

‘Outlawed and abused’: human rights abuses against sex workers in PNG

By Camilla Burkot

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A [new report](#) issued by Amnesty International last week paints a deeply troubling picture of the human rights abuses commonly endured by sex workers in Papua New Guinea, including at the hands of police.

Based on interviews with nearly 30 sex workers in Port Moresby and Mount Hagen, as well as a selection of representatives from NGOs, health services, police and the Ombudsman’s and Public Solicitor’s offices, the report’s findings largely confirm and extend previous research conducted on the subject within PNG, as well as the global experience of sex workers in countries where sex work is criminalised and stigmatised. The evidence gathered of common police indifference to – and in some cases active perpetration of – crimes committed against sex workers in PNG is particularly disturbing.

Though sex work itself is not technically illegal, the report notes that a number of PNG’s laws – many of which are colonial-era legal transplants from Queensland’s criminal code, with provisions that have since been repealed in Australia – discriminate against and disadvantage sex workers. Because they focus on the act of selling rather than buying sex, laws against ‘living on the earnings of prostitution’ and ‘keeping or owning a brothel’, among others (p. 19-20), leave sex workers but not their clients legally culpable. They are also likely to leave sex workers socially isolated and thus more vulnerable, as does a section of the Child Welfare Act which stipulates that maintenance payments need not be paid for the ‘illegitimate’ child of a woman found to be a ‘common prostitute’ (p. 20). Laws prohibiting same-sex sexual activity further contribute to the stigma surrounding transgender and gay sex workers (four of whom were interviewed by Amnesty for this report).

Simple police enforcement of such laws would by itself raise a number of human rights concerns. However, the report suggests that more often than not police concern themselves with extrajudicial punishment rather than enforcement (p. 25). Interviewees (including representatives of the police’s Internal Affairs Unit) recounted numerous cases of unlawful detention (p. 27-8) and of police treating possession of condoms as evidence of sex work or of intent to spread HIV/AIDS (also a criminal offense in PNG) (p. 28-30). But most harrowing are the testimonies of direct abuses of sex workers by police officers, including rape and

extortion (p. 30-3). Though in most cases sex workers are not charged with an offence, the criminal code enables corrupt police to use the implicit threat of arrest against them (p. 30). Despite the severity of the abuse, many sex workers express reluctance to file complaints against the police out of fear of further retribution.

In addition to widespread public stigma and discrimination against sex workers (p. 43), the classification of sex work as a criminal activity in PNG also contributes to sex workers' hesitance to report instances of physical and sexual abuse inflicted by clients (p. 34). Several interviewees commented that such abuses are typically dismissed by police, simply because the victims are sex workers. Even when cases of abuse are pursued and prosecuted, they often face family pressure to resolve matters using customary compensation mechanisms rather than through the criminal justice system, which can take several years to process cases.

Though the picture is bleak, the report does importantly note that not all sex workers lack agency, and not all police officers are abusive. However, even those police officers who are supportive of sex workers' rights face a number of barriers in being able to assist them effectively – many of which mirror barriers previously identified in the context of [family and sexual violence policing](#). Indeed, the report also notes that many (though by no means all) of those sex workers interviewed begin engaging in sex work after experiencing violence or abuse within their own marriages or families (p. 43).

About the author/s

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