



## Expanding from services to rights issues

### The work of Zi Teng in Hong Kong

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**In Hong Kong, sex workers are predominantly women, many being self-employed and working in ‘one-woman apartments’. Others work in a variety of establishments, including karaoke bars, hair salons, massage centres and sauna parlours. Some work for employers or agents, with their income proportionately shared between them and their employers. There are currently tens of thousands of women involved in sex work in Hong Kong, a majority of them coming from mainland China. Factors behind this influx of Chinese sex workers to Hong Kong include proximity to China, easy transportation, Hong Kong’s relative wealth and a common language. Many visit the region for a short while and then move on to other places. The Hong Kong law outlaws migrant sex workers on travel visas to work in the country. Their illegal status makes them vulnerable to police arrests and exploitation by middle agents. These women are the first to be arrested when the police raid brothels. They end up being prosecuted in the courts and repatriated to their country of origin.**

Sex work is not illegal in Hong Kong, but there are various laws that restrict its practice. The law on ‘soliciting for immoral purposes’ indirectly bans street bargaining and puts sex workers in a vulnerable position. Also, living on the earnings of prostituting others, keeping a sex establishment, and putting up signs that advertise prostitution are forbidden. It is illegal for two or more female sex workers to operate from one flat. This increases the danger for women, who, by working alone, may expose themselves to police and customer harassment, and even rape and robbery. Sex workers operating in one-woman apartments are also prohibited from providing any kind of massage service, which limits possibilities of diversifying their income base.

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Their voices are silenced and they are often subjected to violence, exploitation and abuse by clients, pimps, mafia, and law enforcers. Even if they are raped, robbed, abused or threatened, sex workers often do not dare to call the police, as the legal, social, and enforcement systems discourage them to do so. On the one hand, they fear police harassment and disclosure of their identity in the media, on the other hand, the legal system is often unfavourable and discriminative to sex workers, discouraging them to report their cases. The problem is worse for migrant sex workers, who have less understanding of Hong Kong law. Also, the penalty may be doubled, if the woman works without a legal work permit or breaches her condition of stay.

While regular condom use appears to be high (81% of male clients in the AIDS Counselling Service in 2000), sex workers remain vulnerable to transmission of STIs/HIV. The problem is compounded for sex workers from China, as many are illiterate and have little awareness of STIs/HIV and prevention of infections. For these migrant women, their risk of infection is extremely high, since condoms are seldom available and their bargaining power is low. Most of all, their possession of condoms may be used as evidence of their working illegally in Hong Kong as sex workers. Another problem is that migrant sex workers do not enjoy basic health care services. Due to a change in local policy, non-Hong Kong residents are no longer eligible for subsidized medical services – they must pay HK\$700 (US\$90) for each outpatient consultation. Therefore, migrants’ health is at risk due to lack of sexual health knowledge and inability to access medical services.

### Zi Teng’s rights-based approach

Zi Teng is an NGO formed in 1996. At the beginning, we worked solely with local Hong Kong sex workers, focusing on providing relief to them while educating them on STIs and condom use. In 1999, we extended our services to migrant sex workers from China

due to the unique problems they faced and the service vacuum for this group. In the last few years, we have expanded our scope to empowerment activities whereby sex workers not only learn about health risk reduction but also about their rights as human beings. In this new approach, Zi Teng does not look at sex workers as victims, but as human beings that voluntarily choose to work in the sex industry. We work from a rights-based approach, which includes, among others, a focus on vulnerable groups (sex workers), working on empowerment and participation of sex workers, rights awareness, claiming rights and principles of non-discrimination.

### a) Empowering sex workers

Over the past years, Zi Teng has been striving to train and organize sex workers to set up their own groups. Through different activities, we first raised sex workers' confidence after stimulating them to participate in public activities with the aim of widening their horizon and enhancing their knowledge. Thus, they were enabled to voice

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their opinions in public events including World AIDS Day, the International Human Rights Day Carnival, International Day to End Violence Against Sex Workers, the First Sex Workers' Film Festival in Hong Kong and two international conferences on sex work and the law. By joining and organizing these events, sex workers have more opportunities to face the public, which helps to increase their confidence to articulate their issues and experiences. Other fora to achieve this aim is through establishing contacts with university students and the media.

Another example of our empowerment work is the organization of skills-building and information workshops and trainings for both local and migrant sex workers on various issues, ranging from language skills, negotiation and bargaining skills, self-protection and

confidence-building, to information on health, trafficking, labour rights and legal issues.

### b) Stimulating sex workers' participation

Training and learning-by-doing over the years has seen the development of a core group of 20 local sex workers who actively campaign on issues confronting their occupation. After years of trainings and workshops, we finally helped several sex workers to form their own organization named 'JJJ Association' (literally meaning sex workers' association) in December 2006. As a result, local sex workers are now more prepared to take part in the design and implementation of activities and programmes, such as organizing training workshops and compiling useful information. Moreover, there are sex workers serving in Zi Teng's Executive Committee, bringing the voices of sex workers in the decision-making process.

Another means of increasing participation is training sex workers to become peer educators. We now have 20 peer educators who regularly help us in different activities. Peer education has pulled together 300 others in a network of information and support. Vigorous and effective outreach work to migrant sex workers in Hong Kong has taken root as well. A peer support network of sex workers from China is gradually evolving.

### c) Increasing rights awareness

Zi Teng provides information and organizes classes for sex workers on legal rights, the legal system in Hong Kong and occupational health and safety issues. In general, over 700 sex workers are trained each year. According to an Oxfam Novib evaluation, sex workers found the legal knowledge most useful. Some of them try to exercise their rights when arrested by refusing to sign incriminating statements or insisting on making phone calls. Hotline counselling and the availability of a sympathetic lawyer who offers services at a discount gives them some assurance in exercising their rights.

We have been working closely with a volunteer lawyer in Hong Kong since the end of 2003. The lawyer offers voluntary services (talks, seminars, advice through hotline counselling, compiling legal information and legal advice) as well as paid services (legal representation). He is keen to help sex workers protect their rights as arrested persons and avoid committing offences. Luckily, the number of legal professional volunteers and human rights volunteers interested in assisting sex workers is on the increase. We now have two barristers who can plead in court and two more providing legal advice, whereas we have more than ten lawyers willing to provide services to sex workers at a discount.

Over the years, we have noticed that an increasing number of sex workers are eager to understand more about the current legal situation and their rights. An indication for this is the number of sex workers participating in our international conferences on sex work and the law, which increased from 16 in the 'Out in the Sun'



Sex workers protest outside police headquarters on December 17 (2006), the International Day to End Violence Against Sex Workers



Participants at the 'Ins and Outs of Sex Work and the Law' conference in 2006

conference (2004) to 34 in the 'Ins and Outs of Sex Work and the Law' conference (2006).

#### d) Fighting discrimination and stigmatization

Zi Teng is the only organization in Hong Kong that organizes sex workers and engages the public about sex work from a labour rights' perspective. Through various creative channels, Zi Teng has initiated public discussion on sex work from a perspective different from the usual 'relief and rescue' approach. We believe that direct interaction helps to clear misconceptions and mutual scepticism.

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We make use of different media to enhance public understanding about sex workers. For instance, we published the book *Two-way secrets: Life stories of twelve sex workers from mainland China* in 2006 to inform the public about the plight and life of migrant sex workers. Zi Teng also organized a photo exhibition in 2004 and the First Sex Workers' Film Festival in August 2006. The organization has also been facilitating interviews for local and overseas media agencies with sex workers. During 2005-2006, we attracted more than 50 agencies.

#### e) Lobbying and advocacy

Occasionally, we invite legislators and representatives from local political parties to discuss differing viewpoints on sex work. Further, we document legal cases in which local and migrant sex workers are brought to court. We also record complaints from sex workers against police abuses. These figures help us to inform the public and government officials how sex workers are maltreated in society. In fact, to some extent, the above helps us to increase interactions and communication with government officials. For example, while the police often refused to listen to us on the International Day to End Violence Against Sex Workers (December 17th), they were recently willing to receive our protest letter. This suggests that there

is greater space and possibility for us to continue engaging with the police. Another notable achievement is that we succeeded in bringing the issue of undercover police demanding free sexual services to the legislative council by presenting data collected on this practice.

#### f) Putting human rights treaties into practice

Zi Teng does invoke the labour law and makes use of international treaties in its work in Hong Kong. For instance, we submitted shadow reports to three international covenants including the CEDAW (Convention on the Elimination of All Forms of Discrimination against Women). However, one major challenge is that the results from the application of the human rights treaties remain insignificant because sex workers' rights are not accepted as human rights at the international level. In China, even less reference to human rights treaties is made than in Hong Kong due to the political situation there. We acknowledge that more use of international human rights instruments could help us a great deal in our work, and we now have trainings for staff to understand these treaties.

#### The future

Seeing the effectiveness of Zi Teng's approach, as well as acknowledging the fact that there is an increasing number of sex workers who leave their countries to work abroad, we intend to further promote and develop our model to other countries. We will focus more on helping organizations abroad to set up sex workers' programmes and adopt rights-based approaches to providing information and services to sex workers. We also hope to train more frontline workers in Mainland China so that they have the capacity to provide more adequate support for sex workers.

Due to Hong Kong's conservative political environment regarding sex work, it is difficult for us to lobby and advocate unless we change the public's mindsets. This means that our work in public education and sex education is important in the sense that it helps to make people more sympathetic to the sex work industry. Public education aimed at eliminating public discrimination against sex workers, and sex education to open up people's minds is essential in our work. ■

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