workers Alliance (ESWA) and is still actively lobbying for sex workers' rights within European institutions. Participants in the First Whores' Congress included former and active sex workers from the Netherlands, France, Switzerland, Germany, England, the United Kingdom, the United States and Canada (Pheterson 1996). Since then, sex workers in Europe have bound together in a multitude of social movement organisations engaged in political and social activism.

The *political strategy* of the sex worker rights movement has been oriented by the three demands outlined above: decriminalisation, destigmatisation and decommodification. Much of its political activism has been directed towards *decriminalisation*. For example, sex workers have engaged in public campaigns against client criminalisation in France (Dziuban and Stevenson 2015) and mandatory registration in Germany (Heying 2018); published an open letter against the introduction of the Nordic Model in the United Kingdom (Herrmann 2023); lobbied Members of Parliament for decriminalisation in Scotland (Dziuban and Stevenson 2015) and Members of the Social Democratic Party in Germany against mandatory registration (Wijers 2022); and produced a community report on the effects of sex work policies in various European countries (Hofstetter 2018). Sex workers have also utilised the justice system and taken legal action against zoning laws in Hungary (Dziuban and Stevenson 2015), mandatory registration in Germany (Wijers 2022), a ban on sex worker unionisation in Spain (Tribunal Supremo 2021), and the introduction of the Nordic Model in France (Wijers 2022; ECHR 2021). In addition, sex workers have campaigned for decriminalisation to increase the range and effectiveness of anti-trafficking strategies (Kenway et al. 2021) and for anti-trafficking efforts to be sex worker- and sex worker movement-inclusive (ESWA 2019).

Sex workers have further developed *political strategies* to demand *destigmatisation* by protesting in the streets or in front of political institutions to highlight the effects of 'whore stigma' in Sweden (Mac and Smith 2018) and by occupying brothels in Germany (Heying 2018) and France (Aroney 2018) to illustrate the situation of sex workers to the public. With the increasing importance of social media, several accounts run by local, national and multinational organisations have emerged, telling the stories of sex workers to fight stigmatisation and create a counter-narrative to abolitionism (Hofstetter 2018).

Finally, the political strategy of sex workers has included demands for *decommodification* by framing sex workers as *workers* who should be granted civil and labour rights and protections, as well as for further social protections (NSWP 2017). This has included lobbying for a carer's income in England (ECP 2020), campaigning for comprehensive support for sex workers during the cost-of-living crisis (Cruz 2023) and working with French health insurance to ensure access for sex workers (NSWP 2020). During the Covid-19 pandemic, sex workers in Germany (BeSD 2020), France (STRASS 2020), the UK (Brouwers and Herrmann 2020), and many other countries demanded more direct material support, as well as free health care and Covid-19 testing for sex workers who fell through the cracks of the countries' income supplementation schemes.

The *social strategy* of sex workers has been at the heart of the movement. It includes a range of initiatives to build sex worker communities and culture, strengthen peer networks, and provide social services outside state agencies. Because sex workers are, and have always been, excluded from many state- or employer-provided safety nets, they have built their own community structures to protect sex workers. Sex workers have had to collectively find ways to work around the criminalisation and stigmatisation of state agents to provide essential services that would otherwise be inaccessible. Especially during the Covid-19 pandemic, this resulted in the formation of a variety of mutual aid networks and hardship funds, either formally founded and published or informally in ad hoc groups of sex workers (Brouwers and Herrmann 2020; Herrmann 2023). But even outside of global crises, members of the sex working community have provided strong mutual aid networks and safety nets for each other, including self-organised client reporting tools (Strohmayr et al. 2019), sex worker art exhibitions in Germany (Chen 2022) and in the United Kingdom (Weeks 2022), peer support groups publishing community journals (Heying 2018), and workshops on safer working practices run by and for sex workers (Gall 2016).

The vast bulk of sex worker organising has been focused on the framing of sex workers' rights as human rights, emphasising sex workers' humanity and rejecting their stigmatisation and dehumanisation as 'deviant others' (Mgbako 2020). Only in recent years have parts of the movement shifted their focus towards viewing sex workers' rights as *labour rights* (Cruz 2013, 2020, 2023; Gall 2016; Mac and Smith 2018). Allies of the sex workers' rights movement have predominantly been human rights organisations, as well as the liberation movements of other marginalised communities (Herrmann 2023; Mac and Smith 2018). Even some of the relevant organisations that are formally trade unions, such as STRASS in France, engage mainly in social and political organising. Nevertheless, there have been some attempts at sex worker activism within the trade union movement in Europe, to which we now turn.

### 2.3 Sex worker trade unionism in Europe

Sex workers' relations with the trade union movement in Europe are ambivalent. While, as we will illustrate in Section 3, some traditional labour organisations have contributed to the criminalisation and stigmatisation of sex workers (and

continue to do so until today), there have been instances of trade union organisers actively approaching and unionising (parts of) the sex industry.

In the United Kingdom, sex worker unionism first emerged with the formation and recognition of the International Union of Sex Workers (IUSW), a branch of the General, Municipal, Boilermakers and Allied Trades Union (GMB) in 2002 (Gall 2016; Lopes 2015). IUSW organised sex workers by engaging in *political strategies*, such as joining protests for sex worker rights, lobbying the then Labour government for decriminalisation, campaigning against the eviction of sex workers from their homes, and *social strategies*, including peer support structures in the form of lap dancing workshops, a tax service from and for strippers, and self-defence classes. IUSW also engaged in *trade unionism strategies* by directly engaging with some employers and establishing union recognition in two strip clubs and one brothel (Gall 2016; Lopes 2015). While this did not lead to traditional collective bargaining, IUSW was able to install ‘minimum industry labour standards’ in those venues. Employment in the stripping sector resembles standard employment more than other (criminalised or self-employed) sectors of the sex industry (Barbagallo and Cruz 2021; Herrmann 2023), encouraging IUSW members to focus their efforts on strip clubs rather than attempting to reach independent full-service sex workers (Gall 2016).

Over time, IUSW decided to welcome brothel and strip club owners into the union, which eventually led to its worker members no longer feeling represented (Gall 2016). In many unorganised industries, including various forms of platform work (Lamannis 2023; Szumer 2024), a relative lack of engagement on the part of trade unions leaves space for employer- or client-friendly organisations (‘yellow unions’) claiming trade union status but failing to represent workers in their grievances against employers. Given its largely unorganised status, the sex industry is not immune to this. While the unionising efforts of sex workers within the GMB were abandoned around 2013, IUSW constituted an important voice for sex workers in the wider trade union movement throughout the late 2000s and early 2010s.

In Germany, the largest service sector union ver.di (Vereinte Dienstleistungsgewerkschaft, United Service Sector Union) was convinced to recognise sex workers as potential members who were entitled to trade union support. Ver.di initiated projects to engage with sex workers and their work spaces after the legal change in 2002. In Hamburg, sex workers set up a works council<sup>6</sup> in one brothel, and many sex workers started organising within ver.di in Dortmund (Gall 2016). Like IUSW, ver.di went beyond traditional trade union activities and developed specifically catered support services, including a model contract for brothels and other venues, legal advice and protection, and advice on tax payments (Mitrović 2009). Because ver.di organisers recognised that

---

6. In accordance with the Works Constitution Act (Betriebsverfassungsgesetz), works councils in Germany can be established in all workplaces of 5 or more employees and consist only of employees. They have a right to be informed and consulted about employment-related topics and furthermore a set of legally enforceable codetermination rights (ETUI 2016), including on overtime work, daily hours and break times, payment, the use of technical devices used to surveil employee performance and the rental and use of employee flats (§ 87 (1) WCA).

sex worker trade unionism necessarily also includes political strategies, ver.di campaigned for more labour rights in brothels and encouraged sex workers to organise political campaigns under the ver.di banner (Müller 2009). Most of the unionisation efforts outside Hamburg showed little sustainable success because ver.di did not appeal to most sex workers, who worked independently or are (often bogus) self-employed in brothels (Hofstetter 2022), and only a small number of sex workers remain ver.di members today. Nevertheless, the case of ver.di shows that allowing contracts in the sex industry to be enforced signals to trade unions that sex workers are workers and should be included in unionisation efforts.

Similarly, the legalisation of sex work in the Netherlands led to the creation of the sex workers union De Rode Draad union (The Red Thread), which grew out of a peer-based support group. De Rode Draad initially received support from the Federation of Dutch Trade Unions but was never allowed to join it because of its small membership. Nevertheless, De Rode Draad entered national collective bargaining negotiations with the national brothel owners' federation in 2003, which stalled when the brothel owners insisted that sex workers were self-employed. Due to a lack of membership and increasing hostility from brothel management, De Rode Draad had to scale down their efforts by the mid-2000s, and trade unionism efforts in the Netherlands have petered out since (Gall 2016).

While some literature finds attempts at sex worker trade unionism to have been unsuccessful because of their lack of sustainability (Gall 2016), it is also the case that sex worker trade unionism produced some crucial successes in the 2000s and 2010s, such as the temporary unionisation of two strip clubs and a brothel in the United Kingdom, the foundation of a works council in Germany, and national collective bargaining negotiations in the Netherlands. These paved the way for new forms of sex worker trade unionism that we see now, particularly in the United Kingdom and Belgium. UTSOPI, the Belgian union of sex workers, has successfully campaigned for a 'labour law' for sex workers, which was introduced in 2024. This law allows sex workers to be employees with attendant protections at work and is embedded within a framework of 'freedoms' for sex workers at work, including the right of refusal in relation to clients and sexual acts.

However, with a changing political and legal narrative towards abolitionism, the barriers for sex worker unionism have grown in recent years, and this is having an impact on its feasibility. What has become clear is that sex worker trade unionism cannot evolve independently of the alteration of societal and institutional stigmatisation and criminalisation. Therefore, political and social strategies necessarily become part of any industrial strategy for sex workers and cannot be dismissed in conversations around trade union activity in the sex industry. Furthermore, the admission of sex workers into traditional trade union spaces has been contentious in all instances of sex worker trade unionism. IUSW organisers initially approached the Transport and General Workers' Union and the Trade Union Congress directly and were turned down (Gall 2016). One ver.di board member commented that 'there is a host of reservations even within our own organization. Trade unions are not immune to the kind of social hypocrisy that surrounds this profession' (Müller 2009: 22).

### **3. Demands and strategies, barriers and successes of RUS, SW-S and SWU**

In this section, we present three case studies of new instances of sex workers' activism in Sweden, Germany and the United Kingdom. In each case, we bring the voices of sex worker organisers to the attention of trade unionists and labour organisations by including quotations from the six interviews that we conducted, which we have labelled R1–R6. We start with RUS (Sweden) before moving to SW-S (Germany) and ending with SWU (UK). The case studies are ordered in this way to reflect the lower to higher levels of union activity.

Our first finding is that all three organisations make the three demands characteristic of the sex worker rights movement (decriminalisation, destigmatisation and decommodification) and engage in social and political strategies to achieve them. In addition, SWU are engaged in trade unionism in England, Scotland and Wales, primarily with one section of the sex workforce that is not criminalised but is, depending on locality, repressively regulated: strippers. SW-S have attempted to engage in trade unionism, but their efforts have largely been redirected by the new system of regulation in Germany. While RUS are interested in pursuing trade unionism strategies, criminalisation in Sweden prevents them from doing so. Our second finding is that the very issues that RUS, SW-S and SWU set out to tackle – criminalisation, repressive regulation and stigma – are also their major *barriers*. These barriers adversely affect sex workers' ability to pursue decommodification, including via access to individual and collective labour law and social rights. Our third finding is that these organisations have enjoyed several successes in a short period of time, from effective peer to peer support networks to growing acceptance within trade unions and legal victories concerning employment status and other workplace issues.

#### **3.1 Red Umbrella Sweden (RUS): Sweden**

Red Umbrella Sweden (RUS) is the most recent and active group in Sweden, having split from a community of sex workers named Fuckförbundet in 2020/21. Swedish sex workers were part of the International Sex Worker Rights movement in the 1980s and participated in the first Whore's Congress in 1985 (Heyning 2018; Pheterson 1996). Since the year 2000, only a handful of organisers are left, and there is no trade union support for sex workers.



### 3.1.1 RUS strategies and demands

RUS pursues political and social strategies aimed at destigmatisation and decriminalisation. They are committed to decommodification, but this is not a viable goal given the legal and political climate in Sweden. First, RUS focus their social strategies mainly on destigmatisation through sex worker community building. This is essential because *'what the Swedish model does is to make us lonely ... isolated, to make us not have any friends to talk to'*. RUS meet mainly online because *'that is the kind of safe place to be'* and because *'nobody wants to rent a place to a sex work association'*. RUS also engages in educational work, harm reduction initiatives and some public protests. As our interviewee from RUS put it:

*We have very few people interested in listening to sex workers in Sweden. So, the few lectures I've had are the international schools that come to Sweden with students from like the USA ... But they are the only ones ... we also do a little bit of other stuff like we went to Pride in Stockholm ... We had some panels in the pride house, we had some lectures and stuff about sex work there.*

We try to cooperate with health clinics, to try to make them a little bit more sex worker friendly. (R1)

Politically, RUS demand decriminalisation of sex work and have engaged in limited forms of public protest, including about implementation of the current law. As our interviewee explained:

We really don't think this Swedish model works in any kind of way ... so decriminalisation is what we believe in and work for.

Last year, when they were changing the law, we had protests going on and we've had a protest for one of our members when her boyfriend went to court because, well, because they live in the same apartment so he got charged for being a pimp even though he's not really the pimp but he went to court. So, we had to protest outside there. (R1)

However, protests have not been successful in preventing partners or third parties from being criminalised, and RUS is not hopeful that decriminalisation can come from within Sweden. Instead, they are looking to European institutions for assistance:

What we are hoping for right now is that they would consider sex work work on the EU level, because Sweden listens a lot to what they decide in the EU ... *So, if they would decide that sex work is work at EU level, then Sweden would slowly have to rethink it.* (R1)

Finally, while decommodification through labour rights is a RUS demand, there is no realistic opportunity to advance this agenda or engage in trade unionism. As our interviewee bluntly surmised:

*We don't have any kind of unions that are interested in collaboration with us in any kind of way ... They don't dare to say anything, because then they get accused of being the pimp lobby or whatever you're called when you're saying something against the Swedish model. (R1)*

### 3.1.2 RUS: barriers and successes

A key barrier are the third-party criminal laws that sex workers experience as a prohibition on receiving help or assistance, from each other or from any group or institution. These laws have created a climate of fear among sex workers and have had a negative effect on all aspects of their lives, from their home and family to opening a bank and activism. Referring to the third-party laws, our interviewee said that, so far, no activist had been prosecuted, but they '*don't know how far the police would go*' or whether they could be at risk for providing community organising spaces. The actual and unknown breadth of these laws is having numerous effects on RUS activities, as our interviewee explained:

We don't get any kind of funding in Sweden in any kind of way since there is not really anyone that wants to give us money, because then you help a sex worker. So, they're not allowed to ... So, it's really hard for us to get money.

Even to rent a place if we want to have a meet up and we want to rent a place we have to lie about who we are *because we're not allowed to rent anything ...* It's not even like we're gonna work there, we're just an association for sex workers but we're still not allowed to rent the place, it's crazy.

No bank wants us, even if you do legal sex work, like online sex work, you're not allowed to have a bank account or anything like that.

Right now, *my husband is waiting to go to court for being my pimp ...* because he was taking care of our own kids while I was doing sex work”

Most of the health clinics are connected to some kind of ... they get money from the state in some kind of way ... So, we are not even allowed to leave our business card in the waiting room, because you know, that is 'pro sex work.' (R1)

A second barrier is stigma, which our interviewee described as deeply ingrained in Swedish society (see also Fuckförbundet 2019):

The government in Sweden and the media have kind of forced and narrowed people's minds to think that the Swedish model is the only way ... I don't know how – it feels like they are kind of brainwashed sometimes.

Again, the effects of stigma permeate all aspects of sex workers' lives in Sweden and can be summed up as a felt sense of being misrepresented, silenced and 'outed.' In the words of our respondent:

No, nobody wants to talk about sex work in Sweden, not in a good way. Only in the other way, you know ... not that many people that are interested to hear from Red Umbrella ... *because they don't want to listen to sex workers.*

*Most media don't want to write something good about sex workers ... because then they would be connected to other bad stuff just because they're 'pro sex work' ... we kind of would like to have our reply to it. But it's really hard to reach out.*

I've been to the social worker with my kids, several times, just because I'm a sex worker ... The only reason, they said, was because I'm a sex worker. No other reason whatsoever ... So, the stigma about being outed as a sex worker. But then again, the police. If the police know that you're a sex worker, then they stand behind your door the next day and take your clients. So of course, you don't want to be outed to the police either.

So yeah, when we do these demonstrations and stuff ... we are all really scared of being shown as a sex worker, to be outed as sex workers. (R1)

RUS is experiencing capacity issues among their members, and this is exacerbated by both a lack of funding and the limited channels available to them to get their message out. Our interviewee told us that:

Whatever we do, we have to make sure it doesn't cost anything. I think the biggest issue right now is the money issue. And after that comes the energy level of our members. And then after that is the hard part to reach out, you know, because if nobody really wants to listen, it's hard to get into the media or whatever. (R1)

RUS's limited success is clearly shaped by the dual barriers of criminalisation and stigmatisation. RUS's short history is, however, also marked by the successful establishment of a (primarily online) safe space for their members to meet, learn, and support each other, as well as coordinate in-person meetings, which can be transformative.

When I started doing sex work, I felt really lonely. And then I found fuckförbundet. And I went to ... a little gathering. And it was the first time I saw other sex workers and I started crying because it was – it felt so emotional ... You know, you meet other people that believe in the same thing that you do. And that, that means a lot to you. (R1)

### **3.2 Sex Worker Section (SW-S): Berlin, Germany**

The Sex Worker Section (SW-S) emerged in 2020 as a branch of the Free Workers Union (Freie Arbeiter\*innen Union, FAU), which is an anarcho-syndicalist, independent and regionally organised trade union known for direct action and small-scale organising.

### 3.2.1 SW-S: demands and strategies

In 2020, a group of sex workers in Berlin came together and discussed unionisation in the context of the 2017 legal framework. Frustrated by sexual exploitation and trafficking narratives forming in large German institutions, including some unions, they approached FAU. Their foundation was bumpy and conflictual, but SW-S successfully established their own structure within FAU in 2021. As one of our two interviewees (R2) from SW-S explained:

We managed to *build a structure within a structure that hadn't really held us before*, didn't know how to hold us, we did it ourselves. We did it carefully. It wasn't perfect. It wasn't without mistakes, but we're still doing it. And it's helping us to have a voice for other organisations to listen to us. (R2)

SW-S engage in mainly social and political strategies, and there is some evidence of trade unionism. They demand decriminalisation and engage in destigmatisation and decommodification efforts, which include community work, education (for the public, union members and other union sections), and workplace conflict assistance. As one interviewee described it, their strategy is a

three-pronged umbrella ... Which I guess is why it's not so much of a traditional trade union. But then our form of labour is not so traditional either. (R2)

The first prong is social activism for destigmatisation via community building, educating sex workers in the law and the benefits of joining a union, and educating unions about sex work and sex workers' interests. As our interviewees put it:

The community aspect ... giving sex workers a space where they can breathe, a space where they can rant and also be themselves without stigma. (R3)

I think this is why our community outreach, monthly support groups, are so important, because I think what *we notice is a lot of workers don't necessarily understand the benefits of being in a trade union*. (R2)

In Germany since 2017, we have the prostitution safety law.<sup>7</sup> And so, our main goal was also to educate everybody ... our members about this law. (R3)

We also found out of course, people from FAU, as open minded as they were, were quite vanilla, meaning that they don't know about our work, our work system, how we organise. *So, we also had to focus a lot of education inwards, into FAU as a whole*. (R3)

Second, SW-S use political strategies to demand the full decriminalisation of all sex work-related activities *and* of migrant sex workers as necessary to unionise effectively. As SW-S put it in their founding manifesto, 'sex work is work, without exception, without hierarchies' (FAU 2022). Given that the recent changes in the

---

7. Prostitutes Protection Act 2017.

law are a response to concerns about trafficking, SW-S are concerned about the possibility of the 'Nordic' model becoming law, as one of the organisers explained:

The biggest issue in Germany for sex workers is that they are looking into changing the law ... *So right now, they are eyeing the Nordic Model.* And because all the conservative people have spoken out right now, it looks like it's heading that way. (R3)

Third, SW-S members want access to decommodifying employment and social insurance protection. As one of our respondents put it:

It would be moving away from the freelance model or altering – *some kind of different model where we can get things like maternity leave and sick pay ...* So just those very basic workers' rights protections, which would give us all a lot more of a leg to stand on and give us more choice and yeah, just generally improve a sense of security. (R2)

Furthermore, SW-S wants the registration system introduced in 2017 to be repealed. They pointed out that failure to register makes working in the sex industry illegal and inhibits movement around the sector, as well as access to labour and broader social rights. As one of our interviewees put it:

The basic stuff, like if *we don't have to register and all that stuff, then I could work legally*, again, then I could have the freedom to choose where I work, that we are provided with basic stuff, like, for example, pension, like that we can get pensions when we are older, health insurance. (R3)

SW-S's decommodification strategies have, to date, focused on supporting members to challenge workplace issues with bosses through legal advice and representation.

These workplace conflicts, and people coming to us with problems that they had in a workspace, asking us for help for counselling, trying to utilise our resources. For example, through FAU, we've got an opportunity to speak to lawyers, or at least to get funds for lawyers ... *Yeah, we got several members that have active workplace conflicts.* (R3)

### 3.2.2 SW-S: barriers and successes

The core barrier for SW-S is the 2017 system of regulation (mandatory registration), which they view as effectively criminalisation.

We are trying to do this work, this unionising, within a criminalised legal model, essentially, even if it's legalised. (R2)

SW-S view mandatory regulation as akin to criminalisation because sex workers who refuse to register will be working illegally and can be subject to a fine of up to €1,000 and cannot, as already mentioned, access rights at work. Sex workers

without the ‘right to work’ (for example, third country nationals) will not be able to register and will be working illegally, unable to access rights at work, and may face the threat of deportation or removal. As one interviewee put it,

one of the things that makes the barrier to unionising for us is that ... *we're illegal workers, because we're working illegally without registration* ... So, it's like a rock and a hard place, we're not workers in any case. (R2)

The new system of regulation has created a climate of fear with regard to whether sex workers, including those who work together, are working within its parameters. Since 2017, sex workers who work together collectively can do so only if they complete the expensive and complex system of registering as a brothel or face a fine of up to €10,000. As one interviewee put it, *‘we're nervous all the time, that no matter what we do, we're gonna get shut down, our job, our income is going to be affected’*. (R2)

SW-S also expressed concern that drawing attention to workplace conflicts in brothels could, in a climate of increasing repression of sex work, have adverse effects on permits, such as non-renewal or revocation. This fear has led organisers to assess the grievances of members by reaching out to other colleagues in the workplace and deciding whether to take on a case against an employer based on a majority rule. The strong fear of ‘jeopardising’ a workplace and feeding an abolitionist agenda prevents the union from providing legal representation for their members unconditionally and challenging unfair treatment of individual members by employers. In the words of one respondent:

And we always, whatever happens, we want to make sure that, for example, if somebody's working at a workplace, and they're speaking for every worker, that we get several opinions. *So, our goal is to never make workers lose their working place, because one person, for example, has a grudge*. (R3)

Another barrier that SW-S face is the fact that sex workers in Germany are characterised as self-employed. SW-S experience this as a barrier in two ways. First, in terms of strategy, as one of the interviewees explained:

We are all either freelancers, which is pretty hard to unionise because you can't do the traditional challenge-your-boss thing. (R2)

Second, in terms of a legal requirement. In other words, SW-S are organising with an understandable, but legally incorrect, view that sex workers cannot be employees under German law.

The brothels are not allowed to be our bosses. Theoretically, we are freelancers, and they just provide us with a room for our work ... [hiring sex workers as employees] would be pimping ... you are not allowed to be an employee when you do sex work. (R3)

‘Pimping’, which includes ‘exploiting a person in prostitution’ and ‘surveilling, determining place, time, extent or other circumstances’, as well as ‘putting

measures in place to keep a person from leaving prostitution', is a crime under German law. Since 2002, however, it has been distinguished from a possible employment relationship in which an employer is permitted to exercise limited control (for example, stating hours and place of work but not the price and type of services offered).

A third barrier is that some sex workers are reluctant to become union members because they do not understand the benefits. One of our interviewees felt that '*often, trade unions are very academic and elitist institutions*' (R2). A related hurdle is that unions themselves do not always understand SW-S's three-pronged strategy, and organisers, our interviewee shared, have had to spend a lot of time '*simply educating the larger union ... And that's very, that's a big challenge that I wasn't necessarily expecting*'. (R2) As the same interviewee put it:

I think sometimes *our industry is like, I see it as very front line*. And sometimes that can be confusing ... like not knowing how to help or like the help that we're asking for sounding alien or weird. Like, that's not the kind of help that you'd ask for in a union. But we're like, no, *maybe a union can be this or like it should be this*. (R2)

A fourth and final barrier for SW-S, as another interviewee explained, '*is sustainability ... Most of us are activists, that means that we use the time that we would need to work and do like our admin stuff for the activism part ... So, a lot of people have tried to do their best, but they get burnt out*' (R3).

In terms of success, one of the respondents from SW-S emphasised

the fact that we managed to build a structure within a structure that hadn't really held us before ... And it's helping us to have a voice for other organisations to listen to us. (R2)

In addition to this structure building, SW-S attributes their success to the worker community building and peer support that their section engages in. In the words of one of interviewee:

For me, I think it helps me sleep at night, like knowing that we're trying to do something ... authentic and non-judgmental in this industry. *I think there's so much power in peer-to-peer support*. (R2)

Things I'm most proud of, yeah, this sense of genuinely making a difference in a very practical, daily way. *That's not always big and fancy, doesn't always get seen, but it can potentially save people's lives*. (R2)

### **3.3 Sex Workers' Union (SWU): United Kingdom**

The United Sex Workers formed in 2018 as a branch of the United Voices of the World Union. As of 2023, what is now the Sex Workers' Union (SWU) was a branch of the Bakers, Food and Allied Workers Union (BFAWU).

### 3.3.1 SWU: demands and strategies

SWU emerged out of sex worker and feminist organising in 2018, including the Women's Strike and the establishment of Decrim Now, a joint campaign of sex worker rights groups for decriminalisation (Barbagallo and Cruz 2021; Cruz 2023). In June 2018, sex workers and organisers who were active in the Women's Strike Assembly published a document entitled *Red Feminist Horizon* (Caradonna 2018), which is an industrial strategy of trade unionism and a political strategy of decriminalisation of all forms of sex work. Our three SWU interviewees (R4, R5 and R6) highlighted that this remains their *modus operandi*. In the words of one of them

We have a dual purpose... one is to protect and ensure the labour rights of sex workers ... the second purpose of our union is to also organise and fight for decriminalisation at a state level. So that workers who are not currently entitled to or have access to fighting for their labour rights, because they are criminalised. (R4)

First, when SWU demands decriminalisation they are referring to the abolition of the *sexual offences* framework, as well as of the *criminalisation of migration*. As another interviewee explained, this means:

The total decriminalization of all sex work in the UK. And that includes everyone, and that includes ... migrant workers. (R5)

Starting in 2018, SWU has participated in several protests and 'strikes', including the Women's Strike and a one-day sex/work strike in demand for decriminalisation. The one-day 'strike' is a collective withdrawal of sex workers' (paid and unpaid) labour on the basis that criminal law makes the exchange unsafe, encourages violence, and effectively blocks a workers' rights agenda (Barbagallo and Cruz 2021; Cruz 2023). These strikes are combined with protests and consciousness raising about the need for decriminalisation with campaign groups 'Hookers Against Hardship' and 'Decrim Now' (Cruz 2023).

Second, SWU's decommodification agenda focusses on sex workers' paid labour via labour rights and supportive legal frameworks and the repressive conditions that shape sex workers' engagement in paid labour, including unpaid labour and criminalisation and immigration regimes. SWU are working to achieve decommodification of their paid labour by contesting bogus self-employment to secure an employment status that would open the door to individual and collective rights at work, from the 'bare minimum of just being able to not be fired because your boss has a random whim' (R4) to collective bargaining around issues key to the sex industry, including 'wage theft' and insecurity. As our interviewees shared:

There's absolutely nothing we can do to prevent ourselves from getting fired ... *having that protection from just being dismissed, without any due cause or reason*, I think would ease up a lot of like, the tension in a lot of workplaces, and *also then enable workers as well to be more confident in sort of fighting for their own rights*. (R4)



I mean, *it's just collective bargaining generally*. Well, then obviously, you can *establish other protections from there*, as a collective like, no more ... wage theft and precarious contracts. (R6)

SWU's decommodification agenda has focused on unionising strippers because they are the most visible and least criminalised sector of the sex industry (Herrmann 2022). The hope is that organising this sector via an employment status in the UK that returns basic rights at work will have numerous knock-on effects, including advancing the decriminalisation campaign (Barbagallo and Cruz 2021; Cruz 2023). One of the respondents further explained that:

Worker status in strip clubs also kind of paves the way and shows the need for decriminalisation throughout the entire industry where obviously we can see the potential of using the law and labour protections in legalised workplaces ... There are so many parallels between a strip club and a brothel. So, it's also a good thing to be able to show to policymakers, to be like, well, this is how and why decriminalisation is needed, to be able to give people those labour protections. (R6)

Within this decommodification agenda is SWU's innovative use of judicial review and equality discourse to challenge the use of 'Sexual Entertainment Venue' (SEV) licences to close strip clubs. SWU has deployed the language of 'gender equality' to argue that closing clubs would be indirect sex discrimination (Cruz 2023). Beyond challenging bogus self-employment and the closure of clubs, SWU provide assistance to online workers regarding third party cases. 'So that's to do with things like payment providers, advertisement sites, etc.,' as one of the interviewees explained (R4). These strategies are the start of a broader process of mobilising law towards a more radical decommodification agenda. As one interviewee put it: '*No more SEV licences. No more pimps and bosses. Workers' coops. Obviously, no more financial discrimination.*' (R6)

SWU's decommodification agenda also focusses on the conditions that shape sex workers' incorporation into the sex industry. Strategies in this category politicise the failure of law and the state to address the repressive role of criminal law, immigration law, and unpaid labour in shaping sex workers' incorporation into the sex industry. Every year since 2018, SWU and sex workers have been part of the Women's Strike, which protests the patriarchal, racist and economic conditions under which women engage in paid and unpaid labour (Barbagallo and Cruz 2021; Cruz 2023). As of 2022, SWU are organising as part of 'Hookers Against Hardship' to campaign against the cost of living crisis, the poor economic choices faced by women and sex workers, and to fundraise for sex workers (Cruz 2023).

Third, SWU's legal and political demands and strategies for decriminalisation and decommodification, should, they hope, challenge the stigmatisation that sex workers face across society. Interviewees described this stigma and 'othering' as societal and sometimes emanating from trade unions. One of them said that:

The history of ... morality, around sex workers ... So, there's a lot of thoughts about sex workers as somehow being ... less than human ... harbingers of like, diseases ... immoral creatures. (R4)

Within trade union spaces ... left wing spaces, you get a lot of ... theory bros, like the Marxists ... who just don't see us as productive workers who are giving anything of benefit or value to society and therefore don't deserve rights. (R4)

SWU have fought hard to be included as part of the trade union movement in the UK, and since their inception a core task of SWU has been to extend solidarity to other unionising workers (Cruz 2023). As an interviewee explained:

We need to be forcing ourselves to dip into trade union and traditional trade union organising spaces and going onto picket lines, and making our presence known as a union. Because getting solidarity, or like immediate solidarity back from people is not going to be easy ... Because there is that stigma against sex workers. (R4)

Their efforts are paying off. In 2022, Unison, the UK's largest union, passed a motion of support for decriminalisation and sex workers' rights at work (Unison 2022).

### 3.3.2 SWU: barriers and successes

A core barrier is *criminalisation*. It dramatically inhibits SWU's decommodification and destigmatisation strategies (Cruz 2013, 2020, 2023; Herrmann 2023). This is because sex workers who work in criminalised environments cannot easily unionise, benefit from labour law protections, or engage in forms of political protest for fear of recrimination. In the words of one of the three respondents:

We do have to work sort of outside traditional methods of trade unions a lot of the time, *like direct action isn't an option for ... criminalised workers who work in a brothel. But we do have those workers in our union ... and as those workers ourselves, we are trying to find ways that we can unionise those workforces without necessarily having to incriminate ourselves through legal methods.* (R4)

SWU has found that the lack of criminalisation of, and the lesser stigma attached to stripping has made it an easier workforce to organise.

The effect of stripping being, well, not criminalised ... is that ... it's a lot easier to recruit them ... in Bristol we were able to be really, really public in a way that you just are not able to do sometimes for safety reasons, for legal reasons. (R5)

A second barrier is societal dehumanisation of sex workers, which is also a barrier to the perspective that sex workers are workers, as an interviewee explained:

*There's a kind of barrier, maybe empathy ... that acts as a barrier to getting people to see sex workers, not only as a part of the ... wider workers' movement, but just also have some sort of like basic fucking empathy with sex workers as well, because they're just so used to either not considering us or considering us as something other. (R4)*

Stigma and a preference for criminalisation circulate in the trade union movement itself, which 'has traditionally been kind of a struggle and still is, in a lot of ways'.

*I mean, there's always going to be individuals within the trade union movement ... that just refuse to accept the logic of decriminalisation or that giving sex workers more rights would lower exploitation, which is wild to me if you're in the trade union movement ... yeah, sometimes it feels as if we are kind of on the backfoot in terms of getting that support, especially from trade unions. (R4)*

A third and final barrier is the capacity of organisers. One of the organisers interviewed shared that:

*I think one of the issues that we've consistently had with the union, which I think is probably widely [shared] across a lot of organising spaces, is just capacity for people. (R4)*

In terms of success, SWU interviewees stressed the growing solidarity among sex workers in the union, as well as from the trade union movement. Trade union support is therefore both a barrier and a success. Our interviewees told us that:

*More and more like other workers, strippers and OnlyFans workers, etc, are able to see themselves in solidarity with full-service workers, because they're quite literally in the same trade union. (R5)*

*A few of us went to their miners' gala and ... the general secretary was ... opening the speeches. And when she saw us in the crowd, she gave us a shout out on stage in front of 1000s of people ... So that was a very nice feeling ... And yeah, we've seen quite a lot of support ... The Cornwall branch of the Bakers keeps sending us little messages of solidarity, which is really nice. (R6)*

Another connected success is SWU's consciousness-raising work among sex workers:

*I am most proud of ... the ways in which we have sort of grown and not only in number within our union branch, but also just how we're growing the voice, we're growing the awareness of the fact sex workers can access labour rights ... I think us being able through various campaigns to help our members see that they are workers but also help the wider community and network of sex workers across the UK. (R4)*

There are then legal victories that have flowed from SWU's strategies of challenging false self-employment and the closure of strip clubs.

*Our most visible and biggest wins are with strip clubs, and strippers. And we're obviously, personally, we had the win in Bristol last year where we kept the strip clubs open. And obviously, and then, this year, we've defeated Edinburgh City Council ... And also having established worker status in two different clubs now as well. (R6)*

These legal wins are, in turn, having 'radiating effects' (Colling 2009), including building solidarity within the trade union movement.

I think wins like that [worker status] have definitely enabled us to sort of show that there is space for direct solidarity to be brought between other workers and sex workers, and that we are fighting for the same sort of labour rights as every other worker is. (R4)

## Conclusion

We began by setting out a definition of sex work and introduced the ‘labour’ perspective. We then mapped regulatory models across Europe and commented on the exclusion of sex work from the agenda of European and international labour institutions. A review of the sex worker rights movement in Europe followed, in which we argued that the movement is made up primarily of social movements, collective pressure groups and advocacy organisations. To achieve their demands for decriminalisation, destigmatisation and decommodification these groups engage in *social* and *political* strategies and sometimes *trade unionism*. We stressed that sex worker trade unions have *always* also had to pursue ‘extra-economic’ political and social strategies because some forms of sex work are heavily criminalised and are nearly always stigmatised.

We then turned our focus to three case studies of contemporary sex worker organising: RUS in Sweden, SW-S in Berlin, Germany, and SWU in the United Kingdom. Using empirical data generated through interviews with members of these groups we illustrated that all three organisations demand *decriminalisation*, *destigmatisation* and *decommodification* and engage in social and *political* strategies to achieve these goals. In addition, we outlined the *trade unionism* of SWU that is occurring in England, Scotland and Wales, primarily with strippers. We found that while SW-S have attempted to engage in trade unionism, their efforts have been stymied by the new regulation system in Germany. Finally, although it was clear that RUS are interested in pursuing trade union strategies, criminalisation in Sweden prevents them from doing so. Read together, these case studies demonstrate that criminalisation, repressive regulation and stigma adversely affect sex workers’ ability to pursue decommodification via trade unionism, including access to individual and collective labour rights and broader social welfare rights. At the same time, these groups report several successes, from effective peer-to-peer support networks to growing acceptance within trade unions and legal victories concerning employment status and other workplace issues.

The labour perspective of sex worker rights organisations and unions has found support from global health, harm reduction and human rights organisations. As this paper has demonstrated, they also need the support and solidarity of national unions and European and international labour organisations. Indeed, unions and labour organisations are uniquely placed to support and pursue decommodification and associated strategies of the sex worker rights movement. Crucially, this also necessitates support for decriminalisation and destigmatisation. It is now time for these institutions to listen to and engage with the sex worker rights movement and the trade unions that are emerging from within it.

## References

- Adair P. and Nezhyvenko O. (2016) Sex work vs. sexual exploitation in the European Union: what are the likely guesstimates for prostitution?, in Cermakova K. (ed.) Proceedings of the 6th economic & finance conference, International Institute of Social and Economic Sciences, 27-50. <https://doi.org/10.20472/EFC.2016.006.002>
- Albin E. (2012) From 'domestic servant' to 'domestic worker', in Fudge J., McCrystal S. and Sankaran K. (eds.) Challenging the legal boundaries of work regulation, Hart Publishing, 231-250. <https://dx.doi.org/10.2139/ssrn.2240245>
- Albin E. and Mantouvalou V. (2012) The ILO convention on domestic workers: from the shadows to the light, *Industrial Law Journal*, 41 (1), 67-78. <https://doi.org/10.1093/indlaw/dws001>
- Allwood G. (2018) Agenda setting, agenda blocking and policy silence: why is there no EU policy on prostitution?, *Women's Studies International Forum*, 69, 126-134. <https://doi.org/10.1016/j.wsif.2018.06.004>
- Amnesty International (2016) Amnesty International policy on state obligations to respect, protect and fulfill the human rights of sex workers, Policy 30/4062/2016.
- Anderson B. (2000) *Doing the dirty work? The global politics of domestic labour*, Palgrave Macmillan.
- Anderson B. (2007) A very private business: exploring the demand for migrant domestic workers, *European Journal of Women's Studies*, 14 (3), 247-264. <https://doi.org/10.1177/1350506807079013>
- Anderson B. and O'Connell Davidson J. (2004) *Trafficking – a demand led problem? Save the Children Sweden*.
- Armstrong L. (2019) Stigma, decriminalisation, and violence against street-based sex workers: changing the narrative, *Sexualities*, 22 (7-8), 1288-1308. <https://doi.org/10.1177/1363460718780216>
- Aroney E. (2018) The 1975 French sex workers' revolt: a narrative of influence, *Sexualities*, 23 (1-2), 64-80. <https://doi.org/10.1177/1363460717741802>
- Barbagallo C. and Cruz K. (2021) Dancers win at work: unionization and *Nowak v Chandler Bars Group Ltd*, *Studies in Political Economy*, 102 (3), 354-375. <https://doi.org/10.1080/07078552.2021.2000208>
- Basak B. and Nocella R.R. (2023) Unveiling copyright law double bind through pragmatist feminism: adult content creators as authors, *Porn Studies*, 10 (4), 431-451. <https://doi.org/10.1080/23268743.2023.2225531>
- Benoit C., Jansson M.S., Smith M. and Flagg J. (2017) Prostitution stigma and its effect on the working conditions, personal lives, and health of sex workers, *The Journal of Sex Research*, 55 (4-5), 457-471. <https://doi.org/10.1080/00224499.2017.1393652>
- Berg H. (2020) Porn work, independent contractor misclassification, and the limits of the law, *Columbia Human Rights Law Review*, 52 (3), 1159-1198.
- BesD (2020) *Sexarbeit während Corona: die politischen Positionen und Forderungen des Berufsverbands, Berufsverband für erotische und sexuelle Dienstleistungen*, 10.11.2020.
- Bisschop P., Kastoryano S. and van der Klaauw B. (2017) Street prostitution zones and crime, *American Economic Journal: Economic Policy*, 9 (4), 28-63. <https://doi.org/10.1257/pol.20150299>
- Blackett A. (2019) *Everyday transgressions: domestic workers' transnational challenge to international labor law*, ILR Press.

- Boris E. and García M.R. (2021) (In)Decent work: sex and the ILO, *Journal of Women's History*, 33 (4), 194–221. <https://doi.org/10.1353/jowh.2021.0050>
- Boston S. and O'Grady F. (2015) *Women workers and the trade unions*, Lawrence & Wishart.
- Brouwers L. and Herrmann T. (2020) We have advised sex workers to simply choose other options – the response of adult service websites to COVID-19, *Social Sciences* 9 (10), 181–196. <https://doi.org/10.3390/socsci9100181>
- Caldwell H. and de Wit J. (2021) Female clients of male sex workers: managing stigma, in Scott J., Grov C. and Minichiello V. (eds.) *The Routledge Handbook of Male Sex Work, Culture, and Society*, Routledge, 339–351.
- Caradonna A. (2018) Unionisation + decriminalisation + feminist education = the red feminist horizon, *openDemocracy.net*, 17.02.2020.
- Carline A. and Scouler J. (2015) Saving fallen women now? Critical perspectives on engagement and support orders and their policy of forced welfarism, *Social Policy and Society*, 14 (1), 103–112. <https://doi.org/10.1017/S1474746414000347>
- CGT (2024) Le système prostitutionnel : position de la CGT [The prostitutional system: the position of the GCT], *egalite-professionnelle.cgt.fr*, 28.06.2022.
- Chateauvert M. (2013) *Sex workers unite: a history of the movement from Stonewall to SlutWalk*, Beacon Press.
- Chen L. (2022) Objects of desire: curating sex workers in the 21st Century, in Krasny E. and Perry L. (eds.) *Curating as feminist organizing*, Routledge.
- Colling T. (2009) Court in a trap? Legal mobilisation by trade unions in the United Kingdom, *Warwick Papers in Industrial Relations* 91, University of Warwick.
- Conaghan J. (2018) Gender and the labour of law, in Collins H., Lester G. and Mantouvalou V. (eds.) *Philosophical foundations of labour law*, Oxford University Press, 271–286. <http://dx.doi.org/10.1093/oso/9780198825272.003.0015>
- Conaghan J. (2023) The working subject: the collusion of law and gender in the construction of working subjects, in *Cambridge companion to gender and the law*, Cambridge University Press, 173–206. <https://doi.org/10.1017/9781108634069.008>
- Council of Europe (2024) Protecting the human rights of sex workers, *Commissioner's Human Rights Comments*, 15.02.2024.
- Cunningham S. and Kendall T.D. (2011) Prostitution 2.0: the changing face of sex work, *Journal of Urban Economics*, 69 (3), 273–287. <https://doi.org/10.1016/j.jue.2010.12.001>
- Cunningham S. and Shah M. (2018) Decriminalizing indoor prostitution: implications for sexual violence and public health, *The Review of Economic Studies*, 85 (3), 1683–1715. <https://doi.org/10.3386/w20281>
- Cruz K. (2013) *Unmanageable work, (un)liveable lives: the UK sex industry, labour rights and the welfare state*, *Social & Legal Studies*, 22 (4), 465–488. <https://doi.org/10.1177/0964663913484639>
- Cruz K. (2015) *Within and against the law: UK sex worker rights activism and the politics of rights*, Doctoral dissertation, University of Nottingham.
- Cruz K. (2018) Beyond liberalism: marxist feminism, migrant sex work, and labour unfreedom, *Feminist Legal Studies*, 26 (1), 65–92. <https://doi.org/10.1007/s10691-018-9370-7>
- Cruz K. (2020) The work of sex work: prostitution, unfreedom, and criminality at work, in Bogg A., Collins J., Freedland M. and Herring J. (eds.) *Criminality at work*, Oxford University Press, 192–209. <https://doi.org/10.1093/oso/9780198836995.003.0010>
- Cruz K. (2023) Unionising sex workers and other feminists, *Social & Legal Studies*, 33 (4), 501–525. <https://doi.org/10.1177/0964663923120669>

- Cruz K. and Hardy K. (2021) Prostitution and sex work, in Farris S., Skeggs B. and Toscano A. (eds.) *The sage handbook of Marxism*, vol. 3, 1389–1409. <https://doi.org/10.4135/9781526436108>
- Cruz K., Hardy K. and Sanders T. (2017) False self-Employment, autonomy and regulating for decent work: improving working conditions in the UK stripping industry, *British Journal of Industrial Relations*, 55 (2), 274–294. <https://doi.org/10.1111/bjir.12201>
- Czarnecki D. et al. (2014) Prostitution in Germany: a comprehensive analysis of complex challenges.
- Davis M. (2011) *Class and gender in British labour history: renewing the debate (or starting it?)*, Merlin Press.
- Di Nicola A. (2021) The differing EU member states' regulations on prostitution and their cross-border implications on women's rights, Study requested by FEMM Committee, European Parliament.
- Dziuban A. and Stevenson L. (2015) Nothing about us without us! Ten years of sex workers' rights activism and advocacy in Europe, European Sex Workers Alliance.
- ECP (2020) Support the campaign for a Care Income Now!, English Collective of Prostitutes, 27.06.2020.
- ECP (2022) Briefing: online safety bill – criminalising sex workers' online adverts will undermine safety, English Collective of Prostitutes, 03.03.2022.
- ETUI (2016) Industrial relations in Germany - background summary, [etui.org](http://etui.org), 28.07.2016.
- European Court of Human Rights (2021) M.A. and others v. France (communicated case), 63664/19.
- European Parliament (2023) European Parliament Resolution of 14th September 2023 on the regulation of prostitution in the EU: its cross-border implications and impact on gender equality and women's rights (2022/2139(INI)), 14.09.2023.
- ESWA (2021) Trafficking 101: a community resource for sex workers' rights activists, International Committee on the Rights of Sex Workers in Europe, European Sex Workers' Alliance.
- ESWA (2022) Sex work and racism: historical overview of racism in anti-sex work, anti-trafficking and anti-immigration (ASWTI) legislation, Community report 1, European Sex Workers' Alliance.
- ESWA (2023) Conditions, control and consent: exploring the impact of platformisation of sex work, European Sex Workers' Alliance.
- ESWA (2024a) Joint statement: open letter supporting COE commissioner's commentary on human rights of sex workers, [eswalliance.org](http://eswalliance.org), 26.03.2024.
- ESWA (2024b) About ESWA, European Sex Workers' Alliance.
- Ferčíková Konečná I. (2024) Excluded but fighting: where are the voices of sex workers and their allies in EU anti-trafficking policymaking?, *Social Sciences*, 13 (3), 148–162. <https://doi.org/10.3390/socsci13030148>
- Finnegan K., Fourçans C., Graham C. and Manzur H. (2021) Her future is equal, Brussels' Call.
- FitzGerald S. and Freedman J. (2021) Where is the justice in EU anti-trafficking policy? Feminist reflections on European Union policy-making processes, *European Journal of Women's Studies*, 28 (4), 440–454. <https://doi.org/10.1177/13505068211029324>
- FitzGerald S. and Freedman J. (2022) *Gender, equality and social justice: anti trafficking, sex work and migration law and policy in the EU*, Routledge.
- Fredman S. (1998) *Women and the law*, Oxford University Press.
- Freie Arbeiter\*Innen Union (2022) *Manifest der Sektion Sexarbeit*.



- Fuckförbundet (2019) Twenty years of failing sex workers: a community report on the impact of the 1999 Swedish Sex Purchase Act, Fuckförbundet.
- Fudge J. and Owens R. (eds.) (2006) Precarious work, women, and the new economy: the challenge to legal norms, Bloomsbury Publishing.
- Gall G. (2016) Sex worker unionization: global developments, challenges and possibilities, Springer.
- Gálvez Muñoz L. (2023) Prostitution is not a free choice for women, *Social Europe*, 28.09.2023.
- García M.R. (2018) The ILO and the oldest non-profession, in Bosma U. and Hofmeester K. (eds.) *The lifework of a labor historian: essays in honor of Marcel van der Linden*, Brill, 90–114.
- Harcourt C. and Donovan B. (2005) The many faces of sex work, *Sexually Transmitted Infections*, 81 (3), 201–206. <https://doi.org/10.1136/sti.2004.012468>
- Hardy K. (2010) Incorporating sex workers into the Argentine labor movement, *International Labor and Working-Class History*, 77 (1), 89–108. <http://dx.doi.org/10.1017/S0147547909990263>
- Hardy K. and Barbagallo C. (2021) Hustling the platform: capitalist experiments and resistance in the digital sex industry, *South Atlantic Quarterly*, 120 (3), 533–551. <https://doi.org/10.1215/00382876-9154898>
- Hardy K. and Cruz K. (2018) Affective organizing: collectivizing informal sex workers in an intimate union, *American Behavioral Scientist*, 63 (2), 244–261. <https://doi.org/10.1177/0002764218794795>
- Hausman J.M. (2024) Prostitution legal reform in Belgium: abandoning the abolitionist model in favour of a neo-regulatory approach, *CRIMEN-časopis za krivične nauke*, 15 (1), 67–81.
- Herrmann T. (2022) Colleagues, councils, and club owners: the materialisation of the whorearchy inside British strip clubs, in Sanders T., McGarry K. and Ryan P. (eds.) *Sex work, labour and relations: new directions and reflections*, Springer International Publishing, 73–96. [http://dx.doi.org/10.1007/978-3-031-04605-6\\_4](http://dx.doi.org/10.1007/978-3-031-04605-6_4)
- Herrmann T. (2023) Surviving a dying industry: the compounded effect of precarity and stigma on strippers in Britain, PhD thesis, University of York.
- Heying M. (2018) The German prostitutes' movement: Hurenbewegung, from founding to law reform, 1980–2002, *Moving the Social*, 59 (1), 25–45. <https://doi.org/10.13154/mts.59.2018.25-45>
- Hofstetter J.L. (2018) Still we rise: the contemporary sex worker movement in Europe in the context of neo-abolitionism and repressive policies, *Moving the Social*, 59, 47–70. <https://doi.org/10.13154/mts.59.2018.47-70>
- Hofstetter J.L. (2022) Resilient resistances: the self-organization of sex workers against the German Prostitute Protection Act, PhD thesis, Scuola Normale Superiore Florence. [https://dx.doi.org/10.25429/tesiphd.sns.it/hofstetter-joana-lilli\\_phd2023-02-24](https://dx.doi.org/10.25429/tesiphd.sns.it/hofstetter-joana-lilli_phd2023-02-24)
- Holgate J. (2015) Community organising in the UK: a 'new' approach for trade unions?, *Economic and Industrial Democracy*, 36 (3), 431–455. <https://doi.org/10.1177/0143831X13511275>
- Human Rights Watch (2019) Why sex work should be decriminalised in South Africa, Human Rights Watch.
- Holmstrom N. (2014) Sex, work and capitalism, *Logos: a journal of modern society and culture*, 13 (3–4).

- ICTU (2017) Submission to the review of the operation of part 4 of the criminal law (sexual offences) act 2017, Irish Congress of Trade Unions, 08.09.2020.
- Jackson Crystal A. (2013) Sex worker rights organizing as social movement unionism: responding to the criminalization of work, Doctoral thesis, University of Nevada, Las Vegas. <http://dx.doi.org/10.34917/4478263>
- Jones A. (2015) Sex work in a digital era, *Sociology Compass*, 9 (7), 558–570. <https://doi.org/10.1111/soc4.12282>
- Lamannis M. (2023) Collective bargaining in the platform economy: a mapping exercise of existing initiative, Report 2023.02, ETUI.
- Lasocik Z. and Wieczorek L. (2020) Legal and social implications of sexual services other than prostitution, *Archives of Criminology/Archiwum Kryminologii*, 42 (2), 133–174.
- Liebig S. and Lucht K. (2022) *Fahren wir zusammen? Die öko-soziale Allianz von ver.di und Fridays for Future im ÖPNV*, VSA Verlag.
- Lopes A. (2015) Talking and acting for our rights: the interview in an action-research setting, in Smith K., Staples J. and Rapport N. (eds.) *Extraordinary encounters: authenticity and the interview*, Berghahn, 157–174.
- Kempadoo K. and Doezema J. (1998) *Global sex workers: rights, resistance, and redefinition*, Routledge.
- Kenway E. (2021) Briefing: tackling trafficking under a decriminalisation model, Sex Worker Advocacy and Resistance Movement, Decrim Now and ICRSE.
- Mac J. and Smith M. (2018) *Revoluting prostitutes: the fight for sex workers' rights*, Verso.
- MacKinnon C.A. (2011) Trafficking, prostitution, and inequality, *Harvard Civil Rights Civil Liberties Law Review*, 46 (2), 271–310.
- Mai N. (2018) *Mobile orientations: an intimate autoethnography of migration, sex work, and humanitarian borders*, University of Chicago Press.
- Majic S. (2013) *Sex work politics: from protest to service provision*, University of Pennsylvania Press.
- Mania K. (2024) Legal protection of revenge and deepfake porn victims in the European Union: findings from a comparative legal study, *Trauma, Violence & Abuse*, 25 (1), 117–129. <https://doi.org/10.1177/15248380221143772>
- Mgbako C.A. (2020) The mainstreaming of sex workers' rights as human rights, *Harvard Journal of Law and Gender*, 43, 91–136.
- Mitrović E. (2009) On the situation of prostitutes in Europe, in Mitrović E. and Müller D. (eds.) *Working in the sex industry: jobs with representation of interests?*, Forum Wissenschaft Studien 57, BdWi Verlag, 57–75.
- Moran R. and Farley M. (2019) Consent, coercion, and culpability: is prostitution stigmatized work or an exploitive and violent practice rooted in sex, race, and class inequality?, *Archives of Sexual Behavior*, 48 (7), 1947–1953. <https://doi.org/10.1007/s10508-018-1371-8>
- Müller D. (2009) Labour rights for sex workers, in Mitrović E. and Müller D. (eds.) *Working in the sex industry: jobs with representation of interests?*, Forum Wissenschaft Studien 57, BdWi Verlag, 22–24.
- Munro V. and Scoular J. (2013) Harm, vulnerability and citizenship: constitutional possibilities in the criminalisation of contemporary sex work in the UK, in Duff A., Farmer L., Marshall S. and Tadros V. (eds.) *The constitution of the criminal law*, Oxford University Press, 30–52. <https://doi.org/10.1093/acprof:oso/9780199673872.003.0003>
- NSWP (2017) *Sex work as work*, Policy Brief, Network of Sex Work Projects.
- NSWP (2020) *Smart sex worker's guide to decent work*, Network of Sex Work Projects.

- Nocella R.R. and Chiaro D.C. (2023) Laughing in the face of the law: humour as a thermostat activating social change for porn workers, *Law, Culture and the Humanities*. <https://doi.org/10.1177/17438721221124470>
- O'Connell Davidson J. (1998) *Prostitution, power, and freedom*, University of Michigan Press.
- O'Connell Davidson J. (2014) Let's go outside: bodies, prostitutes, slaves and worker citizens, *Citizenship Studies*, 18 (5), 516–532. <https://doi.org/10.1080/13621025.2014.923703>
- Oliveira A. and Janssen M.L. (2021) Introduction: special section 'female clients of commercial sex', *Sexualities*, 24 (4), 517–526. <https://doi.org/10.1177/13634607211025851>
- Oliveira A., Lemos A., Mota M. and Pinto R. (2023) Understanding the impact of EU prostitution policies on sex workers: a mixed study systematic review, *Sexuality Research and Social Policy*, 20 (4), 1448–1468. <https://doi.org/10.1007/s13178-023-00814-2>
- Outshoorn J. (2018) European Union and prostitution policy, in Jahnsen S. and Wagenaar H. (eds.) *Assessing prostitution policies in Europe*, Routledge, 363–375.
- Papadopoulos T. (2005) *The recommodification of European labour: theoretical and empirical explorations*, ERI Working Paper Series 3, European Research Institute, University of Bath.
- Pheterson G. (1996) *The prostitution prism*, Amsterdam University Press.
- Probst U. (2023) *Prekäre Freizügigkeiten: Sexarbeit im Kontext von mobilen Lebenswelten osteuropäischer Migrant\*innen in Berlin*, Transcript Verlag.
- Sanchez J.S. (2006) Female sex tourism: a contradiction in terms?, *Feminist review*, 83 (1), 42–59. <https://doi.org/10.1057/palgrave.fr.9400280>
- Sanders T. and Hardy K. (2012) Devalued, deskilled and diversified: explaining the proliferation of the strip industry in the UK, *The British Journal of Sociology*, 63 (3), 513–532. <https://doi.org/10.1111/j.1468-4446.2012.01422.x>
- Sanders T., Scoular J., Campbell R., Pitcher J. and Cunningham S. (2018a) *Internet sex work: beyond the gaze*, Palgrave Macmillan.
- Sanders T., Scoular J., Campbell R., Pitcher J. and Cunningham S. (2018b) The point of counting: mapping the internet based sex industry, *Social Sciences*, 7 (5), 233–241. <https://doi.org/10.11648/j.ss.20180705.15>
- Schwartz L. (2014) What we think is needed is a union of domestics such as the miners have: the domestic workers' union of Great Britain and Ireland 1908–14, *Twentieth Century British History*, 25 (2), 173–198. <https://doi.org/10.1093/tcbh/hwt028>
- Schwenken H. (2003) RESPECT for all: the political self-organization of female migrant domestic workers in the European Union, *Refuge: Canada's Journal on Refugees*, 21 (3), 45–52. <https://doi.org/10.25071/1920-7336.21299>
- Schwenken H. (2017) 'Domestic slavery' versus 'workers rights': political mobilizations of migrant domestic workers in the European Union, Working Paper 116, University of California, Center for Comparative Immigration Studies.
- Scoular J. (2011) Regulation of sex work in Scotland ESRC, SSRN. <http://dx.doi.org/10.2139/ssrn.1868202>
- Sedacca N. (2022) Domestic workers, the 'family worker' exemption from minimum wage, and gendered devaluation of women's work, *Industrial Law Journal*, 51 (4), 771–801. <https://doi.org/10.1093/indlaw/dwac005>
- STRASS (2020) *Rapport d'activité 2020*, Syndicat du travail sexuel.
- Strohmayr A., Clamen J. and Laing M. (2019) Technologies for social justice: lessons from sex workers on the front lines, in *Proceedings of the 2019 CHI Conference on Human Factors in Computing Systems*, 652, 1–14. <https://doi.org/10.1145/3290605.3300882>

- Svanström Y. (2017) Prostitution in Stockholm: continuity and change, in Rodriguez Garcia M., Heerma van Voss L. and van Nederveen Meerkerk E.J.V. (eds.) *Selling sex in the city: a global history of prostitution, 1600s–2000s*, Brill, 201–229.
- Swords J., Laing M. and Cook I. (2023) Platforms, sex work and their interconnectedness, *Sexualities*, 26 (3), 277–297. <https://doi.org/10.1177/13634607211023013>
- Szumer Z. (2024) Uber Australia is creating a yellow union to head off reform, *Jacobin*, 15.03.2024.
- Taylor J.S. (2006) Female sex tourism: a contradiction in terms?, *Feminist Review*, 83 (1), 42–59. <https://doi.org/10.1057/palgrave.fr.9400280>
- Thiemann I.K. (2020) Sex work regulation, anti-trafficking policy, and their effects on the labour rights of sex workers in Germany, *International Journal of Comparative Labour Law and Industrial Relations*, 36 (2), 195–220. <https://doi.org/10.54648/ijcl2020011>
- Tribunal Supremo (2021) CASACION num.: 29/2019. Sentència núm. 584/2021. In STS 2252/2021—ECLI:ES:TS:2021:2252.
- Tyler I. (2020) *Stigma: the machinery of inequality*, Zed Books.
- Unison (2022) 2022 national delegate conference decisions.
- United Nations (2023) Guidance document of the working group on discrimination against women and girls: eliminating discrimination against sex workers and securing their human rights.
- UTSOPI (2022) Decriminalisation.
- UTSOPI (2024) Belgian labor law for sex workers: what and how?
- Vuolajärvi N. (2022) Criminalising the sex buyer: experiences from the Nordic region, Policy Brief 06.2022, London School of Economics and Political Science, Centre for Women, Peace and Security.
- Weeks M. (2022) Decriminalised futures, *Artforum*, 60 (8). <https://www.artforum.com/events/meg-weeks-on-decriminalised-futures-249708/>
- Wijers M. (2022) Sex workers rights are human rights: or not? The art of stealing back human rights, in Sanders T., McGarry K. and Ryan P. (eds.) *Sex work, labour and relations: new directions and reflections*, Springer International Publishing, 43–72. [https://doi.org/10.1007/978-3-031-04605-6\\_3](https://doi.org/10.1007/978-3-031-04605-6_3)
- WHO (2012) Prevention and treatment of HIV and other sexually transmitted infections for sex workers in low- and middle-income countries: recommendations for a public health approach, World Health Organisation.
- x:talk project (2010) Human rights, sex work and the challenge of trafficking: human rights impact assessment of anti-trafficking policy in the UK.

All links and references were checked on 05/11/2024.

## Annex

### Further details on interviews

We conducted six semi-structured in-depth interviews with six sex worker organisers from the groups studied. Ethical approval was granted by the University of Bristol on 19/07/23.

| Interviewee | Organisation | Date     | Location | Duration   |
|-------------|--------------|----------|----------|------------|
| R1          | RUS          | 08/08/23 | Online   | 68 minutes |
| R2          | SW-S         | 28/08/23 | Online   | 67 minutes |
| R3          | SW-S         | 28/08/23 | Online   | 67 minutes |
| R4          | SWU          | 29/08/23 | Online   | 72 minutes |
| R5          | SWU          | 29/08/23 | Online   | 72 minutes |
| R6          | SWU          | 29/08/23 | Online   | 72 minutes |



**European  
Trade Union Institute**  
Bd du Jardin Botanique, 20  
1000 Brussels  
Belgium  
etui@etui.org  
www.etui.org