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Compañeras de la calle: Sex Worker Organising in Latin America

ABSTRACT

Latin America has an effervescent and strong sex worker rights movement, which has been frequently overlooked in existing analyses. In focusing on this region, it is possible to identify sex workers' struggles that are currently leading the way in achieving change for cis-women working in the sex industry. In this article, we examine four countries: Argentina, Costa Rica, Nicaragua, and Colombia to argue three points. First, that sex workers in the Global South have much to offer in terms of organising practices and experiences. Second, that while successful at the regional level, these successes have been uneven. Third, that it may be possible to explain these divergences by examining the organisational form adopted by groups, the relationships these organisations sustain with wider labour movements, and the wider political economy of violence in which they organise. We put forward this article as a conceptual framework for beginning to develop comparative methods for understanding sex worker movements.

Keywords: *sex work; collective organising; trade unions; Latin America; prostitution*

Introduction

In June 2017, the *Sindicato de Trabajadoras Sexuales de Managua 'Girasoles'* ('Sunflowers' Sex Workers' Union of Managua) was ordained as the newest sex workers' union in the world. In gaining statutory union status, *Girasoles* became the third sex workers' group in Latin America to function as an official trade union. While sex worker organisations have expanded across the globe, it has generally proved harder for them to convert into formally recognised unions. In this regard, as well as many others, Latin American sex workers are leading the way in gaining recognition, as well as generating material gains, in order to change the terms of their lives and labour. For example, since 2015, Nicaraguan sex workers have been trained as judicial facilitators, empowered by the Supreme Court to mediate community conflicts. In Argentina, activists have succeeded in decriminalising sex work in three provinces of the federal country, establishing a nursery and a health centre run for and by sex workers. In Colombia, sex workers made the shift from a civil society organisation founded in 2008 to a labour union in 2015 and became known as

the *Sindicato de Trabajadoras Sexuales de Colombia* (Sex Workers' Union of Colombia, *Sintrasexo*). The union's work has included sensitivity training for workers in the judicial system and public denunciations of state violence against sex workers. In Costa Rica, sex workers have been active in a non-governmental organisation since 1994. Primarily focused on HIV prevention and basic welfare provision, activists from *La Sala* have recently been involved in some preliminary attempts to secure social security coverage and pensions for Costa Rican sex workers. Perhaps most visible have been the recent efforts in numerous countries (including Costa Rica and Argentina) to have sex work regulated by the state. This has involved public engagement with legislators, giving sex worker movements an important presence on the national political scene. Beyond national borders, Latin American sex worker activists have also gained further visibility and purchase, in creating dialogue with international bodies including the United Nations Programme on HIV/AIDS (UNAIDS) and the Interamerican Commission on Human Rights, generating political capital at the global scale.

Despite this effervescent and strong sex worker rights movement, the region has frequently been overlooked in scholarly analyses of sex worker organising. Much existing primary research work has focused on the Global North¹ with a broad survey of other movements published elsewhere.² Conversely, much of the research on sex work in the region has tended to focus on HIV/AIDS³, sexual health,⁴ sex tourism,⁵ or child

- 1 Joyce Arthur/Susan Davis/Esther Shannon: Overcoming Challenges: Vancouver's Sex Worker Movement, in: Emily van der Meulen/Elya M. Durisin/Victoria Love (eds.): *Selling Sex: Experience, Advocacy, and Research on Sex Work in Canada*, Vancouver 2013, pp. 130–146; Anna-Louise Crago/Jenn Clamen: Né dans le Redlight: The Sex Workers' Movement in Montreal, in: Emily van der Meulen/Elya M. Durisin/Victoria Love (eds.): *Selling Sex: Experience, Advocacy, and Research on Sex Work in Canada*, Vancouver 2013, pp.147–164; Samantha Majic: Participation Despite the Odds: Examining Sex Workers' Political Engagement, in: *New Political Science* 36:1 (2014), pp. 76–95; Lilian Mathieu: Uncertain Outcomes of Prostitutes' Social Movements, in: *The European Journal of Women's Studies* 10:1 (2003), pp. 29–50.
- 2 Gregor Gall: *Sex Worker Union Organising: An International Study*, London 2006.
- 3 Pamela J. Downe: Laughing When it Hurts: Humor and Violence in the Lives of Costa Rican Prostitutes, in: *Women's Studies International Forum* 22:1 (1999), pp. 63–78; Yasmina Katsulis: Sex Work and the City: The Social Geography of Health and Safety in Tijuana, Mexico, Austin 2008; Paulo Henrique Longo: The Pegação Program: Information, Prevention and Empowerment of Young Male Sex Workers in Rio de Janeiro, in: Kamala Kempadoo and Jo Doezema (eds.): *Global Sex Workers: Rights, Resistance, and Redefinition*, London 1998, pp. 231–239.
- 4 Xóchitl Castañeda et al.: Sex Masks: The Double Life of Female Commercial Sex Workers in Mexico City, in: *Culture, Medicine and Psychiatry* 20 (1996), pp. 229–247; Yasmina Katsulis: Sex Work and the City: The Social Geography of Health and Safety in Tijuana, Mexico.
- 5 Megan Rivers-Moore: *Gringo Gulch: Sex, Tourism, and Social Mobility in Costa Rica*, Chicago 2016; Erica Lorraine Williams: *Sex Tourism in Bahia: Ambiguous Entanglements*,

prostitution.⁶ Studies of collectivisation that do exist tend to focus on single national cases,⁷ or focus exclusively on comparisons of the differential outcomes between sex worker organisations in the Global North.⁸

Much of the literature on sex workers in the Global South has emphasised everyday, covert, micro-resistance. For example, Travis Kong argues that Hong Kong sex workers “are not interested in becoming involved in any form of institutionalised politics that is formal, overt and confrontational. Rather, they are engaging in an everyday resistance that is informal and covert.”⁹ Similarly, Mark Padilla examines everyday ‘weapons of the weak’ deployed by male sex workers in the Dominican Republic and suggests that organised politics would be impossible amongst a group of men who do not identify as sex workers or as gay.¹⁰ The transient and temporary nature of participation in sex work, especially amongst undocumented migrants, also makes many reluctant to embrace a sex worker identity and political consciousness.¹¹

Despite these formidable challenges, unionisation and other forms of autonomous self-organisation amongst sex workers have arguably been more successful in countries of the majority world, particularly in Latin America.¹² However, there remains a dearth of academic, especially comparative, research exploring the struggles taking place in these countries. This is despite successful movements across Latin America and the Caribbean for decriminalisation, access to healthcare, and the labour and human rights demands

Urbana 2013.

- 6 Julia O’Connell Davidson: *Children in the Global Sex Trade*, Cambridge 2005; Viviana S. Retana: *Investigación Regional sobre Tráfico, Prostitución, Pornografía Infantil y Turismo Sexual Infantil en México y Centroamérica*, San José 2002.
- 7 Kate Hardy: *Incorporating Sex Workers into the Argentine Labor Movement*, in: *International Labor and Working-Class History* 77 (2010), pp. 89–108; Habiba Sultana: *Sex worker activism, feminist discourse and HIV in Bangladesh*, in: *Culture, Health and Sexuality* 17:6 (2015), pp. 777–788; Gowri Vijaykumar/Shubha Chacko/Subadra Panchanadeswaran: ‘As Human Beings and as Workers’: *Sex Worker Unionization in Karnataka, India*, in: *Global Labour Journal* 6:1 (2015), pp.79–96.
- 8 Gregor Gall: *Sex Worker Union Organising: An International Study*.
- 9 Travis Kong: *What it Feels Like for a Whore: The Body Politics of Women Performing Erotic Labour in Hong Kong*, in: *Gender, Work and Organization* 13:5 (2006), pp.409–434, p. 429.
- 10 Mark B. Padilla: *Caribbean Pleasure Industry: Tourism, Sexuality, and AIDS in the Dominican Republic*, Chicago 2007.
- 11 Laura María Agustín: *Sex at the Margins: Migration, Labour Markets and the Rescue Industry*, London 2007; Gregory Mitchell: *Organizational Challenges Facing Male Sex Workers in Brazil’s tourist zones*, in: Susan Dewey/Patty Kelly (eds.): *Policing Pleasure: Sex work, Policy, and the State in Global Perspective*, New York 2011, pp. 159–171.
- 12 Kate Hardy: *Incorporating Sex Workers into the Argentine Labor Movement*; Kamala Kempadoo: *Introduction: Globalizing Sex Workers’ Rights*, in: Kamala Kempadoo/Jo Doezema (eds.): *Global Sex Workers: Rights, Resistance and Redefinition*, New York 1998, pp. 1–28.

which have come to typify sex worker collective organising. Our aim then is to begin to plot the co-ordinates for a comparative analytical framework in order to better understand the dynamics of sex worker organising.

In what follows, we first introduce the regional and national organisations under study in Latin America. Next, we make the case for a framework of relational-comparative analysis which examines the organisational form, the relationship with labour movements and the wider context of violence in which they organise. While multiple other factors, including political regimes, links with institutional political actors and wider social movements will of course be influential, our aim is to identify factors that may be specific to sex worker organising rather than general social and political elements which inevitably influence any social movement. Moreover, for the purposes of an initial practicable framework for comparison, we have limited these to three in order to enable comparison across the four case studies. We argue that this may be a useful conceptual framework for understanding the convergences and divergences in the successes and outcomes of sex worker organising and that this is a necessary first stage in beginning to theorise developments in the Latin American region.

Redtrasex and the Organisations

La Red de Mujeres Trabajadoras Sexuales de Latinoamérica y el Caribe (Network of Latin American and Caribbean Sex Workers, *Redtrasex*) was founded in 1997, following the first regional meeting of sex workers in Latin America held in San José, Costa Rica. By 1999, the organisation had appointed an Executive Secretary to manage the co-ordination in the region. It functions as a network, co-ordinating cisgender female sex workers across fifteen countries at the national scale (including Argentina, Belize, Bolivia, Chile, Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru and the Dominican Republic).¹³ *Redtrasex*'s main objective is for sex workers' human and labour rights to be respected in Latin America and the Caribbean. All member organisations organise solely cisgender female sex workers, although many work closely with trans allies. They also tend to focus solely on women who sell direct sexual services ('prostitution') rather than recruiting from other segments of the wider sex industry. All four case study organisations are affiliated to *Redtrasex*, having either emerged following engagement with the regional organisation or joining the organisation following independent national formation.

13 Cisgender refers to people whose gender identity corresponds with the sex they were assigned at birth.

La Asociación Mujeres Meretrices de la Argentina en Acción por Nuestros Derechos (The Argentinian Association of Female Sex Workers, AMMAR), is one of the longest standing sex worker unions in the region. It predates *Redtralsex* and its original General Secretary, Elena Reynaga, has moved on to become the General Secretary of the regional network. The organisation represents independent sex workers who are over the age of consent and work of their own free will. By 2009, they had over four thousand members in ten branches across Argentina. Amongst their achievements and successes they count a primary school, a health centre, as well as international status as a leading voice on HIV/AIDS prevention and sex workers' human rights. Even in the context of a growing number of such organisations, this makes it one of the biggest sex workers' rights movements in the world.

In Colombia, *La Asociación de Mujeres Buscando Libertad* (The Association of Women Seeking Liberation, ASMUBULI) was born in 2008, following the participation of a number of different sex workers in a *Redtralsex* event in Ecuador. In 2015, *Sintrasexco* emerged from ASMUBULI to become the first recognised trade union in the region, officially registering with the *Confederación de Trabajadores de Colombia* (Confederation of Workers of Colombia, CTC). The CTC's press release which announced the incorporation of sex workers stated that the sex workers' union was included in the Confederation "from a labour perspective, recognising that voluntary prostitution is work that provides rights for the people who participate in it".¹⁴

In Costa Rica, *La Asociación para Mejorar la Calidad de Vida de las Trabajadoras y Ex-Trabajadoras Sexuales La Sala* (The Association to Improve the Quality of Life of Sex Workers and Ex Sex Workers, *La Sala*), is a non-governmental organisation (NGO). It was started in 1994, the outcome of a 1993 study by a sexual health NGO of condom use amongst sex workers in San José. The programme aimed to attend to women's needs while also providing space for them to share, socialise, and participate in workshops. Particularly important was the fact that women's decisions to participate in sex work were respected, and women were not obliged or encouraged to leave sex work. As a result of *La Sala's* history, beginning as a project by a sexual health NGO, funded by the Dutch government's international development agency, the prevention of HIV/AIDS was a key aspect of the programme from the beginning. That focus gradually expanded over the years to include attention to a wide variety of primary needs, including space to sit down, use the bathroom, and drink coffee with colleagues. Although Costa Rica hosted the 1997 meeting of sex workers that led to the creation of *Redtralsex* and could therefore

14 Fucsia: Este el primer sindicato de trabajadoras sexuales de Colombia, at: <http://www.fucsia.co/personajes/nacionales/articulo/sintrasexco-sindicato-de-trabajadoras-sexuales/69521> (accessed on 1 March 2018).

be considered an important player in regional development, *La Sala* has continued to primarily provide basic social welfare for sex workers with only limited attention to empowerment and human and labour rights.

Girasoles de Nicaragua ('Nicaraguan Sunflowers') was a civil association of female sex workers, established in 2007 with the help of *Redtralsex*. *Girasoles* are integrated in the National Intersectoral Commission for HIV and are trained as judicial facilitators for the Supreme Court of Justice, working both for sex workers seeking justice as well as for any other citizen that needs support. In the first year alone, they provided over 400 facilitations, including mediation, advocacy, advice, and workshops. Approximately one quarter of these services were for female sex workers, but the rest were for other members of communities across the country who turned to sex workers for judicial support. In this sense, as we have argued elsewhere,¹⁵ sex workers provide essential services not only to their colleagues, but to working class people more broadly. By reducing the need for police, overburdened justice systems and healthcare workers, sex workers assist their communities while also gaining status and recognition as workers.

Towards a Comparative Conceptual Framework

These organisations, like others across the world, tend to share similar characteristics in terms of their attention to health-based issues and demands for decriminalisation.¹⁶ All four organisations operate in conjunction with state bodies to tackle issues around HIV (including the *Comisión Intersectorial Nacional de VIH* in Nicaragua, the *Consejo Nacional de Atención Integral al VIH-SIDA* in Costa Rica). An end to criminalisation and abuse by the police and justice system is a second area shared with global sex worker movements, albeit with diverging positions on the appropriate legal frameworks to work towards. However, a shared position is beginning to emerge within the region in relation to demands for a law for regulating independent sex work. Emerging from *Redtralsex* meetings, country members are developing proposals for national laws based on a central template provided by the regional network. The argument in favour of a new legal regime is based on the idea that regulation will ensure that sex workers are recognised as workers, and require that state authorities defend and guarantee their human rights.

15 Kate Hardy: Uneven Divestment of the State: Social Reproduction and Sex Work in Neo-developmental Argentina, in: *Globalizations* 13:6 (2016), pp. 876–889.

16 Joyce Arthur/Susan Davis/Esther Shannon: Overcoming Challenges: Vancouver's Sex Worker Movement, pp. 130–146; Sharon S. Oselin/Ronald Weitzer: Organizations Working on Behalf of Prostitutes: An Analysis of Goals, Practices, and Strategies, in: *Sexualities* 16:3/4 (2013), pp. 445–466.

Organisational Form

An emerging debate on sex worker organising has related to a definitional discussion on how to understand the organisational form that sex workers' groups have adopted. For example, Gregor Gall has argued that sex worker unions have “acted as pressure groups concerned with work issues in a way in which other pressure groups operate on non-work issues, thereby forsaking a key characteristic of labour unionism”.¹⁷ Gall concludes that sex worker organisations exist “between an advocacy group and a union”. Most of this research has, however, drawn on empirical evidence from the Global North and more specifically, from Europe.

Looking towards Latin America, the *de jure* and *de facto* status of these organisations complicate the ability to understand simplistically their activities and status as trade unions or labour organisations. *Sintrasexco* and *Girasoles* are legally recognised as trade unions, while AMMAR identifies as a union, but has only received judicial status as a civil association. *La Sala* acts as an independent non-governmental organisation (NGO), with a focus on providing very basic services and without a clear focus on labour politics. AMMAR won *Personería Jurídica* (civil society) status in 2006, but they still lack status of *Personería Gremial* (union status).

Many of the activities undertaken by the organisations remain the same, regardless of organisational form. For example, AMMAR, *Girasoles* and *Sintrasexco* all formulate their demands (for decriminalisation, healthcare, and access to other public goods) using the language of class and identities as workers. These activities must be understood as those of a labour organisation, regardless of their atypical nature in comparison to more orthodox trade unions activity. One exception to this is the important success of *Girasoles* in early 2017, when they supported a sex worker who was fired from a nightclub for being pregnant. The Ministry of Labour ruled in her favour, and ordered the business to compensate her (approximately 3000 US dollars) and reinstate her in her workplace. The ruling was considered historic, in that it was the first formal recognition by the state of the labour rights of sex workers and also, the first more traditionally recognised trade union ‘win’ in the region.

17 Gregor Gall: Sex worker Collective Organization: Between Advocacy Group and Labour Union?, in: Equality, Diversity and Inclusion: An International Journal 29:3 (2010), pp.289–304, p. 289.

Relationships with Labour Movements

A key weakness of sex worker organising has been the inability to connect with existing labour movements. In contrast, a number of Latin American sex worker organisations have been emboldened by their deep and enduring relationships with traditional trade unions and other labour organisations. It is hard to disentangle the relationship between organisational form and the groups' connection with wider labour movements. Despite this, these relationships cannot be read as directly explaining organisational form in a straightforward manner. For example, AMMAR—despite only having status as a civil society organisation—emerged directly out of contact and discussions with local union representatives from the civil servants' union in Buenos Aires in 1995, that formed part of the *Central de Trabajadores Argentinos* (Argentinean Workers' Central Union, CTA).¹⁸ Argentina's strong and institutionalised union movement has provided fertile ground for the development of cross-sectoral links between sex workers and other elements of the labour movement, including teachers, pensioners, and informal sector workers.¹⁹

In 1992, with public sector workers from *La Asociación de Trabajadores del Estado* (the Association of State Workers, ATE) and teachers from *La Confederación de Trabajadores de la Educación de la República Argentina* (the Argentinean Confederation of Education Workers, CTERA) at the helm, a number of unions disaffiliated from and broke their historic links with the *Confederación General del Trabajo* (General Confederation of Labour, CGT) and the CTA was born. The CTA consciously asserted itself as a union that would work closely with actors that had not traditionally been included in the labour movement and was thus involved in some of the earliest *piquetero* protests.²⁰ On 14 August 1997, the CTA carried out a general strike together with several dissident CGT unions and the small May 1st Trade Union Coalition.²¹ More than twenty national highways were blockaded in support of the strike, and there were violent confrontations with the police in a number of cities including La Plata, Rosario, and Córdoba. Around 40 per cent of wage earners supported the strike, meaning that the labour monopoly of the CGT was definitively broken.²² Importantly for AMMAR, this opened up space for recognising non-traditional workers, such as sex workers, within the ranks of the labour movement.

Affiliating to the *Confederación de Trabajadores por Cuenta Propia* (Confederation of Independent Workers, CTCP), has enabled *Girasoles* to make connections and alliances with other workers working in similarly autonomous conditions. CTCP is an umbrella

18 Kate Hardy: *Incorporating Sex Workers into the Argentine Labor Movement*, pp. 89–108.

19 Ibid.

20 Piqueteros are groups of unemployed workers who would establish 'pickets' in streets and transport routes to draw attention to their social conditions.

21 Hernan Camarero/Pablo Pozzi/Alejandro Schneider: *Unrest and Repression in Argentina*, in: *New Politics* 7:1 (1998), pp.16–24.

22 Ibid.

organisation consisting of non-salaried workers, largely in the informal economy, including street vendors, market vendors, and hawkers. Since the 2007 return to power of the Sandinista government, trade unions in Nicaragua have encountered a more favourable environment. The large size of the informal sector in Nicaragua, accounting for around 65 per cent of employment²³ demonstrates the importance of links with workers in the wider informal economy in increasing the political power and purchase of *Girasoles*. Through this organisation, *Girasoles* are able to scale up through connections to the *Frente Nacional de los Trabajadores* union federation (National Workers' Front, FNT) and also further, to make regional connections with other informal workers through the Central American *Red de Sindicatos de Trabajadores y trabajadoras de la Economía Social Solidaria de las Americas* (Network of Social Economy Solidarity Workers' Unions of the Americas, SEICAP). Since the regional Coordinator is based at the CTCPC in Nicaragua, this grounds *Girasoles* firmly in much wider networks of workers organising around class identities and class justice.²⁴ These are further linked to the global organisation of informal workers 'StreetNet'.

In contrast, public political actions by women of *La Sala* in Costa Rica in collaboration with the labour movement are extremely rare. One exception was the participation of a small group of sex workers (and their allies) in the May Day workers' march in 2010 and 2011. Efforts to convene sex workers for the march were met with laughter and dismissal, despite the fact that *La Sala's* volunteers assured women they could show up in masks and hats to conceal their identities. On the day of the march, turnout was small and several of the organisation's volunteers did not attend. There was and is constant tension around the issue of speaking publically, which came up at the march as sex workers gained a great deal of media attention. While all the members of *La Sala* present agreed that non-sex worker allies should not speak with the media as sex workers must speak for themselves, only one woman was actually willing to answer questions on camera, and *La Sala's* coordinator left the march early, when the media became interested in the presence of sex workers.

In terms of developing more enduring relations with labour activists, *La Sala* was approached by two curious and sympathetic trade unions interested in exploring the possibility of making connections, but discussions broke down almost immediately. This is partly explained by *La Sala's* own internal dynamics, but also is a symptom of the fact that Costa Rican labour unions are historically and notoriously weak, with organising hitting a peak in the 1950s and 1960s (with a slight resurgence in the banana sector in

23 International Labour Organisations (ILO): Statistical update on employment in the informal economy, 2012, at: http://laborsta.ilo.org/applv8/data/INFORMAL_ECONOMY/2012-06-Statistical%20update%20-%20v2.pdf (accessed on 1 March 2018).

24 Celia Mather: WIEGO Research Project: Informal Workers' Organizing Research Report, 2012, at: http://www.wiego.org/sites/default/files/publications/files/mather_informal_workers_organizing.pdf (accessed on 1 March 2018).

the 1970s), and then in decline ever since. The overall level of unionisation of workers is markedly low and decidedly stagnant. In place of unions, a form of labour organising called ‘solidarity’ has emerged strongly, a system that emphasises the common interests of labour and capital. Perhaps most importantly, this focus on collaboration means that solidarity associations renounce collective agreements and the right to strike. While unions have been on the decline, solidarity associations have been growing apace, often replacing trade unions, and are now the most common form of labour organization in Costa Rica.²⁵ The rise of owner supported and promoted solidarity associations, a historical suspicion of communism and leftist politics, and various anti-union features in the legal system have all made for a weak and fragmented labour context for collective organising.

Colombia’s ASMUBULI, the precursor to *Sintrasexco*, continues to function as a broad based civil society organisation. *Sintrasexco* itself managed to sign up over six hundred members from six provinces in the first five months of its formation, and the support by the CTC has given the movement legitimacy and momentum.²⁶ The president of *Sintrasexco*, Fidelia Suárez, has argued that unionisation is important because sex workers have a long history of being taken advantage of by NGOs: “NGOs use resources that should be for us, and some NGOs victimise us, traumatise us, and tell us we’re worthless.”²⁷ The formation of a sex workers’ union in Colombia is especially significant given the country’s complex political context. Though historically unions in Colombia were strong, the expansion of paramilitary violence (often in cahoots with the state) through the 1980s and 1990s made labour organising increasingly dangerous and huge numbers of trade unionists have been assassinated.

Further research is required to flesh out and understand the specificities of the role of labour movements in individual national contexts in the organisation of sex workers, but this preliminary examination of the four countries under study here suggests that several factors are likely to play a role. Labour movements must be open to sex workers and have a conception of class that is able to include sex workers as workers. This was clearly the case in Argentina, where the CTA’s broad mandate to organise non-traditional workers made space for an understanding of sex workers as members of the working class. In addition, links to the labour movement can allow for the transformation of civil

25 Dana Sawchuk: *The Costa Rican Catholic Church, Social Justice, and the Rights of Workers, 1979–1996*, Waterloo 2004.

26 Redacción El Tiempo: *Sintrasexco, el primer sindicato de prostitutas en Colombia*, in: *El Tiempo*, 30 April 2016, at: <http://www.eltiempo.com/archivo/documento/CMS-16578784> (accessed on 1 March 2018).

27 Fucsia: *Este el primer sindicato de trabajadoras sexuales de Colombia*, at: <http://www.fucsia.co/personajes/nacionales/articulo/sintrasexco-sindicato-de-trabajadoras-sexuales/69521> (accessed on 1 March 2018).

society organisations into unions, as was the case in both Nicaragua and Colombia, but this process is not necessarily straightforward, requiring willingness from unions as well as a strong and broadly focused movement.

Context of Violence

There is a wide consensus amongst both academics and activists that sex workers face multiple forms of violence.²⁸ The significance of this is reflected in the establishment of the International Day to End Violence Against Sex Workers (17 December), now a focal point in the calendar for sex worker organising. It is clear that the violence that sex workers face is mediated by a number of factors, not least the legal framework in which their work takes place and the attendant relations with the police and judicial system.²⁹ Teela Sanders has also pointed to the environment in which sex work occurs and also social attitudes and stigma as key factors which shape the dynamics that lead to the perpetuation of violence against sex workers.³⁰

The dynamics that create the conditions for violence therefore have an intimate link with sex worker organising, both creating the focal points of campaigns (for example against stigma and for decriminalisation and justice), but also in determining the terrain in which sex worker activists are able to act. Yet most research has focused on the interpersonal violence faced by sex workers, either in their spaces of work or in their personal lives. This has tended to lead mainly to a focus on clients, but also on “passers-by, other women, vigilantes, and street criminals, as well as boyfriends and those who

- 28 C. Gabrielle Salfati/Alison R. James/Lynn Ferguson: Prostitute Homicides: A Descriptive Study, in: *Journal of Interpersonal Violence* 23:4 (2008), pp. 505–543; Leonard Cler-Cunningham/Christine Christenson: Violence to Stop It, in: *Research for Sex Work* 4 (2001), pp. 25–26; Barbara G. Brents/Kathryn Hausbeck: Violence and Legalized Brothel Prostitution in Nevada: Examining Safety, Risk and Prostitution Policy, in: *Journal of Interpersonal Violence* 20:3 (2005), pp. 270–295; Stephanie Church et al.: Violence by Clients Towards Female Prostitutes in Different Work Settings: Questionnaire Survey, in: *British Medical Journal* 322 (2001), pp. 524–525.
- 29 Anna-Louise Crago: Bitches Killing the Nation: Analyzing the Violent State-Sponsored Repression of Sex Workers in Zambia, 2004–2008, in: *Signs* 39:2 (2014), pp. 365–381; Pamela J. Downe: Laughing When it Hurts: Humor and Violence In the Lives of Costa Rican Prostitutes, pp. 63–78.
- 30 Teela Sanders: Inevitably Violent? Dynamics of Space, Governance and Stigma in Understanding Violence Against Sex Workers Studies, in: Sarat Austin (ed.): *Special Issue: Problematizing Prostitution: Critical Research and Scholarship*, *Studies in Law, Politics and Society* 71 (2016), pp. 93–114.

may control their activities,”³¹ as well as from the police.³² This framework is useful in understanding the dynamics of violence, but rarely have these analyses taken into account the wider political economy of violence in which sex worker organisations are acting.

The World Rule of Law Index measures “how people experience rule of law in everyday life” and examines constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice, and criminal justice.³³ Three factors which most obviously shape both the violence that occurs and the likelihood of redress have been selected for comparison in order to generate an understanding of the contexts of violence in which *La Sala*, AMMAR, *Sintrasexco* and *Girasoles* are acting.

Table 1: World Rule of Law Index data

Country	World rank (out of 133)	Overall regional rank (out of 30)	Order and Security	Absence of corruption	Criminal justice
Costa Rica	24	2	12	4	8
Argentina	46	12	23	14	14
Colombia	72	19	29	22	20
Nicaragua	99	27	11	23	21

Data source: World Justice Project Rule of Law Index, 2018 (accessible at <http://data.worldjusticeproject.org/>), data reproduced by permission.

As is clear in Table 1, the case study countries are fairly evenly spread across rankings for the Rule of Law across the world and also within the region. Costa Rica scores best for all indicators, with Nicaragua performing the most poorly. It should be noted that Colombia in fact scores worst for both ‘Order and Security’ and ‘Criminal Justice’. Understanding these contexts is key for developing a fuller analysis of social and political terrain and therefore the horizon of possibility for sex worker collective action.

Though a tentative peace was reached in Colombia in 2016, the country has been mired in significant levels of violence since the 1940s. Relatively low intensity but constant conflict between the government, leftist guerrillas, and right wing paramilitaries began in the 1960s, often intertwined with Cold War dynamics that included U.S. support for fighting against ‘communists.’ As mentioned above, trade unionists have been especially

31 Ibid.

32 Ibid.

33 World Justice Project (WJP) Rule of Law Index: World Justice Project, 2016, at: <http://data.worldjusticeproject.org/> (accessed on 1 March 2018)

targeted by paramilitaries, often supported by the state military. The presence of major drug growers and trafficking networks has added an additional layer of crime and violence. Sex workers were impacted by the constant political violence in Colombia in a variety of ways, and recently a member of the paramilitary was sentenced to 40 years in prison for massacring four sex workers in central Cartagena.³⁴

The monopoly on state violence in Argentina was somewhat hegemonic until the recent development of greater power amongst drug traffickers over the last few years.³⁵ AMMAR state that “our only enemy is the police, they are the only ones that cannot be convinced”.³⁶ Sex workers themselves experience police violence both passively and directly. Apathy in relation to the lives of sex workers led to the deaths of thirty-two sex workers who were murdered with impunity over three years in the city of Mar del Plata.³⁷ More directly, sex worker activists themselves have, at times, faced intense violence and repression from the police. Even after the transition to democracy in Argentina, testifying against police continues to be extremely dangerous. This is reflected most poignantly, by the murder of Sandra Cabrera, the Branch Secretary of AMMAR-Santa Fé who was murdered in 2004 following complaints she made against police involvement in trafficking and the prostitution of minors, and also in another case in which the brother of another AMMAR *compañera* was killed in a car chase after testifying in a police brutality case in La Plata.

Nicaragua has a long history of political violence, including several periods of intervention by U.S. troops, a long and bloody dictatorship, a socialist revolution, and counterinsurgency warfare. Decades of conflict have left the country struggling with significant levels of daily violence, corruption, and insecurity. In this context, the training of sex workers as judicial mediators was especially significant, as it has allowed the resolution of many cases of community conflict without having to attempt to navigate the already overburdened legal system. Judicial mediators, initially trained by the Organization of American States, began their work in the northern region of Jinotega, an area that saw high levels of violence during the Sandinista revolution and counterinsurgency of the 1980s and early 1990s. While sex workers in Nicaragua have faced varying levels of violence on an individual level, their recognition as workers, including through an agreement of

34 cerosetenta: Court asks the government to protect the rights of sex worker, 2017, at: <https://cerosetenta.uniandes.edu.co/tribunal-superior-de-bogota-pide-al-gobierno-proteger-los-derechos-de-trabajadoras-sexuales/> (accessed on 1 March 2018).

35 Marguerite Cawley: Hitmen in Argentina reflect the increase in drug related violence, 2014, at: <http://es.insightcrime.org/noticias-del-dia/sicarios-en-argentina-son-senal-de-la-creciente-violencia-relacionada-con-las-drogas> (accessed on 1 March 2018).

36 Elena Reynaga, author interview, 2008.

37 Kate Hardy: Incorporating Sex Workers into the Argentine Labor Movement, pp. 89–108.

cooperation and assistance signed with the government's Human Rights Ombudsman's Office in 2009, has gained them visibility and respect, as well as offering avenues for confronting violence when it emerges.³⁸

Costa Rica has the lowest levels of political violence of the four countries under discussion; indeed, it is arguably the least violent country in Latin America. After a very bloody but also very short civil war in 1948, the ruling *Partido de Liberación Nacional* expanded the country's welfare state, institutionalising the state's obligation to support production and ensure an even distribution of wealth (referred to as the social guarantees). Even through the period of structural adjustment and austerity of the 1980s that negatively impacted so much of the region, Costa Rica maintained a close relationship with the U.S. and agreed to stay 'neutral' during the civil wars that rocked Central America, in exchange for significant amounts of development aid. While relatively more peaceful than other countries in the region, violence against sex workers on the part of the police has been a regular occurrence, first through sanitary raids meant to quell the spread of venereal disease, and then through migration raids aimed at migrant sex workers.³⁹ Police harassment against sex workers has taken place for many decades, and while relationships have improved somewhat there is still widespread distrust of police amongst sex workers. In recent years, the growing presence of drug trafficking and a general increase in income inequality has led to a significant growth in levels of violence in the country.

Although research is still preliminary, the Economic Commission of Latin America and the Caribbean (ECLAC) estimates that 40 per cent of women in the region have been victims of some kind of violence. According to demographic and health surveys, 44 per cent of Colombian women have experienced intimate partner violence, and the country has the second highest rates of femicide in Latin America.⁴⁰ Though the countries of the region all signed the 1994 Convention of Belém that required them to pass laws to prevent violence against women, and all ratified the 1979 UN Convention on the Elimination of Discrimination Against Women, few of these plans or laws seem to be having a practical impact. A study by the World Health Organization found that seven out of the ten countries with the highest rates of female murder are in Latin America.⁴¹ Hundreds of thousands of women in Argentina, Colombia, Nicaragua, Costa Rica, and

38 Jeff Custer: Nicaragua Trains Sex Workers as Judicial Facilitators, 2015, at: <https://www.voanews.com/a/nicaragua-trains-sex-workers-as-judicial-facilitators/2806078.html> (accessed on 1 March 2018).

39 Megan Rivers-Moore: Gringo Gulch: Sex, Tourism, and Social Mobility in Costa Rica.

40 Nadine Gasman and Gabriela Alvarez: Gender: Violence Against Women, in *Americas Quarterly* at: <http://www.americasquarterly.org/node/1930> (accessed on 20 March 2018).

41 World Health Organization: Global and regional estimates of violence against women, Geneva, 2013.

across Latin America participated in a march against violence against women in 2016, marching under the slogans ‘ni una más’ (not one more) and ‘vivas nos queremos’ (we want us alive).⁴²

As Marina Sitrin has argued, violent repression cannot be understood as “small isolated events or just anecdotal ... They are tests to see how deeply they can sink in the knife, in order to take one person, or the whole movement down.”⁴³ As such, their incidence must be accounted for in analysing the potentiality and reality of collective organising for workers in the sex industry. Interestingly, those countries which appear to be more politically unstable and with less rule of law (Colombia and Nicaragua) are the places where sex workers have actually been successful in the establishment of formal trade unions. This raises questions as to why this may be the case. For example, do higher levels of political and extrajudicial violence increase the urgency for organising as a trade union in order to generate some form of institutional protection? Is this simply a correlation, with no relationship to causation, which can be better explained through labour movements and the legal frameworks which shape them? These are all questions requiring further empirical enquiry which can be enabled by the mobilisation of the comparative framework developed here.

In sum, while violence has been a key theme in debates around sex work, rarely have analyses related wider contexts of violence to the political possibilities for sex worker organising, focusing instead on the micro-politics of violence within the sex work encounter (either with police, clients, or individuals posing as clients). Alternately, violence in relation to sex work has been a framing mechanism to understand sex work as a form of violence towards women in and of itself. Widening the aperture to include political and generalised social violence provides us with the necessary perspective for deepening our understandings of the triangular relationship between violence, sex work, and the conditions in which workers labour and struggle.

Conclusion

Collective action by sex workers in Latin America has emboldened the movement and created one of the strongest regional networks in the world, as well as buttressing national scale organisations. Clearly, the coherence and cross-fertilisation of the movements has

42 Rachel Obordo: ‘We live in constant fear’: Argentina’s Women on Marching Against Violence, in: *The Guardian*, 21 October 2016, at: <https://www.theguardian.com/world/2016/oct/21/we-live-in-constant-fear-argentinas-women-on-marching-against-violence> (accessed on 20 March 2018).

43 Marina Sitrin: *Horizontalism: Voices of Popular Power in Argentina*, Oakland 2006.

been central to developing the regional network. Questions remain, however, as to the extent to which regional scale organising impacts on national strategies and the degree to which these are appropriate and transferable across contexts.

Analyses of sex worker movements to date have tended to understand them in isolation, rather than in relation to each other, and we remain with underdeveloped frameworks for comparative analyses. Such frameworks must be drawn from the specific conditions and context under study, as different regions and scales will encounter varied challenges, as well as political possibilities and horizons. In developing the conceptual framework above, we have laid down some of the building blocks for developing our comparative-relational understandings of sex worker political activity in Latin America.

We have also argued for the value of regional scale analyses of sex worker movements. *Redtrasex*, as a regional organisation, has been central to developments of national scale organisations. Conversely, pre-existing national level organisation led to the establishment of the network. As such, these multi-directional scalar influences can begin to explain the relative strength of the movement in Latin America. Even using this framework, what remains largely unclear is the nature of the interaction of these factors. This preliminary discussion also raises important questions that will require further research, namely why formal unions have been able to form in some specific contexts and not others and specifically in those experiencing high levels of political, gendered, and extrajudicial violence. Additional research is also necessary for us to understand what unionisation specifically enables, and whether *de facto* or *de jure* union status makes any difference to sex workers being able to organise and achieve better rights and access to justice and resources as *workers*.

Further knowledge is also needed to understand how sex workers are attempting to organise in response to new realities in Latin America, which include the development of new policies and laws that increasingly conflate sex work and trafficking, and dominant popular culture representations that frequently portray sex workers as victims. The international trend toward criminalising clients is manifesting in conversations in some national contexts, suggesting that this is another area that may require attention in the coming years. These threaten gains and progress made by sex workers, such as securing recognition as workers and access to health services, that have the potential to impact their well-being and autonomy. Despite the violence and obstacles they face, Latin American sex workers are becoming an important force in the global movement for rights, respect, and recognition. Generating understandings of sex workers' capacity for autonomous self-organisation to advocate for human and labour rights and centring on the lived experiences of Latin American sex workers, is fundamental for the possibilities for, and ability to understand, women's emancipatory actions in practice.

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