

Violations faced by Sex Workers in India

Joint Stakeholders Submission to the Universal Periodic Review Process for India

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SUBMISSION COMPILED BY

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All endorsements mentioned in Annexure 2

The submission is made by a coalition of partners working at the grassroots on sex worker rights, women's rights, dalit rights, HIV/AIDS prevention and LGBTI rights. It also comprises collectives of people in sex work and LGBT people. The coalition of 18 partners is working in seven states of India (Andhra Pradesh, Gujarat, Jharkhand, Karnataka, Kerala, Maharashtra, and Tamil Nadu) with over 25000 people in sex work.



Background

1. People in sex work face discrimination and violence owing to their criminalised status and the continued conflation of sex work with trafficking. According to official estimates, there are over 12,00,000 sex workers in India, though the actual figures are well over that¹. Organisations of sex workers, United Nations agencies and Commissions have articulated sex work as a contractual arrangement where sexual services are negotiated between consenting adults.²

Special Rapporteur on Violence Against Women (SR-VAW) on Conflation of Sex Work and Trafficking

2. In 2014, the SR-VAW following a visit to India observed, *“Sex workers in India are exposed to a range of abuse including physical attacks and harassment by clients, family members, the community and state authorities; they are forcibly detained and rehabilitated and consistently lack legal protection; and they face challenges in gaining access to essential health services, including for treatment of HIV/AIDS and sexually transmitted diseases.”*³
3. The Rapporteur also called for a review of anti-trafficking legislations: *“The Special Rapporteur recommends that the Government review the Immoral Traffic (Prevention) Act, 1956 that de facto criminalizes sex work and ensure that measures to address trafficking in persons do not overshadow the need for effective measures to protect the human rights of sex workers.”*

National and International Recognition for Sex Work and Rights of Sex Workers

4. UN Resolutions, international agencies and Commissions have stressed on a rights-based response to sex work and the need to protect rights not just by **decriminalising sex work, but by eliminating the unjust application of non-criminal laws and regulations** against sex workers.
 - a) The resolution of the UN Economic and Social Commission for Asia Pacific calls on member states to address legal barriers⁴ to HIV responses including reviews⁵ of national laws, policies with a view to eliminating discrimination against vulnerable populations.
 - b) The Independent Commission on AIDS in Asia;⁶ UN Special Rapporteur on Right to Health;⁷ Global Commission on HIV and the Law;⁸ and UNDP Asia Pacific⁹ have recommended the decriminalisation of sex work involving consenting adults.
 - c) National Human Rights institutions have been called upon to hold governments accountable for the protection of sex workers from discrimination, harassment, abuse and violence perpetrated by police or other government officers.¹⁰

- d) UN organisations, international agencies and Commissions call for recognition of trafficking in persons for sexual exploitation and sex work as two different concepts to be understood and legislated upon accordingly.^{11 12 13}
 - e) The International Labour Organisation (ILO) and the UNDP have emphasised the need for sex workers to have access to legally enforceable rights to occupational health and safety and also the right to participate in the process of developing workplace health and safety standards.^{14 15}
5. Sex work organisations have also called for a review of laws that criminalise third parties who support sex workers to work within a safe environment.¹⁶ Sex workers have been recognised as an invaluable resource in the law and policy reform process with a view to developing non-judgmental and rights-based laws, policies and programmes.¹⁷
 6. Elaborating the scope of Article 6 of CEDAW, General Recommendation 19 calls on States to recognise that sex workers' unlawful status makes them vulnerable to violence and hence they need equal protection of laws against rape and other forms of violence.¹⁸ States were asked to report on the measures to protect women in sex work from violence and the effectiveness of these measures.¹⁹ The CEDAW Committee has recommended the need for measures to prevent "discrimination against sex workers and ensure that legislation on their right to safe working conditions is guaranteed".²⁰
 7. The Supreme Court of India has observed that sex workers are entitled to the right to life and must be accorded the protection guaranteed to every citizen. It instructed the State to provide recommendations on the **“rehabilitation of sex workers who wish to leave sex work of their own volition and to provide conducive conditions for sex workers who wish to continue working as sex workers”** in accordance with Article 21 of the Constitution.²¹ In 2015, a Supreme Court panel recommended that several provisions of Immoral Traffic Prevention Act, (ITPA) be read down in the context of consenting adult sex workers and their families.²² The panel also recommended that court orders closing brothels and evicting “offenders” could be appealed against in higher courts.

The legal framework

8. Sex work in India is conflated with trafficking for sexual exploitation. The principal legislation dealing with trafficking is the Immoral Traffic Prevention Act, (ITPA) supported by Section 370 – 373 of the Indian Penal Code (IPC). However it is this very framework of ITPA and the Indian Penal Code that criminalises practices around sex work. Sex workers are directly impacted by laws relating to soliciting and doing sex work in public places which are offences under ITPA. Public places include educational institutions, places of religious worship, hostels, hospitals and any notified area. The term public place is read so broadly that inevitably, sex workers get arrested and detained in rehabilitation homes under these provisions. Sex workers can be evicted from such premises and the premises can be sealed.
9. ITPA also provides a framework for police and Non -Governmental Organisations (NGOs) to conduct raid and rescue operations. Magistrates are authorised to close brothels and expel

persons from premises where sex work is being carried out, including their residence.²³ Police can remove any person found on the premises where sex work is carried out, irrespective of their age and consent.²⁴ In addition clients of sex workers are also criminalised under IPC²⁵.

Impact of conflation with trafficking, of criminalising sex work

Violence

10. Violence against sex workers in India is linked to the perception that they are criminals and not citizens. This has led to systemic and systematic violations of human rights of sex workers, such as the right to life, dignity, equality, equal protection and due processes under the law. Several factors put sex workers at risk of violence. Stigma attached to sex work exposes them to violence in personal spaces from family members as well as from intimate partners. Violence is used as a mechanism of asserting sexual control; it is normalised as punishment for having sex with other men.^{26 27}

11. There is little appreciation amongst police of the contexts and factors affecting sex workers lives,²⁸ hence they ignore complaints related to family and partner violence; instead offering advice to women about stopping sex work and settling domestic matters 'amicably'.^{29 30} Sexual assault of sex workers is also high with little social or legal recognition. Myths surrounding the violence of rape against sex workers ensure that they are constantly on the fringes of access and redress to justice.

EXPERIENCE OF POLICE VIOLENCE		
Pan India Survey of 3000 sex workers		
Abusive Language	1431	50%
Beaten, Hair pulled, Beaten with belts	1011	35%
Threatened	1052	37%
Forced to bribe	569	20%

12. The law enforcement system is regarded by sex workers as the most repressive state agency. Police abuse sex workers, illegally detain,³¹ sexually assault and torture them in custody.^{32 33}

13. Sex workers report being arrested under 'public nuisance' or 'obscene conduct' provisions of the IPC. They are produced in court and released on the payment of fines. Most sex workers choose not to contest their arrest under these provisions since they find it easier to pay fines and be released.³⁴

14. People in positions of authority routinely demand sexual favours³⁵ from sex workers for speedy redress of grievances or accessing entitlements.³⁶ They regularly verbally abuse sex workers using specific sexual innuendo and language.

Raid, Rescue and Rehabilitation: Violation of Human Rights of Sex Workers

15. Perhaps the most widespread human rights abuse emerges from the rescue and rehabilitation interventions. These interventions involve brothel raids by special police officers and NGO workers, where women are "rescued" and placed in rehabilitation facilities. Police raids, frequent in red light areas and under the pretext of rescuing minors, do not distinguish between minors and consenting adults. In 2012, an operation was carried out over three or

four days in a red light area called Simplex building in Mumbai and over 200 women were “rescued” and sent to “correction homes”.³⁷

Police excesses during raids

16. Narratives of raid and rescue operations indicate the highly abusive and violent nature of these operations. Arbitrary police action during raids, with scant respect to rights of sex workers and those residing in the buildings deemed to be brothels is common. Recent research by SANGRAM found that non-sex workers who happened to be visiting their relatives in the buildings that were raided were also bundled into vans in state of undress.³⁸ Besides using torture such as putting chilli powder in the genitals³⁹, the police routinely humiliate and frighten the women picked up through verbal abuse and threat of violence by brandishing batons.⁴⁰ In one instance, in complete violation of the rights of detainees, police reportedly made women clean up the police station.⁴¹ The systematic humiliation continued right up until the court appearances, where even before any legal process begins, the women detained are treated as criminals with no right to redress. They were also forced to “accept their guilt”⁴², even if the cases are fake⁴³. The police, who routinely take women picked up for medical tests to determine whether or not they are minors, set the example for discriminatory treatment at medical facilities.⁴⁴
17. Research evidence shows that the consent of the adult women in sex work who are “rescued” is immaterial, and they were remanded to correction homes despite testifying that they were in sex work willingly.⁴⁵ These adult women were released into the care of parents or family members on the condition that they would give up sex work. Often the judgments handing over “custody” of the adult sex worker to the parent or family member are based on moral judgments.
18. The SR-VAW has reported that rehabilitation of sex workers in India is an issue for concern⁴⁶. The Supreme Court of India has observed that rehabilitation training assistance for sex workers should not be made contingent on forcible stay in corrective homes, nor can sex workers be involuntarily incarcerated in corrective homes “which they consider a virtual prison”.⁴⁷ Despite these observations, forced rehabilitation continues to be the norm.

Incarceration Rather than ‘Rehabilitation’

19. Women who had been picked up and incarcerated in the so-called ‘rehabilitation home’ (*Sudhar Griha*) described inhuman conditions, sub-standard food and an extreme state of confinement, prohibited from meeting their families, and not even being allowed to stand near the window and being beaten up for doing so.⁴⁸ In some instances in Kerala, sex workers were incarcerated in mental hospitals in extremely unsanitary and miserable conditions.⁴⁹

Eviction, repatriation

20. Sex workers were often evicted from the premises and were unable to return to their residences.⁵⁰ In the case of the ***Dombarwada raid*** in Kolhapur Maharashtra in 2013, over 200-250 women were residing in the 30-40 houses, and many had been resident for the past 30 years. Ever since the raid, the place was locked up and the sex workers were being prevented

from entering their own houses. The women have requested the district authorities to provide them with alternative residences, but the authorities have ignored them. Most recently, in June 2016, police raided a brothel area in Satara, Maharashtra, and arrested six women in sex work on charges of “prostitution in a public place”. These adult women were sent to remand homes and those who were able to produce identification documents were “released to the custody of their families”.⁵¹

- 21. Despite irrefutable evidence emerging from government, non-government research and voices of numerous affected sex workers, the State has failed in its obligations to respect, protect and promote the rights of sex workers who are arbitrarily arrested and evicted. State inaction to assess and amend punitive laws that impact sex workers and their families has led to sex workers living in a criminal and stigmatised environment. By giving unviable and unworkable rehabilitation schemes as the only option to sex workers, the State has failed in its duty to protect the rights of sex workers.**

Discrimination and Violence in Medical Facilities

22. Sex workers experience debilitating stigma and discrimination that erodes their ability to protect their health and well-being. They prefer not to reveal their occupation when seeking care at government or private hospitals due to their experience of being stigmatised and discriminated against. Female sex workers are humiliated and criticised, made to wait for inordinately long periods of time, not examined properly, forced to undergo HIV tests, overcharged for services at private hospitals, denied medical services⁵² delivery care; and their confidentiality violated. Sex workers also reported being discriminated and subjected to sexual demands by doctors before they were provided with medical treatment.⁵³ The vulnerable position of sex workers is further exacerbated in medical facilities.
23. Condoms found on the premises of brothels are being used as evidence of prostitution against sex workers.⁵⁴

Media: Violation of Right to Privacy

24. After raids on brothels in Sangli, Maharashtra in 2005-06, the newspaper and television carried the photographs of the women detained, in clear violation of the law as well as the right to confidentiality. Since even women who were not minors or were simply living in the same abode as sex workers were picked up, it also impacted the daily lives of women and their prospects for marriage in a conservative society.⁵⁵ More disturbing was the fact that the police and the media seemed to be in collusion in order to humiliate the women and sensationalise the story of the raid.⁵⁶ Research revealed that the police also threatened sex workers with media publicity in newspapers and television channels in order to coerce them into having sex.⁵⁷ Street walkers in Ranchi complained that media exposure, especially in publishing photographs rendered them more vulnerable and put them at greater risk.⁵⁸ Sex workers also implicated the media in biased reporting, using only court versions or police hand-outs without interviewing them or listening to their stories.⁵⁹

Targeting Clients of Sex Workers

25. The police routinely conduct raids and arrest and charge customers. In several legal cases⁶⁰ analysed, the High Courts quashed charges against customers. However, the reluctance of judges to quash charges against customers is at times reflected in observations like: “In my considered view, it is unwise to say that a customer who lurks in day and night in search of hidden avenues to quench his sexual lust is a hapless victim of a crime to place him out of the reach of the tentacles of the law which is intended to eradicate the pernicious practice of immoral trafficking of women. Such an unwarranted sympathy on a criminal will not help achieve desired results though aimed at high”.⁶¹
26. However a recent 2015 order of the Telangana and Andhra Pradesh High Court marks a turning point in judicial effort to penalise customers. After quashing the charge under Section 4 of the ITPA, the High Court directed that the Magistrate proceed against the customer under Section 370 A of the Indian Penal Code (IPC) which penalises “exploitation” of a trafficked person.⁶² Senior police officers have given directives to police stations in Mumbai to arrest customers under the pretext “that they are exploiting trafficked victims”⁶³. The rationale provided is that if the “nuisance of customers is curbed”, it will help control human trafficking.

Conflation of Trafficking and Migration, Denial of Labour Rights

27. There is an urgent need to distinguish between “trafficking”, “sex work” and “migration”. Though many sex workers have been deceived or lured by payments into sex work and might be said to be “trafficked”, there is a large number who have entered sex work without coercion or deceit, in search of a better life and livelihood. When trafficking is confused with women’s voluntary migration (for the purpose of employment, residence, or escape from persecution by State or non-State actors) protectionist measures result in curbing female migration within and outside the borders of the country.⁶⁴ This limits women’s access and opportunity to travel in search of a better life. The problems are multiplied for women in sex work. Lack of support from family and unsafe workplaces renders an older sex worker destitute and disenfranchised.

Denial of Safe Environment and Labour Protection

28. Sex work happens in informal settings and can be an occasional form of income or a long term occupation. A safe working environment through standard labour protection measures continue to be denied to sex workers⁶⁵. This includes access to benefits, legal redress for workplace grievances, adequate health and safety regulations. Detention of sex workers in rehabilitation centres without access to legal counsel or right to appeal are human rights infringements that need protection under adequate labour clauses.

Challenge of Documentation

29. Stigma related to their work and identity and the migratory nature of work prevents sex workers from procuring identity documents essential to accessing entitlements. For instance in 2009 it was estimated that only 20 percent of over 5000 sex workers in Delhi had a voter’s ID card.⁶⁶ Sex workers from the National Network of Sex Workers also shared that residence proof, father’s name and caste, and the ration card were some documents required for getting their children registered in schools.⁶⁷ Sex workers applying for housing schemes narrated that they were asked for proof of residence and ration cards. The Public Distribution System (PDS), meant for people below the poverty line to access food items cheaply, needs supporting proof of sex workers being below poverty line.

30. The SR-VAW has observed that lack of identification cards or status of unregistered citizens contributes to the normalisation of violence against women⁶⁸.
31. While the Supreme Court's recommendation to the Central and State government to relax verification criteria for obtaining identity cards and ration cards for sex workers needs to be implemented, it is critical to engage with the barriers posed by the stigmatised identity of sex workers. Landlords refuse to issue rent receipts or rental agreements.⁶⁹The State needs to ensure that these documents are provided to the applicants in a time-bound manner and the reasons for refusing the documents be clearly provided in written to the applicants.

Recommendations

32. Stop conflation of sex work and trafficking in law and policy

- a. Implement the recommendations of the Special Rapporteur on Violence Against Women. Ensure that anti-trafficking laws are not used to abuse the human rights of people in sex work.
- b. Trafficking of Adult Persons and Trafficking of Children should be dealt with under two separate laws to ensure that consenting adults are not infantilised and children are given justice.
- c. Strengthen efforts of community-based organisations and collectives of sex workers to fight trafficking in their communities.

33. Fully decriminalise sex work and related activities

- a. Repeal laws that prohibit consenting adults in sex work, such as laws against "immoral" earnings, "living off the earnings" of prostitution and brothel-keeping.
- b. Complementary legal measures must be taken to ensure safe working conditions for sex workers.
- c. Ensure that existing civil and administrative offences such as "loitering without purpose", "public nuisance", and "public morality" are not used to penalise sex workers and administrative laws such as "move on" powers are not used to harass sex workers.
- d. Shut down compulsory detention or rehabilitation centres for people in sex work.
- e. Provide sex workers with evidence-based, voluntary, community empowerment services.

34. Develop mechanisms to recognise and act against violence faced by sex workers, strengthen accountability of law enforcement

- a) Guard against arbitrary arrest and detention of sex workers, and investigate complaints of harassment, extortion and abuse by law enforcement personnel.
- b) Maintain confidentiality and respect privacy of sex workers approaching law enforcement agencies and judiciary for redress in cases of sexual assault, exploitation and violence.
- c) Sensitivity to issues faced by sex workers should be made a part of training for police personnel, public prosecutors and the judiciary in partnership with community organisations of sex workers.

35. Strengthen sex workers' access to justice

- a) Strengthen National Human Rights Instruments (NHRI's) and increase their accountability to respond to complaints or initiate *suo moto* action reports of violence and rights violations by state and non-state actors against sex workers.
- b) Ensure free legal aid services are available in rural areas for sex workers and offered by lawyers who have been trained in issues faced by sex workers.
- c) Prohibit mandatory HIV and STI testing of sex workers following arrest.
- d) Ensure implementation of the Supreme Court recommendations to issue identity documents and ration cards to sex workers at the national, state, district and sub-district levels.

36. Ensure participation in policy making

- a) Ensure the empowerment, active participation and leadership of sex work networks, federations and collectives in designing policies and processes for accessing social entitlements.
- b) Ensure participation of sex work organisations in drafting/ amending relevant laws, policies and programmes and in their implementation.

¹ Annual Report, 2009-10, National AIDS Control Organisation, Ministry of Health and Family Welfare, Government of India.

² UNAIDS (2002) Technical Update Sex Work and HIV/AIDS, p.3. UNAIDS (2009) Guidance note on HIV and sex work, p. 15.

³ Para 20, Page 6, Report of the Special Rapporteur on Violence Against Women its causes and consequences, Rasheeda Manjoo, Human Rights Council, Twenty sixth session, A/HRC/26/38/Add. 1

⁴ UN Economic and Social Commission for Asia Pacific (ESCAP) Resolution 66-10, *Regional call for action to achieve universal access to HIV prevention, treatment, care and support in Asia and the Pacific*, 2010 (29 September 2011), available from http://www.unescapsdd.org/files/documents/HIV_IGM1_INF4.pdf

⁵ UN ESCAP Resolution 67-9, Asia pacific regional review of progress in achieving declaration of commitment on HIV and political declaration on HIV/AIDS, 2011

⁶ Commission on AIDS in Asia (2008), *Redefining AIDS in Asia, Crafting an effective response*, New Delhi: Oxford University Press.

⁷ Human Rights Council, *Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, A/HRC/14/20*, 27 April 2010

⁸ Global Commission on HIV and law (2012), *op. cit.*, p 43

⁹ UNDP (2012), *Sex Work and the Law in Asia and the Pacific, HIV and human rights in the context of sex work*. p 34-39

¹⁰ *ibid.* p 39

¹¹ Global Commission on HIV and the law (2012), *op.cit.*, p43

¹² UNDP (2012), *op. cit*, p 24

¹³ Human Rights Council (2010), *op. cit.*, p 15

¹⁴ ILO Recommendation concerning HIV and AIDS and the World of Work, 2010 (No. 200), Geneva: ILO.

¹⁵ UNDP (2012), *op cit.*, p 35

¹⁶ Global network of sex work projects (2013), *Third parties briefing paper*. http://www.nswp.org/sites/nswp.org/files/thirdparties3_0_0.pdf. Viewed on December 2013

¹⁷WHO, UNFPA, UNAIDS, Global Network of sex Work Projects, The World Bank. Implementing comprehensive HIV/STI programmes with sex workers: practical approaches from collaborative interventions. Geneva, World Health Organisation, 2013. P 8

¹⁸UN Committee on the Elimination of Discrimination Against Women (CEDAW), *CEDAW General Recommendations Nos. 19, Article 6. Adopted at the Eleventh Session, 1992*, available at: <http://www.refworld.org/docid/453882a422.html> [accessed 14 December 2013]

¹⁹ibid. Specific recommendations 24 (h)

²⁰UN Committee on the Elimination of Discrimination against Women, *Concluding Observations on the combined seventh and eight periodic reports: Hungary*, 26 March 2013, CEDAW/C/HUN/CO/7-8

²¹Budhadev Karmaskar v. State of West Bengal (2011) 11 SCC 538

²² The Supreme Court panel was constituted by the Supreme Court of India to provide recommendations on how sex workers could be supported to live a life of dignity in consonance with the provisions of Article 21 of the Constitution of India. In its 15th interim report submitted to the Supreme Court in 2015, the panel made extensive recommendations to read down the provisions of the Immoral Traffic Prevention Act. In its report it stated that some provisions of the Act were in conflict with the object of creating conditions conducive for the sex workers to live with dignity in accordance with the provisions of Article 21 of the Constitution. The suggestions include amending the section on prostitution in public places being deemed an offence, deleting soliciting as an offence, reducing the maximum period of detention for the offence of prostitution in public places, limiting the raid and rescue provision to children in prostitution and those found to be in brothels against their will. The panel also recommended that court orders closing brothels and evicting “offenders” should be made appealable. The panel recommended that the ITPA provision allowing magistrates to remove prostitutes from any place should be deleted.

²³ Section 18, 20 of the Immoral Traffic Prevention Act.

²⁴ Section 13, 15 of the Immoral Traffic Prevention Act.

²⁵ Section 370 A (2) of the Indian Penal Code states: “Whoever, knowingly by or having to reason to believe that a person has been trafficked, engages such person for sexual exploitation in any manner, shall be punished with rigorous imprisonment for a term which shall not be less than three years, but which may extend to five years, and shall also be liable to fine.”

²⁶Case study of Prema, Kanyakumari, Tamil Nadu, 2012, No. VRC#1 in Annexure 1

²⁷Case study of Sunitha, Uttara Kannada, Karnataka, VRC#4 in Annexure 1

²⁸Case Study of Rathna, Mysore, Karnataka, 2012 VRC#2 in Annexure 1

²⁹Case study of Suchitra, Gadag, Karnataka, 2013 VRC#6 in Annexure 1

³⁰Case study of Anjuman (name changed), Gadag, Karnataka, 2012 PHF#1 in Annexure

³¹Case study of Sumathi (name changed), Uttara Kannada, Karnataka, 2013, No. PHF#3 in Annexure 1

³²Case study of Anu Mokal (2010), op.cit.

³³ Case studies of Uma, Leela, Jareen, Lakshmi, Shimoga, Karnataka, 2012. PV#3 in Annexure 1

³⁴Case studies of Manisha Salunkhe, 2011; Rekha Bidkar 2012; Shanta Jadhav, 2010; Sunitha 2010 op.cit.

³⁵Case study of Kalpana, Tirupathi, Andhra Pradesh, 2013.No. PHF#2 in Annexure 1

³⁶Pan India Survey of Sex Workers, 2011, Sahani, R and Kalyan Shankar, available at

http://www.sangram.org/resources/Pan_India_Survey_of_Sex_workers.pdf.

³⁷Case study, Simplex building raid, Mumbai, Maharashtra 2012. No. RRC#5 in Annexure 1

³⁸ Testimony of Tangeya, Sangli, February 18, 2016: I didn’t even have footwear on my feet, I was unwashed, they forced me into a van. There was total chaos, women were trying to run – they pulled the women by the hair, pulled their saris – some women were disrobed, some women were still in their [night] gown. The women who were with customers were dragged out as they were – it was one of the most humiliating experiences.

³⁹ Testimony of Valsala, FGD, Thrissur, January 19, 2016: Police caught us and took us to the police station and they tortured us; they put chilli powder in our eyes and on our private parts. They sexually harassed women and then they produced the women to the court. Police booked women under fake cases.

⁴⁰ Testimony of Rekha, Sangli, June 22, 2016: "In the police station, the police tried to frighten us with a big lathi [baton]. We thought that they would beat us. We were asked to stand in a line touching the wall."

⁴¹ Testimony of Seenath, FGD, Kozhikode January 20, 2016: "Police make the women to clean the police station and sometimes they also sexually harass women.

⁴² Testimony of Nirmala, Sangli, January 13, 2016: They used to round us up and take us to the police station. We were kept overnight and then the next day we were all told that we would be presented in court. They would register our names in the police books. It was a humiliating experience to be taken to court. The police would be on either side and we would be made to walk in between all the way to the court. When we were presented in the court they would tell us we are not to open our mouths and when the judge asked us, we must accept our guilt by nodding our heads."

⁴³ Testimony of Seenath, FGD, Kozhikode, January 20, 2016: "Police also create false witnesses to build up their case while they arrest women. I was a victim of a false case filed by the police.

⁴⁴ Testimony of Anupama, Warangal, February 9, 2016: The police raided our house at 7 'clock in the morning. They took us in a van to medical college and did many tests. The people at the hospital were talking badly about us. They joked and insulted us. It was like a hell to us, very painful and humiliating. We were then taken to a 'home' in Hyderabad and put there for 23 days.

⁴⁵Case Study of Dombarwada raid, Kolhapur, Maharashtra, 2013- 2014. No. RRC#1 in Annexure 1

⁴⁶UNHRC (2014) Report of the Special Rapporteur on violence against women, its causes and consequences, Mission to India, p 7 para 24. A/HRC/26/Addl.

⁴⁷Budhadev Karmaskar v. State of West Bengal (2011). Interim order dated August 24, 2011

⁴⁸ Testimony of Bharati, Sangli, May 5, 2016: "And some of them have not returned from their villages because they were so frightened by the way police behaved with us. They beat us, used bad words, did not allow us to meet our parents for months and did not send us home. One of my friends with whom I was arrested, died as a result of all these sufferings. I came back to Sangli but she never returned, and died in her village. Sometimes we were sleeping hungry as we could not eat that uncooked and tasteless food. My health was deteriorating in the remand home. They were not allowing anybody to give us food. If we were standing near the window, then the staff would come and close the window and beat us, asking whom were we calling."

⁴⁹ Testimony of Shakeela, FGD Kozhikode, January 20, 2016: "The police arrested me and forcibly took me to a mental hospital. I was ignorant and I had not made any mistake. There were many women like me and there was a separate place for mentally ill women. I was there for few days. The food was not good, the place was not proper, there was no proper place to sleep and the toilets were bad. They were providing skill development trainings. I was not interested and finally I managed to escape from there."

⁵⁰Dombarwada raid, August 2013, op. cit.

⁵¹ Case Study RR#7 Raid on *Mulacha Odda* Brothel, Satara, Maharashtra. 23 June 2016. Annexure 1

⁵² Case Study of Valarmathi, Kanyakumari, Tamil Nadu, 2013. (No. MS#1); Bharati Kamble, Sangli, Maharashtra, 2004 (No. MS#5); Kiran Deshmukh, Sangli, Maharashtra, 2010 (No. MS#4); Usha Kamble, Sangli, Maharashtra, 2013 (No. MS#6). Annexure 1

⁵³ FGD Gumla, February 12, 2016: Firstly doctor wants to [have] sex with us and then they give treatment.

⁵⁴ In a brothel raid conducted by police in Satara, Maharashtra in June 2016, the First Information Report filed states that condoms were found in the brothel indicative of prostitution. Six women were arrested and sent to remand homes. Detailed case study no. RRC#7 in Annexure 1.

⁵⁵ Testimony of Tangeyva, Sangli, February 18, 2016: “You tell me who will marry me after my photo is carried in newspapers and television for being arrested in a raid. I was not young and I was not doing sex work at that time. Despite that I was picked up and sent to the rehabilitation home. I am a Devadasi but I was not doing sex work, I tried telling them that, but they refuse to listen to me. They picked me up.

⁵⁶ Testimony of Tangeyva, Sangli, February 18, 2016: At the police station the press and media were taking our photographs non-stop, they [also] were taking videos. We tried to cover our faces, but they were forcibly lifting the veils and taunting us saying, you had no shame there – now why are you ashamed?”

⁵⁷ Testimony of Meenakshi, FGD, Koppal, January 10, 2016: In turn, he threatened that he would publicise my photograph in TV channels and papers

⁵⁸ Focus Group discussion with female sex workers, Ranchi, February 11, 2016.

⁵⁹ Testimony of Selin, FGD, Thrissur, January 19, 2016: In court they will listen only to the police version, later outside the court, media is only interested with the news, police use the media but media will never take women’s versions. Media reports only the police version. In this way they humiliate women.

⁶⁰ S. No. 13: Shajahan vs State of Kerala; S. No. 14: Sreejith @ Ayyappan vs State of Kerala; S. No. 22: Goenka Sajjan Kumar vs The State of A.P.; S. No. 34: Karthik Hegde vs State of Karnataka; S. No. 42: Katamoni Nagaraju vs State of Telangana; S. No. 43: Mohammed Shaeed vs The State of Telangana

⁶¹ S. No. 41 - Mohammed Shaeed vs The State of Telangana

⁶² S. No. 44: S. Naveen Kumar vs State of Telangana.

⁶³ News report titled, ‘The police start arresting customers of sex workers’ *Mumbai Mirror*, Mumbai edition, July 24, 2015. “Following a recent order by Mumbai Police Commissioner Rakesh Maria to all police stations, the cops have begun booking customers visiting brothel and exploiting trafficked women under the stringent Section 370A... Elaborating on the purpose served by booking customers, Maria said, ‘Apart from booking traffickers if we can manage to curb the nuisance of customers, then we will be able to control human trafficking.’”

⁶⁴ ‘Trafficking’. WOREC, Nepal. <http://www.worecnepal.org/programs/trafficking> (downloaded on 14.04.2014)

⁶⁵ UNAIDS (2009) Guidance note on HIV and sex work. ILO Recommendation 200 on HIV and the world of work, ECOSOC, overview of good practices for multi-sectoral cooperation, 2011

⁶⁶ UNDP 2012, Sex work and the law in Asia and the Pacific, p 56

⁶⁷ Report of Meeting on CEDAW status and sex workers, National Network of Sex Workers, Bangalore, 2013

⁶⁸ UNHRC (2014) Report of the Special Rapporteur on violence against women, its causes and consequences, Mission to India, p 17. Para 70 A/HRC/26/Addl.

⁶⁹ Case study of Maliga, Tiruvanmalai, Tamil Nadu, 2013. No. SE#1 in Annexure 1

Annexure 1. Case Studies

Forced Rescue and detention of people in sex work, eviction from homes

RR#7 Raid on *Mulacha Odda* Brothel, Satara, Maharashtra. June 23, 2016

Satara is situated on the National Highway 4 between Pune and Kolhapur city. Street based sex workers often use the *Mulacha Odda* brothel area for their work. There are three houses in *Mulacha Odda* run by three women.

On June 23, 2016 around 2.30 pm, Shahupuri police station raided the brothels under the supervision of Mr. Chandrakant Bondre PSI with six female and eight male police personnel. The police blocked the brothel entry points so that they could not run away. The police arrested six sex workers and two brothel owners.

One of the women who witnessed the raid says, "On 23rd June evening, everyone was sitting after lunch. Suddenly, 15-16 police both ladies and gents came and took all of them in the van. The police said that they had sent one dummy customer to one of the houses and they had seen a girl with that dummy customer in a naked position. The police first took them to Swadhaar home, and the next day brought to the police station, made to write something and then took us to court. The court gave an order to keep the girls in Swadhaar home for 21 days. The consequences of the raid were bad. One of the sex workers arrested, S1, has two children, one is two years and is being breastfed. She had left the children with her partner.

S2 has two children studying in 10th class and the 12th standard. The girl who is in 10th class kept asking about her mother. Our peer worker Jaya has told her that her mother is admitted in hospital but how long can we manage by telling lies. We have also spoke to S2's husband. Since their names were published in the newspaper, the house owner was asking them to vacate the house. S3's children are in a hostel. Out of the six women, three women do not have any identification with them."

Pudari, a local newspaper carried the news of the raid with the names of the women published in it. S2's children who were in school were asked by her school mates about her mother's name in the newspaper and ridiculed.

The VAMP collective team went to Satara to help the women. Around 5 PM, they went to the police station to meet Sub Inspector Chandrakant Bondre but he did not meet them. The women were taken to the Satara Civil Hospital for medical tests and then they were taken to the government run Remand Home in Karad that night.

According to the FIR, the women were arrested under the section of ITPA 4, 5, 7 along with IPC 370 (1) and (2). The FIR also mentions that condoms were found on the spot of the arrest which is evidence that prostitution was being carried out. The court gave four days magistrate custody (MC). The defence lawyers engaged by VAMP argued that all the women arrested were above 18 years and to which the court asked them to submit such identification documents so that the "women can be sent back to their families".

After the raid, two of the three houses were locked and one was opened.

RRC#1 Domborwada, Kolhapur district, Maharashtra, August 2013

Sayara Jamadar – 42 years; Bilkis Inamdar – 45 years; Sharda Yadav – 45 years; Manda Chavan – 42 years; Sangita Nikam -30 years; Surekha Rajmane – 40 years

Domborwada is a place where around 25 women in sex working were living for the past 40 years. It was situated in what were earlier the outskirts of Kolhapur city, but as the city grew and the residential areas developed, slowly the community of sex workers found themselves in the middle of the city.

A group of young men living in the same area gathered there in the name of *Bandkhor Sena (a youth group)*. Six years ago a boy from the group had had a relationship with a sex worker. He threw acid on her and committed suicide thereafter. In a meeting between the *Bandkhor Sena* members and sex workers, the former blamed the women for the boy's death. They said that their children would get affected by HIV because of sex workers. They also said, "Because of your presence, our daughters are not getting married. We could not find husbands for them."

"Then onward, other people started writing letters against us to the police station saying that 'these women are keeping minor girls'. They were accusing us of being traffickers. They published news in the local newspaper against us. They met the District Collector to have protests against sex workers."

Because of the complaints and in order to show that they were taking action on these complaints, the police decided that on daily basis five or six sex workers should report to the police station. The women decided not to send young sex workers, fearing police action. Older women started repeatedly going to police station, so the police department decided to stop this attendance routine.

Members of the youth group put up a big poster regarding HIV in the community which said "If you go to sex workers, it leads you to HIV". The youth group members then started accosting clients on the road, and began taking their photographs next to the poster. "They held a protest against sex workers to evacuate us from our homes. They also asked the police to take action against us," they said.

So on August 19, 2013, at 11 am the police raided the sex workers' community. Between 50-60 police and five or six police vans entered the community and started catching women. Since it was morning time, most of the women were in their homes washing clothes, preparing food and conducting *puuja* (prayers). Police came in without any information or warning. They pulled women's hair, used abusive language and started throwing them into the van, not even given them a chance to dress.

Thirty-eight women were arrested in this raid. When women asked why this had happened, the police gave many reasons: that a minister is visiting our district; youth in your neighbourhood pressurised us to raid you; we are taking you in for some time and will release you later on.

Then police filed a complaint on the original owners of the place, saying that they gave their places for sex workers to be used as brothels. There were no minors among the arrested women. Even though all the sex workers were willingly doing sex work they were identified as *victims*.

The arrested women were forced to undergo a medical examination. Out of 38 women, 16 women were released by the court, 12 women were sent back through the police to their respective home towns in Karnataka and the remaining 10 women were kept in custody until morning. "When we went to enquire about them, we got to know that these women were sent to *Mumbai Sudhar Gruha*, a correction home in Mumbai. The other women had to give in writing that they would not remain in Kolhapur and would leave sex work. Only then were they released."

For a long time, the women followed up this case through government departments, but have not been getting satisfactory responses. Women demanded to settle down in the same place, they demanded access to their own homes, but nothing has happened. When women went to the District Collector he asked them to go to the municipal corporation and ask for a place to stay. However they have not received any response from the municipal corporator either.

The women now face challenges in earning their livelihood. They have started working on the streets, but often face police violence and abuse. The police also gave orders to lodge owners to not to give any space to the women. Many lodges deny place to the women out of fear.

RRC#5 Simplex Building Raid and forced detention, Mumbai, Maharashtra. October 2012.

Report of fact finding team on police raid

Fact Finding Team - Bishakha Dutta and Manjima Bhattacharya

The Simplex building is a long multi storied building with chawl-like accommodation on top, with small shops on the ground floor along the façade of the building. What happened that night, from the perspective of the women associated with the NGO Asha Darpan, was the following:

“On Thursday night around 8.30pm suddenly many police vans turned up in our lane. They blocked the two gates and whoever was inside was trapped inside. There must have been hundreds of policemen, at least 10 to 12 vans. From these big vans the door opened and ladies (police) burst out of them in hordes and went into the building. Both the gates were then locked and no one could go in or come out. Whoever was inside was stuck inside.

Along with the police vans there were also media vans – those with the upside down umbrellas (OB). The whole lane was filled with the police and media. There must have been 800 or 1200 people, there was no space to move around. We saw it on all the TV channels later – TB9, Star news, 24. Police (the PAC) had also come from outside, along with 10-12 senior police officers.

Through Friday and Saturday, till Sunday there were more than ten vans that remained here. The girls were led out and taken in batches by the police over the three days. So many were squeezed into each van some even sitting on the floor. The building is still shut. There is police at the gate and nobody can go in or come out.

In fact some girls were taken in a van, and then brought back. They must not have found place to keep the girls so they were brought back here until space in some centre found for them. Six o clock the centre closed but we live nearby so we saw what was going on. At 12.30 am they took the girls and at 2.30am they brought them back. They were kept here till then. The babus (customers) were also taken; 160 men according to the media. Even those who sell earrings, makeup, fruit, the small vendors, those who iron clothes - everyone who was still inside was taken – whether vyapari or customer. Many were stripped to their underwear and made to sit like that on the steps. Some of those trapped inside hid themselves without food inside somewhere to escape the police. Some paid 2500 rupees to get free. It went on like this till Saturday night. Then on Sunday the vans left. Inside the building there remained only some old sex workers. After 30 years of living in this area, and doing dhanda here, we are seeing this type of raid. Never before has the building been emptied like this.

We don't know where the girls are now. There is no contact with them. We tried calling them a few times (we have a list of the girls because they used to come to this clinic) but their phones are all switched off – must have been confiscated by the police when they were taken. They must first have gone to DN Nagar police station and then to one of the homes in Byculla, Saat Rasta, Kasturba Government Hospital maybe. Maybe Thana jail. That is also big. They took them all older women, even those who were sick, even those undergoing treatment for TB at our clinic. Raids happen here sometimes, but never like this. The police keep asking us trying to get information. Some ask, so are there any children now in your building? There are four more buildings like this here. Next it can be us.”

Following this we went with two representatives: Gulabi from Karnataka, who works at Asha Darpan and was a sex worker in the area for many years, now lives in Andheri, has three children including a son who works in BMC. She fell off a train and fractured her hand a few days after the raids; and another man who does administrative work at Asha Darpan and also runs a web business on the side. At the DN Nagar Police Station, we went with the group to the entrance of the building and met the group of policemen on duty to prevent entry in the building. They said they did not know anything, and that they had been brought from outside the area only for *bandobast* (security) and suggested we speak to ‘Surve sir’.

At the DN Nagar police station, we waited from 3pm to 4pm for Senior Inspector Surve, who had just stepped out. As we were about to leave, we saw a van draw up and about 12-15 women getting out of the van escorted by six to eight policewomen. Many of the women were dressed in nighties with scarves covering their faces. Gulabi confirmed that they were some of the Simplex building girls. They were coming back after medical testing at Nair hospital (for age confirmation). They all looked like adult women. They were escorted to the back of the police station where there was a large hall, in which they were going to have snacks and use the bathroom before being taken back to whichever centre they had been brought from. About 12 police men and women were guarding the hall and asked us to speak to the Branch Officer.

By this time, Surve had returned so we waited again to speak to him. He gave us details of the raid, making distinction between the accused and the victims ('veshyas' or prostitutes). Taken into custody after the raid, where he himself had been present, had been: 290 veshya, 57 lady accused, male accused including managers, a total of 477. '*Itna hamne manage kiya*', (we managed this much) he says with some pride.

They are now making enquiries. The male accused are in Arthur Road jail, female accused are in another jail, veshyas are in police custody/ remand, and will be produced at the Special Court 54 in Mazgaon which deals with only 'PITA-gunha' (crimes under the ITPA). The victims will spend 21 days in remand (count from Saturday after the raid date) during which the enquiry will be finished, and then they will be produced before the judge who will decide where they will go.

The entire machinery of the station, as well as from outside have been put to work round the clock for the raid which seems on the whole taking up much time and resources of all involved. Surve says, "I didn't sleep for three days. My whole team did not sleep. Only on Sunday in the morning I could sleep a little bit."

RRI#3 Savitri Talgeri, 24 years old, Sangli, Maharashtra. 2011 (narrated by VAMP members).

Savitri has a speech and hearing impairment. In November 2011, she was caught by the police in a raid on her aunt's brothel where she was doing sex work. The police accused the aunt of forcibly keeping a deaf girl in sex work. Over 250 sex workers visited the police station with proof of her age to show that she was above the age of 18 years and doing sex work of her own volition. However the anti-trafficking cell officer refused to release her, saying that she was unable to speak and hence there was no proof that she was willing. The aunt who was a brothel owner was also arrested.

Savitri was sent to an observation home where the anti-trafficking group members and counsellors regularly counselled her on various skills and related jobs. After a four months detention period, she was produced in court where a court appointed translator asked whether she wanted to stay in the observation home or go back home. Savitri insisted that she be allowed to go back. Members of VAMP were in court for that hearing and were shocked to hear the judge say in open court "*This girl has come from the gutter and wants to go back to the gutter. She is not listening to us.*" Savitri was detained for 14 months after which she was handed over to the family, by making her give a declaration that she would not do sex work.

Savitri lives in the village and earns very little money from her daily wages. She has to travel every month to Sangli to be present in court and has to spend money on lawyers. She wants to live the life of her choice and not be punished for her choice. Since giving up sex work, she has very limited means of income.

RRI#4 Sony, Transgender, 25, Ongole, Prakasam, Andhra Pradesh, December 2011 (own narrative)

"On December 24, 2011, I was in my room with my clients. In the evening around 6 pm, the Circle Inspector (CI) along with eight women constables pushed open my door and beat us severely without giving any reason. They searched my belongings in the room and found condoms and money. The CI said 'You are doing sex work.' They took my money and took me to the police station and beat me. They used my money to have their dinner, but they did not give me any food during the night. They booked a case against me under sections 377 and 3 & 4 of ITPA Act. On the next day, they took me to the hospital and asked me to sign on a blank paper. When I asked

why, they threatened me and told me to remain quiet and do as they say. Later they took me to the Judge. They informed me not to tell the Judge that they had beaten me. When the Judge asked, I said what the police told me to say under their threat. I was taken away and kept in jail. It has been two years, but I am still attending court to settle my case.”

RRC#6 Neelambari, Dommera Community, Warangal, Andhra Pradesh. 2010(own narrative)

“I belong to the Dommera community. Our community members have been in traditional sex work for a long time. We never had any problem with the police. The police also know that the community is into traditional sex work. In March 2011, due to a misunderstanding between us and the nearby village, the police came into the picture. The police came to our village at 7 pm, dragged all of us into a jeep and took us to the police station. No lady constable was present. They booked us under a brothel case. They did not see us with any client since we were all standing near our houses at that time. Under fear of police brutality some community members were forced to say that they would leave sex work. The police told one of the community members to collect the ration cards of the 15 women who had said that they will quit sex work so that they are rehabilitated. After the police left we took back our ration cards. We are in sex work and cannot start a business. Who will come and buy from us if we open a shop?

Soon after this police raided Siddhpuram and arrested five sex workers from the village. One woman was not well and fell down when the police was dragging her. They took her to the hospital and arrested the rest. We managed to get bail for them. Since then a police camp has been set up in the village. They check every new entrant to the village. We have lost our livelihood. Many of the sex workers have fled the place and migrated. We are concerned about their health. The police check-post still remains outside our village. It has affected our daily livelihood.”

Police Violence

PV#1 Anu Mokal, [Veshya Anyay Mukti Parishad (VAMP)], Satara, Maharashtra. April 2012

On April 2, 2012 at about 6:45 pm, Anu Mokal a sex worker and her friend Anjana Ghadge were on their way to the City Civil Hospital, Satara taking dinner to their hospitalised friend, Jaya Kale. When they were trying to catch an auto-rickshaw at the S.T. Bus Stand, Satara, Constable Bhonsale asked Anjana Ghadge to come and meet the Senior Police Inspector Dayanand Dhome of Satara Police Station, who was present near the bus stand. When Anu and Anjana Ghadge came before the Police Inspector, he started to verbally abuse Anjana Ghadge and accused her of soliciting. Anjana Ghadge told him that she was there to deliver dinner to her friend admitted in the Civil Hospital, Satara, but the police officer accused her of using the dinner as a cover-up and further that she was soliciting customers. Anjana Ghadge denied this but the Police Officer started abusing and beating her with his baton. Anu Mokal intervened and requested the Police Officer not to beat Anjana Ghadge, as she was of his mother’s age but he became more furious and replied that women like her could never be anyone’s mother. He turned towards Anu Mokal and started abusing her and beating her with his baton. Thereafter she and Anjana Ghadge were picked up, pushed into the police van and taken into custody. 60 year Anjana Ghadge and Anu Mokal,30, who was pregnant at the time, were arrested at or about 9 pm under a cognisable but bailable and petty offence.

At about 9:30 pm on the same day, Anu Mokal along with Anjana Ghadge were taken to the Civil Hospital, Satara by the Police Constables due to their complaints of severe physical pain.

The next day, at about 3 pm, they were produced before the Chief Judicial Magistrate in Satara. Anu Mokal and Anjana Ghadge were both charged under Section 110 & 117 of the Bombay Police Act and were fined Rs 1200 each. Both denied having committed any of the offences as charged, however having no other option they paid the fine imposed, and were released. Thereafter they immediately went to the Civil Hospital, Satara for

treatment of the severe injuries they had suffered. The same day, a press conference was held by the community based organisation, Veshya AIDS Muquabla Parishad (VAMP) and a written complaint was given to the Superintendent of Police, Satara.

On April 4, 2012, Anu Mokal approached the doctor with severe stomach pain. At about 2.00 a.m. on April 6, 2012, the pain intensified and she started bleeding heavily. This resulted in a miscarriage on April 6, 2012.

So far no action has been initiated on the complaint dated April 3, 2012 by Anu Mokal. The CBO has written to the Superintendent of Police, seeking an official inquiry into the incident, and asking that police violence against sex workers be stopped. They also wrote to R.R. Patil, the Home Minister of Maharashtra, and Tukaram Chavan, Inspector General (IG) of the region. Anu Mokal has also written separately to the Superintendent of Police, seeking action into the incident. Feeling Satara was no longer a safe place for her and her children, Anu Mokal moved out of Satara. Anti-social elements in Satara put up posters in the three main *chowks* (squares) in Satara asking if sex workers were destroying the culture of the town.

PV#2 Reshma, Transgender 25 years old, Warangal, Andhra Pradesh.2011 (own narrative)

“I am Reshma from Warangal. Most transgender community members used to beg as they don’t receive any support from the family or the government. There are no job opportunities because of the extreme stigma and discrimination. They beg at railway stations and in the trains. Wherever the railway police see us, they arrest us, take us to the police station without any reason, and beat us mercilessly. They used to arrest us and beat us even when we stood inside the railway station. They abuse us very badly in front of all passengers and travellers. They treat us like animals. The most painful thing is that the police used to forcibly remove our clothes, make us naked and call other staff in the police station to see us. They say ‘you have not have seen how the TGs are’. The doctors do physical examination in front of everyone in the hospitals and use a lot of abusive words. We were totally helpless and suffered a lot of trauma due to this abuse. Our request to the policy makers is to create an enabling environment to lead our lives normally. Provide us with opportunities to live like others. Treat us like human beings and allow us to access legal rights equally.”

PV#3 Uma, Leela, Jareena, Lakshmi. [Sadhana AIDS Tadehattuva Mahila Sangha], Shimoga, Karnataka. 2012

Four sex workers (Uma, Jareena, Leela and Lakshmi) were standing near Nehru Road, one of the busiest public places in Shimoga, Karnataka on September 5, 2012 at 5 pm. This is a spot where sex workers stand silently; because of ‘police problem’ the sex workers find it difficult to get even a single client in a day. It was evening and all the women were standing in a corner. Suddenly a woman Sub-Inspector (SI), along with four other women constables attacked them and took them to the police station. The Inspector along with constables exhibited great brutality and beat them inhumanly, seized all their mobile phones and detained them in the police station without giving them a single drop of water to drink. The peer educator informed the Community-Based Organisation (CBO) staff about this incident, following which CBO representatives along with staff rushed to the police station. The Inspector behaved very badly with the CBO staff, but the CBO staff managed to get the women released. The CBO staff helped the sex workers to submit their complaints to the Superintendent of Police (SP). Then team went to the police station along with their lawyer. After hearing about the incident from sex workers, the SP assured sex workers that such incidents would not be repeated, and directed the Inspector to handover the mobile phones to the sex workers. The Inspector visited the CBO and apologised.

PV#4 Subbamma, Tirupathi, Andhra Pradesh. 2011 (own narrative)

“In 2011, I knew this auto driver who took me to a place near the *devasthanam* (temple) at night and offered me Rs. 1000. When we reached the room, there were eight policemen in mufti (plainclothes) inside. They shut the door and raped me. I started yelling and they threatened to throw me from the fourth floor of the building

and kill me. They all raped me even as I was crying. They threw Rs. 50 on the floor and even took away my clothes. I escaped from the room without my clothes and they chased me. I managed to hide and they threw away my clothes. I was hospitalized for two days and could not get up for a week. It left me extremely traumatized.

Despite this experience last year, when my partner stole some gold that I had accumulated as my savings, I went to the police station to file a complaint. I went for three consecutive days. The constable asked me for Rs. 500 to pursue my case. On the third day the SI called me to the police station and said they were able to recover some of the stolen money and gold. But he asked me to sign on a blank paper. The SI also asked me to have sex with him. I refused and left the police station. I don't have the courage to go back to the police after these two incidents.”

Police Harassment and False Cases

PHF#1 Anjuman, (name changed), [Rakshane Jilla Mahila Okkuta], Gadag, Karnataka. 2013

The wife of Anjuman’s partner attacked Anjuman and her mother, and left her bleeding in the head. The wife then went to the police and complained against Anjuman and her mother, accusing them of beating her. The police registered a case against both the women and arrested them, despite their attempts to explain what had actually happened. The sex work collective went to the police station and also raised the issue of why the police had not filed Anjuman’s mother’s complaint.

It was thereafter learnt that the Anjuman’s partner had never informed her about his marriage. The local religious leaders (Jamaat) now asked Anjuman not to pursue the issue and assured her of justice. She was asked to ‘divorce’ the partner; in return she was assured alimony. The police also suggested that Anjuman should ‘compromise’ and not get involved in a court case. However, Anjuman is yet to get justice. The Jamaat is aware of her work as a sex worker and is therefore not supporting her. In fact they are supporting her partner and are persuading Anjuman to settle the case without a fuss. Though the sex worker collective is supporting her, the case has not moved forward.

PHF#2 Kalpana, 28, Tirupathi, Andhra Pradesh. March 2013 (own narrative).

“My chain was snatched by four men who showed me a knife at Tirupathi bus stand on March 2013. It was not a real gold chain. I ran and found a constable (Govind Swamy) who helped me to report the incident. The crime police who were there, took me to the place where the encounter had happened. The head constable asked me to have sex with him; he said he would only follow up my case after that. I went to the CBO, and then together we all went to the police station and met the SI, who was present along with three other police. I helped the police to identify the thieves who stole my chain. The police abused me and refused to act on my complaint. So I went to another SI with the CBO member. The SI refused to apologise.”

PHF#3 Sumathi (name changed), Haliyal, Uttara Kannada, Karnataka. 2009 - 2013

Sumathi is a sex worker living with her parents and children. In addition to sex work, she also works as a part time insurance agent. She is a leader of the sex worker collective, but the police in the area are opposed to her work. In 2009 she was boarding a bus to travel to Bangalore for a meeting, when a police constable came up to her and asked her to accompany him to the police station, as the police inspector wanted to meet her. On reaching there, the police did not inform her of the reason for being summoned. Her phone was taken away and she was not allowed to call her family or friends. She was kept in the police station the whole night and forced to sign a statement. The CBO got to know the next morning that she was arrested for ‘being found in a brothel’, they then arranged for her bail.

Sumathi was produced before the magistrate after three days, and bail was granted. The case went on for five years in front of four subsequent judges. The lawyer kept prolonging the case at every hearing, and forced her

to have sex with him. It was only in 2013 after a colleague who attended a legal conference shared this case with a judge, that it was dismissed. False cases are often filed by the police against sex workers. The prejudice and negative attitude against sex workers is very high amongst police, lawyers and court staff.

PHF#4 Vanaja, Tirupathi, Andhra Pradesh (own narrative)

“Police used to beat the community and arrest the women. Even CBO members who visit are arrested. I go as an outreach worker. On the one hand the constable asks for training from the CBO, and on the other hand they are arrested. When I go to the Sub-Inspector (SI), he tells me to sign a blank paper saying that the women have been counselled. The constable now says that since my signature is on the document, I have to appear in court. They now ask me to be a witness for raids, and any matters related to the brothel. Sometimes students are also arrested in these raids. I have signed in only one or two cases, but now my signatures are there in all the papers. They threaten me that I will have a case against me for not appearing, I have already gone five times.

I met the Deputy Superintendent of Police (DSP) and he assured me that the matter would be looked into. I appeared before the judge and said that the signature was not mine. The defence lawyer has accused the police of using my signature. They asked for a bribe of Rs.500 but I refused. There is a problem between the lodges where sex work is done, and when that happens they use my name. The Sub Inspector of East Tirupathi, Jagan Mohan Reddy invited all sex workers to see a stolen necklace and then they were all arrested. We were asked to say that we would leave sex work.”

PHF# 5 Lakshmi, Chittoor, Andhra Pradesh. 2012

Lakshmi is a sex worker, living with her partner. On September 2012, she was in her house with her partner. It was dark since there was no electricity. The Home Guard walked into the house and told her that the police inspector wanted to meet her. He was accompanied by another Home Guard. She refused to accompany him since it was late in the night. Hearing the commotion house, her neighbours gathered and began to ask questions. The Home Guards left the place. When Lakshmi went to complain to the police station the next day, the SI placed charges of soliciting on her and detained her. She was made to sit the entire day at the police station and her mobile phone was also taken away from her. The police also called her partner to the police station to ask him what Lakshmi's activities were. Since Lakshmi was a member of the local sex worker collective, she spoke of her work there. It was only after the intervention of the collective that she was allowed to leave.

Arrest and fine

AF#1 Manisha Salunkhe, 35, Sangli, Maharashtra. 2011

Manisha has been working as a sex worker since the past ten years. She was standing on a road near Sahara Lodge in Sangli with her friend. Two policemen came out of a van and started asking whether she was on the road for soliciting. They refused to listen to Manisha when she said no, and forcibly arrested her. The next day she was taken to the court at 2 pm. The lawyer told her that she may have to pay a small fine for the case. He told her to admit to the charge in front of the judge, saying that only then would she be released. The judge fined her Rs.1600, and then released her.

AF#2 Rekha Bidkar, 30, Sangli, Maharashtra. 2012

Rekha has been doing sex work for seven years in Sangli. She was standing near Shivaji Vegetable Market. One of the shop keepers came up to her and told her not to stand there. Rekha asked him "We are earning our living. Why you are interrupting our life." This angered the shopkeeper enough to call the police, who arrested Rekha along with her friend took them to the police station. Rekha was trying to narrate the incident about the shop keeper who had beaten and terrorised her. Then police replied her that it was not only one shop owner's

complaint but that all shop owners in the market had given a written complaint against sex workers. The police did not listen to anyone in the collective. He filed a case under 'soliciting on road'. When VAMP members went to investigate, the police asked them to come the next day in court. The next day, in court, the lawyer advised Rekha to admit to soliciting on the road. Rekha paid Rs.1200 as a fine for her 'crime'. 'Even though we have not done anything, we get arrested and pay a fine.'

AF#3 Shanta Jadhav, 42, Sangli, Maharashtra. 2010

Shanta is working as street based sex worker in Sangli and also has a hearing disability. In 2010 she was standing on road. Two police person came and caught her saying "these sex workers create a lot of trouble here". Shanta did not hear them approach due to her hearing disability, but the other sex workers ran away. Shanta was taken to the police station and kept overnight. On the next day the lawyer advised her to accept the charge. She accepted that she was soliciting and paid Rs.900 as a fine for standing on the road rather than contest the charge and fight the case.

AF#4 Sunita, 25, Sangli, Maharashtra. 2010

Sunita was alone in a lodge in Sangli when the police came and caught her, saying that she was doing sex work. She tried to escape from the police and started running, but she fell down and sustained injuries to her feet and hand. The police took her in that condition to the police station and filed a case against her. She was kept in jail overnight, and the police did not bother to get her injuries treated. The next day in court, she paid a fine of Rs 1600 despite the fact that she was not with a client at the time of arrest. However her fear of the court and police prevented her from raising this issue. Further her lawyer advised her to accept the charge. It was only after she was released by the court that members of the VAMP collective got her to hospital. She was diagnosed with a fractured leg, which the doctors found difficult to set because of the delay in hospitalising her. She still has difficulty walking.

Violence and Police refusal to file complaint

VRC#9 Tara, Chittoor, Andhra Pradesh. 2015

In 2015, Tara, a sex worker from Chittoor district, Andhra Pradesh was detained by the police and beaten black and blue. Tara along with her friends was having tea near the bus stand in Chittoor. Another sex worker was travelling to her village and was boarding the bus in the bus stand. The police caught Tara and her friend from the tea shop, one woman from boarding the bus and another two from the bus stand. Five sex workers were arrested at the same time and taken to the Chittoor police station. The SI then called the media and foisted a case of smuggling red sandal wood on the women. The local media took photographs. Then the women were beaten black and blue in the custody. With the involvement of the NGO, the Deputy Superintendent of police called the SI and asked him to leave the women. They were in the police station from evening 4 to 8. The sex workers were not able to get up from bed for two weeks and recovered only after about six months. All these actions were taken in order to stop the women from doing sex work.

VRC#8 Bunny (name change), 26, Solapur, Maharashtra. 2016

Bunny is an MSM, HIV positive and living in Solapur district in Maharashtra. He was a member of the Dostana Community based Organisation. A neighbour who was above 50 years of age would demand sexual favours from him. Bunny was avoiding any kind of contact with the person because of his HIV status and he was afraid of disclosure. Unable to bear his nagging/torture on a day to day basis, Bunny went and complained to the police but in vain. The police did not listen to him in the beginning but after the intervention of the NGO staff the police tried to convince Bunny to compromise.

VRC#1 Prema, 40, Kanyakumari district, Tamil Nadu.2013

Prema was separated from her husband. She initially lived with a partner and after he left her, she started living with another partner. On November 22, 2012, at 11 pm in the night, her second (current) partner entered her house and set her afire. Hearing her screams, neighbours rushed and took her to the government hospital. Her daughter shifted her to a private hospital where she had to undergo plastic surgery. Prema was forced to sell her training school business and personal belongings to finance the surgery. She now only has earnings from sex work. When the police came, during the first couple of days Prema was unconscious and her daughter did not have an idea of the assault. When Prema's wounds healed she went to the police to file a complaint, but the police said it was too late, and that she should approach them if the assailant harasses her again. Her second partner keeps threatening to pour acid on her. She is demanding compensation and would like to file criminal charges, but the police keep refusing, citing lack of evidence and delay.

VRC#2 Rathna [Vimochana AIDS Tadegattuva Mahila Sangha], Mysore, Karnataka. 2012

Rathna is a sex work from Mysore city. She earns Rs.300 to 400 per day. She stays with her partner who harasses her and demands a minimum of Rs. 300 per day for his needs. Unable to bear his violent behaviour she asked CBOs support to resolve the problem. The CBO president along with other community member tried to convince her partner but in vain. However the violence escalated to the extent that she nearly died. The CBO then decided to file a complaint against him at the police station. The police refused to file a case; instead they asked, "Why you want to file a case? You are a sex worker and spoil society. Today you are here; tomorrow you may go to other city, so how can we contact you? You do not have any documents like ration card, voter ID to send notices to your home address. How can we contact you?" The police asked her to bring her husband to file a case. 'How can they ask her to bring her husband when the complaint has to be registered against him?' the collective asked.

Due to the fact that police refuse to file FIRs as victims don't possess proper documents, the CBO is facilitating sex workers to avail social entitlements in the district. They have also appealed to the state legal services authority for help in accessing social and legal entitlements.

VRC#3 Shanthi (name changed), 33, Tirunelveli district, Tamil Nadu. 2013

Shanthi was offered money to provide sexual services by a neighbour. He paid her on three occasions and thereafter started threatening to expose her identity in the neighbourhood. Out of fear of being outed, Shanthi was forced to have sex with him, but after six months, he began to demand money from her. When she decided to stand up to his threats and refused to give him money or free sex, he began to abuse her in public and revealed her identity. The landlord of her house told her to vacate the premises. She shifted her house five times, but the harassment continued. Though she registered a complaint with the police, they only warned him. However, the perpetrator still continues to abuse and harass her in public.

VRC#4 Sunitha, [Mahilakranthi],Karwar, Uttara Kannada, Karnataka. 2013

Sunitha lives with her daughter. She was being harassed by her partner who would take away her earnings. he stole the gold jewellery that Sunitha had made for her daughter. Sunitha approached the police for assistance in recovering her jewellery. The police refused to file a complaint. It was only when the local sex work collective intervened that the man was called to the police station. However, Sunitha has not managed to get the gold chain back to date. The police do not follow up on her case.

**VRC#5 Huvakka (On behalf of 12 other sex workers); [Shakthi AIDS Tadegattuva Mahila Sangha],
Belgaum, Karnataka. 2012**

On one of the Belgaum's busiest roads, around 13 female sex workers were beaten up by a local vigilante group, Karnataka Rakshana Vedike. A group of around 20-25 men suddenly attacked on sex workers and beat them

inhumanly with bamboo sticks. One of the sex workers was critically injured and hospitalised. The Community Based Organisation helped sex workers to file a case against the offenders, took them to the hospital, got the doctor's certificate and went to the police station. The Police Inspector refused to file the FIR even after the CBO leader argued with the police and narrated the violent act. Instead, he abused them and stated that 'the public has taken the right action on all of you'. The CBO then contacted the Women's Commission, after which the Chairperson of the Commission insisted that the inspector file the FIR. Huvakka on behalf of other 12 sex workers appealed the State legal services authority to appoint an advocate to fight their case. She submitted a written complaint to the state legal services authority on March 13, 2013.

VRC#6 Suchitra, [Rakshane Jilla Mahila Okuta], Gadag, Karnataka. 2013

Suchitra is a sex worker's daughter. She was physically harassed by her mother's partner. He repeatedly molested her in her mother's absence. He would ask her mother to send Suchitra to him. Suchitra complained to her mother about the molestation but was ignored. One day when he tried to rape her, she ran out and complained to the sex work collective.

Suchitra went to the police along with her brother, but they refused to file a complaint and in turn abused the two children. The police made them sit for hours. Suchitra contacted the CBO and requested their support. It was only when the collective approached the police and questioned them that they took action and called the mother and her partner to the police station. Since the children did not want to pursue the case, the partner had to be let off. As individuals, sex workers and their children don't have any negotiating power with the police or government officials.

VRC#7 Lalitha, [Soukya Belaku Samudaya Sanghatane], Bellary, Karnataka. 2013

Lalitha is working as an outreach worker in DC Nagar in Bellary for the past 10 years. The sex workers who live in DC Nagar face lot of violence by local rowdy groups who collect their share every day. If sex workers refuse they abuse them physically and verbally. The sex workers have to entertain them for free and sometimes they bring their friends for sex, and the sex workers have to accept whatever they do. Last month a gang came on a bike and suddenly attacked a sex worker with a sharp object. They beat her with a wooden stick due to which she was hospitalised for over a month. The police refused to take cognisance of the violence and in fact blamed the sex workers. The local CBO had met the *goondas* and tried to convince them but the violence has not stopped; sex workers still have to give money and free sex.

Refusal to provide medical services

MS#9 Shanti, Solapur, Maharashtra. 2016

On August 24, 2016, Shanti, a pregnant sex worker from Solapur was in labour and rushed to the government hospital for delivery by the members of Kranti Mahila Sangha. As she was getting into the labour room, the hospital staff asked her address. Shanti gave her residence address, which is a place sex workers are known to stay in. The doctor immediately denied her services when he came to know that she was a sex worker and asked the members to take her away though she was bleeding. The CBO members took her to a private hospital where she delivered a baby boy. The CBO members had to take debt of Rs 20,000 from various sources to get her treated in a private hospital.

MS#8 Venkamma, transwoman, Bijapur, Karnataka. 2016

Venkatesh, alias Venkamma, a trans woman was raped by five goondas in August 2016. When she went to the civil hospital, she was denied first aid. She went to the CBO and asked them help. The CBO members spoke to the counsellor, but the counsellor said that she is not a transgender as she has male organs and refused to accept

the incident as rape. The next day, the crisis response team went to the district hospital and advocated with the District Health officer, upon which, Venkamma got treatment.

MS#7. Chitra, 33, Chittoor, Andhra Pradesh. 2016

Chitra is living with HIV and has two children aged six and 10 years. She migrated from Gudiyatam, a village in Tamil Nadu to Chittoor, Andhra Pradesh. Since she was living with HIV, members of Prema Sangham, the local NGO took her to the Civil Hospital in Chittoor to get her registered for ART. The doctors in the ART centre did not register her because she came from Tamil Nadu and discriminated her on the grounds of being a sex worker. Because she could not get the treatment, she died. After her death, she was not taken by her family and her last rites were done by the CBO members. Her two children were taken by her brother and admitted into a hostel in Chennai.

MS#1 Valarmathi, 33, Kanyakumari, Tamil Nadu. 2013

Valarmathi is a sex worker living with her two children. She visited the local testing and counselling centre for HIV testing in November 2013. When the counsellor learnt that she was a sex worker, he asked her whether her family was aware of her work. The laboratory technician who was supposed to draw blood for the test asked her to wait for nearly five hours and then told her that she would have to go elsewhere since they did not have the facility. Valarmathi refuses to visit a hospital or doctor after that experience as she doesn't trust them to provide her with good services once they learn of her identity as a sex worker.

MS#2 Vimala, [Swathi Mahila Sangha], Bangalore, Karnataka. 2012

"I am a sex worker living with HIV for the past two years. I live with my husband and we decided to have children. We were being counselled by the counsellor and the doctor in Vani Vilas Hospital in Bangalore. The doctor suggested some of the safety measures along with the importance of institutional delivery. The staff of the hospital knew us, as we went for our monthly check ups there. When I was experiencing labour pain, we went to the hospital and got admitted. The nurses started discriminating against me. They told me that it's false pain and not labour pain. I begged the doctor to conduct the delivery. But no one came to see me; the doctor or the nurses did not even attend to me. After one day the doctor said that I had to be operated. They said that they have to conduct a Caesarean the next day and asked me to be on an empty stomach. But after two hours they refused, saying that they didn't have the right equipment. We called the representatives of Karnataka HIV Positive Network (KNP+). They argued with the doctor after which he agreed to conduct the delivery. But they demanded Rs.500 after the delivery."

MS#3 Padmamma, Kalahasti, Andhra Pradesh. 2013

Padmamma is a sex worker who also works as a peer educator in a HIV prevention project, encouraging and mobilising sex workers to access HIV counselling and testing facilities. She takes two or three female sex workers at a time to the counselling centres at the government hospital. However the counsellor refuses to see or counsel the women. She also abuses them for being sex workers and sometimes asks very humiliating questions about their work. The women refuse to get tested and undergo the humiliation. Padmamma finds it difficult to bring the sex workers because of this humiliation. The experience with the technician at the lab of the hospital is similar. He refuses to attend to them, asks them to return the next day and sometime makes lewd remarks at the women. If the women complain, they tell the women to go and access private services where they can ask for better services after payment.

MS#4 Kiran Deshmukh, Sangli, Maharashtra. 2010

Kiran had gone through a Caesarean delivery for her third child. After 11 years, she started having stomach pain and was rushed to the civil hospital. The sonography revealed a hernia. She underwent a series of tests such as X-ray, blood tests, and physical examination, and was asked to undergo a surgery. But when Kiran showed her HIV status report (ART medicine record book) before the surgery was scheduled, the civil hospital gave a 'normal'

report for sonography, saying that she had no problem. Kiran developed severe pain again and went to check with the local private hospital (Kulloli hospital) where the doctor asked her to get a sonography done. After looking at her report the doctor advised her of the need to undergo surgery for hernia. He said that it would take 6-7 hours to operate. Once again, when Kiran informed him of her positive status, he refused to operate.

Members of the VAMP collective then went to the civil hospital and discussed her issue with head of the surgery department. He used the pretext of a low CD4 count and said it was not possible to conduct the surgery and hence her operation had been cancelled. Even today Kiran lives with the constant pain in her stomach. She has been wearing a stomach belt, which also affects her ability to do sex work.

MS#5 Bharati Kamble, Sangli, Maharashtra. 2004

Bharati Kamble, a sex worker was affected by TB and was taken to the civil hospital in a serious condition. However the doctor in the civil hospital asked VAMP members to take her back home saying, "Bharati is an AIDS patients and there is no need to give her medical treatment. Let her go home and die."

VAMP member fought with the doctor and pressurised him to give Bharati the treatment in the civil hospital. The doctor gave treatment for two three days, after that Bharati decided to go Pune for better treatment. She got much better treatment in Pune, and that helped her to build up her confidence. Bharati is living happily now and she is on ART. She keeps up her follow up visits to the civil hospital with the help of VAMP members. This happened only because of the sex work collective's pressure on the health system that Bharati and other sex workers manage to get treatment.

MS#6 Usha Kamble, Sangli, Maharashtra. 2013

Usha a sex worker was living with HIV and had a TB co infection. When she was very ill, she came to Sangli. She had drug resistant TB. The VAMP collective members wanted to get her admitted to the civil hospital and took all the necessary documents. After seeing her condition; civil hospital staff decided not to get admitted her in the hospital. She had water collection in her back. But the hospital refused and said, "Please take your patient, we cannot treat her." The VAMP collective was there asking the civil hospital staff to assist, but they didn't respond. The VAMP collective took Usha back to their homes and took care of her till her death.

MS#7 Ponnumani, Thoothukudi, Tamil Nadu. 2016

Ponnumani is a sex worker from Thoothukudi district. She was working in ART centre of the Government Hospital for three years and then she worked in a private hospital in December 2015. Some of her relatives were also working in the same hospital and they disclosed her status as sex worker before the hospital Manager. As the manager knew that she was a sex worker, he started harassing her for sexual favours. Ponnumani denied him such favours. Feeling humiliated, the manager created the story that Ponnumani was asking him for sexual favours in front of the Supervisor. The supervisor started targeting Ponnumani for not doing her work properly and at a later stage removed her from her job. Ponnumani could not file a case or could complain against the manager because she was further afraid to disclose her identity in the society.

Refusal to provide identity documents, social entitlements and harassment by officials

SE#1 Maliga, Thenimalai, Thiruvanamalai district, Tamil Nadu

Maliga, 45 lives with her daughter, a construction worker and a mentally challenged grand-daughter. Due to her weak state, Maliga is not able to do sex work and support the family. Maliga's mother transferred the property to her sister and brother, who threw her out of the house. Maliga filed applications for a voter ID and a ration card. She has completed the application rounds more than three times in the past two years and has been

following up at the government office. However, the officials refuse to cooperate stating that the necessary supporting documents have not been provided. It is difficult for Maliga and her family to obtain documents such as rental agreements. The landlord refuses to give a rental agreement or a rent receipt. Getting access to voter ID cards and ration card is important to ensure that Maliga can get access to schemes for deserted people and facilities for her grand-daughter.

SE#2 Mohana, 33, [Karnataka Sex Workers Union], Vijayapura, Bangalore Rural(own narrative). 2010

“I am a sex worker doing sex work for the past 13 years. In 2010 I applied for a passport. I was asked to provide my education proof, marriage documents etc. Since I am not educated, I approached the municipality office for a character certificate required as part of the documentation. At the office they started harassing me saying that I was a sex worker and hence my character was questionable. After a lot of arguments with the officials, and standing my ground, I managed to get the certificate. When the police completed the necessary verification, I visited the police station to ask about the passport. They made fun of me saying why should a sex worker require a passport? I managed to get my passport only in 2012. We are harassed by government officials when we attempt to seek any entitlements.”

SE#3 Radhika, 35 years old, [Karnataka Sex Workers Union], Bangalore Rural (own narrative) 2013

“I am a sex worker living in Bangalore and doing sex work for the past 15 years. I am also a member of the Karnataka Sex Workers Union for the last seven years. I had applied for a ration card at the *gram panchayat* office. But the ration card officer refused, saying that I had to submit many supporting documents to show residence proof such as the electricity bill, election ID proof etc. Despite submitting the documents he continued to delay my application on some pretext. When I approached him, he started harassing me saying that since I was a sex worker I should “sleep with him”. He continued to stall my ration card and after many months I agreed to his conditions. Despite that he stalled my application and I managed to get my ration card only after many months. Now the officer threatens to cancel my ration card if I don’t have sex with him. I don’t have problems in getting the free food grain, but I am reluctant to go near the *panchayat* office due to his harassment. I approached a journalist from the print media, but he also sought sexual favours from me. It was only when I mentioned that I was a member of the sex workers union that he stopped harassing me. I do not want to approach the police for fear of further harassment.”

SE#4 Sumalath, Kalahasti, Andhra Pradesh. 2013

“During the process of getting my Unique ID Card, I missed the date to get my biometrics recorded, since I had to go to visit my mother in another village. When I returned the next day and heard that the biometrics had been completed, I visited the *taluka* office and requested for my details to be taken. However the officials said ‘Why does someone like you need a ID card, you are a whore, I don’t need to listen to you.’ I approached my colleagues in the sex work collective and they visited the village head (*sarpanch*) for assistance. However he also said that it would not be possible and abused me. The members of my collective then *gheraoed* (encircled) the *sarpanch* for abusing us and threatened that we would complain against him for denying our rights. It was only when the collective members threatened a complaint and a public campaign against the officials and the village head; including a police complaint that they agreed to help me complete the biometrics and get my card.

SE#5 Jyothi, Ongole, Andhra Pradesh. 2013

“My husband died a year ago and I am doing sex work. I approached the district officials to apply for widow pension so that I would be able to support my children. It was a mass contact programme for schemes. However the official refuses to give me the widow pension unless I give him sexual favours. I am yet to receive the pension. Some of the women tell me to have sex with him so that I can get the widow pension and support my family.”

Social Support for older and ill sex workers

SS#1 Anandhi, 28, Doddaballapura, Bangalore Rural. 2013

Anandhi has been doing sex work for the past seven years and is affected by HIV. She stays in a rented house with two children. Her husband works as a driver and often abuses her because she is a sex worker. Because of the fights, everyone in the neighbourhood has come to know that Anandhi does sex work. When the landlord of the rented apartment got to know that Anandhi is a sex worker, he falsely accused her of theft and threw her and her children out of the house.

Anandhi's in-law got to know of her positive status after it was disclosed by the doctors and threw Anandhi out of the house. Since Anandhi is unable to take care of her children, she has sent one of her children to a hostel run for children of sex workers. She now lives in a dilapidated shack with one child since her husband refuses to support her. She plans to seek a share in her property from her in-laws.

Anandhi's in-laws refuse to enter her and her children's name in the ration card, so she has to apply for her own ration card. But she does not have the supporting documents needed to apply for the card. Anandhi does not want to pursue any legal options till her children are older and married. She is fighting for her legal entitlements but needs support to survive on a daily basis.

SS#2 Mageswari, Thirvanamalai District, Tamil Nadu. 2013

Mageswari, 54, is a widowed sex worker. She suffers from excessive bleeding for the past two years which affects her ability to do sex work. She is also HIV positive. She has two daughters and an aged mother to support. Mageswari's elder daughter regularly abuses her, and demands money to feed her and her mother. Mageswari needs to undergo surgery to have her uterus removed and support till she undergoes the surgery and recovers. The sex work collective has agreed to bear her expenses to travel and undergo the surgery and also to provide her a short stay home for her post-operative care and recovery. As women in sex work get older, they are unable to earn much to support themselves. Hence social support is important.

Discrimination in Education of children of sex workers

CE#1 Saira, 34, Doddaballapur, Bangalore Rural. 2013

"I admitted my children to a well-known private school. They were able to study there for a year before the teachers and principal got to know that I am a sex worker. The principal then informed me that I would need to make alternate arrangements for the children as they didn't have enough seats. I asked the principal the reason why my children were being targeted since I had paid the fees on time and my children were not badly behaved. After much persuasion, he informed me that since they were sex worker's children they cannot study next to regular children whose future would be affected. Despite a lot of discussion I was forced to take the children out of school and put them in another school."

Vulnerability to harassment, media ethics

VH#1 Shanti, (name changed), [Mahilakranti, UKMO], Karwar, Uttara Kannada, Karnataka. 2013

Shanthi is a young sex worker living with her children. Following a news report in February 2013 where the name of a sex worker from Karwar was mentioned, a local leader in the area began to harass Shanthi saying that he would reveal her identity to her children and other community members. He approached her children and the members of her self-help group saying that she had been caught doing "prostitution". Shanthi managed to

convince them that the news report was about another person with the same name. Shanthi threatened to file a complaint of harassment, but that didn't affect the perpetrator. Scared of the impact that the harassment would have on her children, she approached the sex work organisation, which agreed to intervene. Seeing the support that she was receiving, the leader apologised and requested that Shanthi not approach the police since his political career would be ruined. Shanthi decided to keep quiet since she did not want problems in the area that she lived in. Sex workers are constantly vulnerable to threats of blackmail and are often forced to provide sexual favours under fear of being 'outed'.

RRR#3 Subhashini (Name Changed) [Mana Mahila Sangham], Tirupati, Andhra Pradesh. 2013

Police action has suddenly increased in the last fifteen days and women reported this during the meeting and WINS met gave a representation to the District Superintendent of Police (DSP). He, in turn directed Sub-Divisional Police to visit and meet the women victims of violence.

Subhashini, 40, is street based sex worker. On the March 27, 2013 at 11:15pm, she along with her two friends was at the bus stand near Ganggama temple, Tirupathi, Andhra Pradesh. They were chased by a police constable. The two women fled, but as Subhasini could not run, she was caught by the police constable, after which he beat her severely.

She suffered seven deep bruises on both her knees upper and lower arm, bottom and back. She developed chest pain and fell down. The next day, she visited the drop-in centre for female sex workers and reported the violence and abuse during an advocacy meeting with the police.

Forced 'Rescue' of Migrants

MP#1 Jharkhand, October 2012.

Over 500 people migrating from Ranchi, Jharkhand were apprehended at the railway station by the local police, aided by NGOs on the grounds that they were being trafficked. They were kept in a stadium without food, water and other basic facilities and treated as criminals. Those picked up included women with their children and men who had found work in brick kilns or factories. They said that they had managed to find work after taking loans from local money lenders and now because of the action of the police, would be forced to return to their villages without any hope of employment and livelihood. The Government of Jharkhand announced that identity documents would be issued to people intending to migrate for work and they would be given employment opportunities within the state. However after that announcement in 2012, there has been no further action by the Government. *Courtesy: Association For Advocacy and Legal Initiatives, Lucknow, May 2014*

Annexure 2. Endorsements

1. National Network of Sex Workers (NNSW), India
2. Veshya Anyaya Mukti Parishad (VAMP), Sangli, Maharashtra
3. Sangama, Bangalore, Karnataka
4. Karnataka Sex Workers Union, (KSWU) Karnataka
5. Uttara Karnataka Mahila Okkuta, (UKMO) Karnataka
6. Me and My World, Andhra Pradesh
7. Vadamar Federation, Tamil Nadu
8. Nirangal, Tamil Nadu
9. Kranti Mahila Sangh, Solapur, Maharashtra
10. Saheli Sangh, Pune
11. Kerala Network of Sex Workers (KNSW), Kerala
12. Muskan, Sangli, Maharashtra
13. Sampada Grameen Mahila Sanstha (SANGRAM), Maharashtra
14. Women's Initiatives (WINS), Tirupathi, Andhra Pradesh
15. South India AIDS Action Project (SIAAP), Tamil Nadu
16. Centre for Advocacy on Stigma and Marginalisation, Maharashtra
17. Mitra, Sangli, Maharashtra
18. Srijan Foundation, Ranchi

19. Amina Shaik, Kranti Mahila Sangh, Solapur
20. Ankita Khagal, Muskaan Sanstha, Satara
21. Asif Shaikh, Muskaan Sanstha Sangli
22. Beena Sreeni, Kerala Network of Sex Workers
23. Bismilla Hujare, Nazariya
24. Chandralekha, Kerala Network of Sex Workers
25. G Sankari, SIAAP, Tamil Nadu
26. Gangasagar Nirmal, Saheli Sangh, Pune
27. Gurukiran Kamath, Activist, Bangalore
28. J Vijaya, Me & My World, Andhra Pradesh
29. Jahida Pakhali, Nazariya, Sangli
30. Jaseema K.H, Kerala Network of Sex Workers
31. Jaya Kale, Veshya Anyay Mukti Parishad (VAMP), Satara
32. Jubeda Attar, Nazariya
33. K Mariyamma, Me and My World
34. K Ramalingeswar rao, WINS, Tirupati, AP
35. K Santoshi, Activist, Bangalore
36. Kiran Deskmukh, Veshya Anyay Mukti Parishad (VAMP), Sangli
37. Kokila, Vadamar, Tamil Nadu
38. Lakshmi R, Uttar Karnataka Mahila Okuttu
39. Mahananda Mamadapure, Tanta Mukti Samiti-VAMP, Sangli
40. Mahadevi Madar, Saheli Sangh, Pune
41. Mahesh Bhandari, Samraksha
42. Mahesh Manoji, Mitra- A collective of Children of Sex Workers
43. Mandakini Desale, Saheli Sangh, Pune
44. Maya Ramesh Gurav, Veshya Anyay Mukti Parishad (VAMP), Sangli

45. MD Ayesha, Me & My World
46. Meena Koli, Saheli Sangh, Pune
47. Meenakshi Kamble, Veshya Anyay Mukti Parishad (VAMP), Miraj
48. Nilavva Siddhreddy, Veshya Anyay Mukti Parishad (VAMP), Karad
49. Nisha Gulur, Karnataka Sex Workers Union
50. P Thara, Me & My World
51. Pandurang Karate, Muskaan Sanstha Sangli
52. Ponmani, Vadamar, Tamil Nadu
53. Prabhavati Kamble, Karnataka Sex Workers Union
54. Prashant Bhosale, SANGRAM, Karad
55. Rajendra G Patil, Muskaan Sanstha Sangli
56. Raju (Ganga), Karnataka Sex Workers Union
57. Raju Naik, Mitra- A collective of Children of Sex Workers
58. Ravsaheb More, Muskaan Sanstha Sangli
59. Renuka Jadhav, Kranti Mahila Sangha, Solapur
60. Sangeeta Manoji, Veshya Anyay Mukti Parishad (VAMP), Sangli
61. Shakuntala Pawar, Saheli Sangh, Pune
62. Shalan Salamntappi, Veshya Anyay Mukti Parishad (VAMP), Mudhol
63. Shantilal Kale, SANGRAM
64. Shashikant Mane, SANGRAM
65. Sonu Niranjana, Kerala Network of Sex Workers
66. Sulbha Howale, Vidrohi Mahila Manch (VMM)
67. Sunita Kamble, Vidrohi Mahila Manch (VMM)
68. Sunita More, Vidrohi Mahila Manch (VMM)
69. Sushila Kunde, Vidrohi Mahila Manch (VMM)
70. Tabassum Mulla, Nazariya
71. Tejaswi Sevekari, Activist, Saheli Sangh, Pune
72. Vimala, Vadamar, Tamil Nadu
73. Vijayamma, Kerala Network of Sex Workers
74. R. Meera, WINS, (women's initiatives), Andhra Pradesh
75. P. Alivelu, President, Prema Sangam, Chittoor, Andhra Pradesh
76. M. Sheba, President, Krishna Venela, Mahila Sangam, Vijayawada, Andhra Pradesh
77. Rajesh Umadevi, Activist, Bangalore
78. David Bodapati, Activist, Bangalore
79. Meena Seshu, SANGRAM, Maharashtra
80. Aarthi Pai, Centre for Advocacy on Stigma and Marginalisation (CASAM)