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The Unheard Voices. Latin American Sex Workers in the Netherlands: Live
Experiences and Labour Conditions

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The Unheard Voices of Latin American Sex Workers in the Netherlands: Life Experiences and Labour Conditions

Chapter 1. Introduction

“I know one day I am going to make it possible and I am going to be back home”
(Patricia, 2014)

People from developing countries in Latin America have been coming to the Netherlands in order to find new opportunities and a better life for them and their family. As some authors have described (Sietske; 2014, Janseen; 2006; Ramirez; 2000) It is known that Latin American sex workers come to the Netherlands to provide a better life to their families at home, and send remittances to their home countries. Gordana Nikolic¹, a social worker, described Latin American sex workers as admirable, because they are responsible and care for their families who are comprised of not only children and mothers. In some cases, sex workers are responsible for entire families.

The circumstances that Latina women are facing in the Netherlands are interesting and present an important case to study. By considering out of sex workers experiences, this research tries to open the reader’s eye to a reality where regulatory policies on sex work have left aside the needs of migrant sex workers. Their status as migrants and their work as sex workers lead to a double stigmatisation. Their lack of knowledge of the Dutch language leaves them in a situation of disadvantage and the regulations implemented by the Dutch government has put them in a vulnerable situation. With the globalisation era, flows of people and services began to have greater intensity. Factors such as instability, social and economic inequality in their countries have forced people to migrate. In addition, female sex workers have altered traditional household structures by becoming the breadwinners and the head of the family. According to the United Nations Population Fund, in the 90s, migration of women from Latin American countries to Europe increased significantly. (UNFPA, 2006). In the Netherlands, over seventy percent of female sex workers are immigrants (Wagenar, H., Altink S., Amesberger H. 2013:11).

Sex work has approached in different ways by varying countries, for example, Sweden represents the abolitionist approach, on the other hand, the United Kingdom has

¹ Social worker from SHOP working with Latin American sex workers in The Hague.

implemented the restrictive approach while the Netherlands portray the regulatory system. In Sweden, the purchase of sexual services is illegal and it is therefore a crime; however, the selling of sex is not. Sex work in the Swedish model is seen as a threat to the gender equality and violence and, additionally, as well as a social problem. On the contrary in the United Kingdom, sex work is legal, however, the way in which sex work is purchased may involve a crime (for example, in the case of brothels, pimping, street based sex work). Sex work in the United Kingdom is seen as a threat to public order and security (Tampep, 2009 *report*). In contrast to the governments mentioned above, the Dutch government opted to legalise sex work in 2000. The Netherlands approaches sex work as an occupational activity and as a source for state income through taxing. On the other hand, sex work also implies a threat of increased migration and trafficking. (idem) Since the legalisation of sex work, different implementations have taken place in order to regulate this industry. "Laws prohibiting or regulating prostitution and migration, particularly from the South, combine to create highly complex and oppressive situations for women if they become involved in sex work". (Kempadoo; 2003:145).

Another important debate facing Latino sex workers is the issue of migration. Harzig (2001) refers to this kind of migration as the push-pull paradigm, in which the reason for people to move is mainly for social and economic reasons being Europe and North America the main places to migrate.

Unequal distribution of wealth in Latin American countries have brought changes in the household and gender relations by forcing female population to migrate in order to achieve economic stability. Sharpe (2001) pointed out that migration in Latin America has been female-dominated and most of them are mothers.

According to the Migration Policy Institute, high unemployment rates, economic crises, and instability of financial markets are some of the key factors that make governments change immigration policies to be more restrictive. In the Netherlands, immigration policies have been modified in recent years and not necessarily in favor of non-European migrants. The introduction of the Aliens Act 2000 (Vreemdelingenwet 2000) was one of the major changes made by the Dutch government that came into effect in April 2001. Ersanilli noted that one of the purposes of this policy was to control and prevent more immigration especially from Turkey and Morocco. In addition, she pointed out that this regulation "reflects the fear that people from other countries are more likely to be economic immigrants who use marriages as a way to enter the country". (Ersanilli, E.; 2007:7).

Under Aliens Act 2000, migrants can be asked for identification and can be taken away for questioning if there is suspicion that they are undocumented migrants. (Ministry of Justice, 2004).

Furthermore, in 2011, a new integration law was presented in parliament. This legislation obliges migrants to learn the Dutch language and pass a civic test in order to integrate themselves into society. This bill may have a positive side by aiming a full integration of new migrants, but on the other hand, the government now has the authority to remove residence permits from migrants who fail to comply with the new rules. Harcourt noted that “women migrants are often outside mainstream discussions of gender and work” (Harcourt; 2009:80). If the restrictive migratory environment in the Netherlands, combined with the stigmatisation around sex work is taken into consideration, it is expected that sex workers vulnerability is still present.

This research aims to analyse the life experiences since the legalisation of sex work in 2000 and the following regulations and working conditions of Latin American sex workers. I will address this issue from a standpoint theory by telling the experiences of a hidden population of sex workers. As I have just taken a little sample of the total amount of Latino sex workers, I have to make clear that this research is not generalising all Latin American sex workers. Nevertheless, according to what I had heard and experienced during fieldwork, there is a strong relation between the interviewed participants and the other Latin sex workers. In addition, the interviewed sex workers pointed out that most of the time, Latin sex workers share similar realities and life experiences. However, for some reason, not all sex workers accepted the interview.

1.1 Background

After the legalisation of sex work in the Netherlands, sex workers, social workers and people related to the sex industry expected that this could bring positive changes as well as more benefits than disadvantages. Unfortunately, as we shall see through this study, the ones who most benefitted were the club, brothel and window owners² as well as the Dutch government through the payment of sex workers taxes. The International Labor Organization (ILO) noted in a 2014 report that “formalisation may sometimes be narrowly

² Window owners are the people who rent the rooms to sex workers in the red light districts. They are obliged to ask for the necessary documentation (passport, registration in the chamber of commerce, work permit, and so on).

conceived only in terms of registration and punitive sanctions for non-compliance with the law". In this scenario, the legalisation of sex work and the subsequent regulations have affected sex workers' conditions. Even though sex work was legalised, according to the general regulation of the Dutch labour market, citizens outside the European Union are not allowed to work in the sex industry and work permits for these purposes are not issued.

Brussa (1980) argued that the amount of sex workers from Latin America and Asia working in the Netherlands is around thirty to sixty percent in total (as found in Kempadoo, 1998:145). Nevertheless, nowadays the number of newly arrived Latin Americans have decreased. The number of Eastern Europe flows of women into the sex industry have increased and this is competing with Latin sex workers. Sietske Altink (2014) noted that since 1992 more women from Eastern Europe have started doing sex work in the Netherlands. However, there is still an important population of Latin sex workers. It has been noted that "sex work is an occupation which is easily accessible to immigrants..., requires no diplomas or requirements which makes it attractive to recent migrants" (Wagenaar; 2013:11). By 1980, women from Latin America in their majority from Brazil, Colombia and the Dominican Republic started migrating to Western Europe. (Outshoorn; 2005:143;144). According to Ramirez (2000:4), since the 80s, migration to Europe began to be feminised arguing economic reasons and freewheeling migration. Furthermore, in this period some cases of human trafficking arose among Latinas. Nevertheless, late eighties and nineties and especially since the lift on the ban of brothels in 2000, things changed. Penalties regarding human trafficking became stricter and police controls increased with the inspection of documentation in the sex work places. Much of the debate arising from sex workers coming from developing countries revolves around the idea of seeing these people as victims of trafficking. "It has become fashionable to claim that the legalisation of 2000 has proved a failure partly because trafficking in the Netherlands has only increased". (Altink S.:2014)

However, despite notions of human trafficking, many of the Latin American sex workers migration is independent and not related to trafficking (Janseen; 2006:235). Most of them come to the Netherlands knowing a friend, or a relative who works in here. Some women try to make a better life far away from their hometown because of the lack of job opportunities. However, the situation around sex work in the Netherlands is becoming complicated. Policies and regulations have been always changing but the question here is

how these modifications have altered the lives of Latin sex workers and their labour conditions.

The general ban on brothels was lifted on October 1st in 2000. Notable changes in the Netherlands regarding sex work has been taking place at the municipal level. Some of the principal changes and goals that the legalisation of 2000 brought are the following according to the Prostitution Policy Framework from the Dutch government. (*Kadernota Prostitutiebeleid 2009-2012*)

- ✓ Control and regulate sex industry business
- ✓ The introduction of municipal regulation
- ✓ Eradication of forced prostitution and sexual abuse
- ✓ Decriminalisation and protection of legal sex workers position
- ✓ Reduction of underage sex workers and people from other countries without a residence permit
- ✓ Stricter punishment for people involved in trafficking or forcing sex labour (Art. 240 a, Dutch Penal Code)
- ✓ Permission of sex work in licensed establishments.

As we have seen above, the aim of this regulatory approach in the Netherlands is to maintain a more controlled record of the activities in the sex industry. A national law regarding sex work does not exist. Since the legalisation, municipalities are requested to have their own regulations regarding sex work. (Minbuza 2012). This has led to a number of gaps in the application of law in some municipalities.

The changes in the legislation have altered the way sex workers had done their job before 2000. I will point out through the subjective experiences of Latin sex workers such main alterations.

According to a publication by the Dutch Ministry of Foreign Affairs (MINBUZA), there are different organisations and agencies that are committed to the improvement of sex workers conditions (MINBUZA, 2012). During the fieldwork, I noticed that most of the migrant sex workers are not familiarised with these organisations Some of them argue that they do not need any help, what they need is a way of representation: they need to be heard. "I have never been in any organisation, I have never had a problem before, so I

don't need them. I like to be autonomous. We don't have an association which represents us. It is really difficult to organize because we don't want to get involved in that mess. Everyone wants different things and the most important thing is that women don't want to be recognised in the streets as a sex worker. We have a double life" (Selene, personal interview, 2014).

In The Hague is located SHOP, an organisation which works as a shelter as well as a centre for assistance, advice and information for sex workers. SHOP improves the position of (former) sex workers and victims of trafficking supporting them with psychosocial assistance. Furthermore, SHOP assists sex workers, and gives them advice about the possibilities that they have in their jobs (tax payments, rules and regulations, changes in their work). One of the branches of SHOP is SPOT 46, this organisation was born as an initiative by the municipality of The Hague to provide health care services to sex workers by organizing regularly blood check-ups. As we have seen, after *De Rode Draad* (The Red Threat in English) closed their doors, no organisation has taken its place.

On the other hand, sex workers that are familiar with these organisations and maintain contact with them have received many benefits. One of the sex workers interviewed was in contact with one of the social workers who was herself another one of my interviewees, as well from the same organisation (SHOP). She asked for help in order to look for another job. "I have contact with social workers from SHOP. They are going to help me to go out from here and do something else, I am too old to do this" (Belinda 2014).

Gordana Nikolic, in charge of the Latino sex workers in SHOP, is very committed to her work and with them. However, she pointed out in a conversation that she is almost sure that after she retires, her position is not going to be replaced by someone who speaks Spanish. This may have a negative outcome among Latino sex workers since most of them do not speak either English not Dutch.

After all the new implementations made by the Dutch government, sex workers have been reliant upon NGOs more than before. Now it is time for organisations to take action and gain some voice in policy debates. As Majoor noted, "If organisations and sex workers are not raising their voice, then the authorities will do whatever they think is necessary, like closing down all places, building up barriers and making the labour of a sex worker as difficult as possible" (Majoor: 2014).

1.2 Research Question

How sex work regulations, after the lift on the ban of brothels of 2000, have altered the lives of Latin sex workers and their labour conditions?

1.3 Methodology

I have been living in the Netherlands for more than two years and my position as a Latin American migrant woman was one of the reasons that encouraged me to undertake this research. I was personally interested in getting to know the stories of Latino migrants working in the sex industry. I have to admit that before starting this research, my perception about sex work was quite negative. Throughout the time of the research, my interpretation of sex work changed completely. Most of the negative perceptions, stigmatisation and taboos that people (including me) have around sex work are caused by what we have seen, heard or supposed without valid statements. Sex work should be acknowledged not only by the government but also by the society as a normal work. The victimisation, exclusion and discrimination of sex workers represent a backwardness in the Dutch society. Furthermore, as we shall see through this research, the regulation approach implemented by the Dutch government hides some abolitionist ideas that have made the legalisation of sex work a questionable success.

In order to address the question of this research, I applied the following methodology. My position as a Latin American student influenced in a positive way the approach to Latin sex workers in order to carry out interviews for purposes of data generation, which depended in the conversation with respondents. I interviewed eight sex workers as a whole and the respondents were from Colombia and Dominican Republic. In addition, I maintained some conversations and interviews with social workers from The Hague and Amsterdam. I conducted eight semi-structure interviews with sex workers, seven of the eight participants were women working in the windows³, the remaining participant was a man working from home.

I also interviewed two social workers. The purpose of the interviews with people working in NGOs is to have a big picture about the changes that have taken place and what have been the regulation impacts in their work within sex workers. I interviewed a social worker from SHOP (Gordana Nikolic).

³ Windows are cabins rented by sex workers where they offer their sexual services. In Dutch this place is called "De Wallen".

Gordana Nikolic is in contact with the Latin American sex workers from The Hague. In addition, Sietke Altink was another of my respondents; she worked in De Rode Draad, the first organisation whose aim was to represent sex workers in the Netherlands. Currently she is still working in issues around sex work; she is the founder of the internet page <http://sekswerkergoed.nl>, which provides a lot of information about the work done by De Rode Draad and her own research in the present.

In addition, in order to collect as much information as possible around sex work I decided to attend a workshop at the Information of Prostitution Center (PIC) in Amsterdam. The objective of this workshop done/led by the former sex worker Mariska Majoor is to reduce prejudices and wrong impression about window sex work by living the experience of being behind the window.

In relation to the epistemic position of this research, it is going to follow a standpoint theory.. “Although standpoint epistemologies argue that all knowledge is socially located, they maintain that knowledge gained from social locations outside or marginal to the socially dominant views challenge the discourses and practices which legitimate the subjugation and marginalisation of others”. (Ellis, Foop;2001:02). I am interested in analyzing how the changing policies have been affected and/or benefitted Latin American sex workers through their stories and live experiences inside their work and in their daily lives.

In this phase, in order to have a broader understanding of the context secondary data played a key role for the investigation. I will be using national reports, published policies, NGO data reports, published articles and Dutch newspapers. The use of these sources of information is relevant to determine the position of the Dutch government in relation to sex work as well as the legal framework.

1.4. How interviews were obtained

One of the things about this research that worried me the most was to find sex workers who would be willing to talk with me. An aspect that favoured me was that as I was going to interview Latin Americans, we had in common the language and some of the cultural background. I was excited to start with my fieldwork but at the same time I was really nervous because I had no clue of how sex workers were going to react with my interview proposal. The first day that I went to the Doubletstraat (one of the two streets where sex

work is permitted), my perception about how the place looked like in my head changed immediately. I imagined something like the Red Light District in Amsterdam where not only Dutch men who are going inside the windows are around but tourist who are visiting the place as well. The Hague is completely different. During all my fieldwork I never saw any other women except those who were sex workers walking in this particular street.

I will never forget how I got to my first interviewee, I went for the first time inside the Doubletstraat. I was very nervous and a little bit afraid -I have to admit that being surrounded by men staring at me thinking that I was a sex worker was a bit strange but my biggest concern was "*What will these women be thinking about me? They have never seen me around here and how are they going to react if I approach them? Maybe they would think I want their services?*". a lot of things came to my mind. I heard Spanish everywhere so I started asking and explaining a bit about my research, a couple of girls refused to talk with me. I came closer to a window at the end of the street and asked one of them if I could talk to her and she thought about it for a minute and then she said "If it is for your studies I will help you in everything I can". Later in the interview, she said that I reminded her of her daughter because she was also doing her thesis and she was studying at university and that is the reason why she accepted the interview. The next day, I was again in the same place at the time that we agreed to make the interview. She was late so I convinced her colleague to participate in the interview. I did two interviews and they helped me to convince another woman there to help me.

The interviews were done randomly, the only condition for the selection was that the participants come from a Latin American country. The purpose of the interviews was to get to know the experiences that Latino sex workers are facing nowadays and the changes that have been happening since the legalisation of sex work. I opted to carry out semi-structured interviews. In this way, the interviews were more open to allow participants to disclose as much information as possible without losing the objective of the research. Each interview took about 30 to 40 minutes long.

Almost all the interviews took place in their field of work, inside their rooms. I have to admit that I never imagined being inside those places. Those rooms are full of different stories, sufferings, happiness and so on. In some of them, I was listening Latin music, which made me feel comfortable. I was with someone who spoke my language, with someone who is far away from their country, missing their family, the food, everything -someone like me. Other rooms where in the main street, which sometimes caused men to ask if I was

working or if they could come inside the room. Some rooms were inside little hallways, the neon red light made me feel dizzy, the smell in there was not so nice and sometimes I was afraid to go inside because it is too dark. It was a good opportunity to get to know how they work even though sometimes it was a bit hard to keep them focused on the interview because their clients or friends were passing by. One of my interviews (with a male sex worker) took place in a cafeteria near Holland Spoor, the environment was different and I can say it was better in a sense that all the attention was focused on the interview. The interviewee felt more confident and I conducted the interview as a normal conversation.

The rapport between the interviewees and me varied. With my first two interviewees it happened naturally, they were willing to talk about their experiences. These two interviews took place on August 1st 2014. Even though I was really nervous, my communication skills did not betray me. Natalia is just 3 years older than me, so we talked about our boyfriends and the things that we used to do during weekends. In this way, finding a common ground developed more empathy between us. The other participant, Selene who works in the window next to Natalia was happy to give me the interview and help me with my research. Selene felt identified with me because her daughter was also doing her thesis at that time. Even though we did not know each other, she was really proud of the studies that I was doing there. She said to me “You are making Latinas look very good”.

After chatting for a while, she asked me out for a cup of coffee. Selene began to laugh, she told me that if this work has left her something good is to get to know men better. “Men have a lot of weird fantasies; Europeans are really open minded. Talking to all other (Latin sex workers) we conclude that men are crazy, crazy, crazy! Men around here love dark hair Latinas, they always say to us that we are warmer and more passionate” We laughed a long time. After all the things she said to me, she gave me her phone number in case I needed to contact her again. We ended the interview and she wished me the best of luck for my research.

My next interview took place on August 5th. It was a 65 year-old woman from Colombia. At the beginning she was rejecting the interview but at the same time, she could not stop talking to me about the changes that the legalisation had brought into the workplace. So at some point I asked her if I was able to record everything she was saying and she agreed to it. In the same room was Paula, a 26 year-old woman from Cuba, who was jumping into

the conversation now and then until a client came into the room. I finished my interview with the Colombian woman and left.

On August 6th, I meet Dani, a 49-year-old Colombian. We agreed to meet near the train station in a cafeteria. I explained what the aim of my research was and he was happy to help me. He was very kind and sympathetic. The next day I went back to the windows for more interviews. This Dominican of 49 years old was the contact of Selene's, my second interview. It was the second time that I was there trying to interview her. The first time she received a client and I had to leave the room. I have to say that with her the rapport was a bit complicated. The same happened with Lisa, who I interviewed on August 11th. Having interviewed her in the workplace was not the best choice. She was rushing because she was about to start working.

My last interviewee was Maria, a 60-year-old Colombian. Her story was the most shocking one. She went through many things in her country and coming to the Netherlands brought a little bit more hope to her life.

Finally, I do not have words to describe how brave all these women are. Their willingness to help their families is stronger than the dissatisfaction of work behind a window and that is something to admire. Sex workers are continuously fighting against prejudgments from society. As a consequence of the negative assumptions against sex workers, it is quite difficult to comprehend and notice what they really need: government recognition, inclusion into the society and respect.

1.5 Obstacles Encountered during Fieldwork

At first, I assumed that conducting interviews with Latin sex workers was going to be an unreachable task because of the sensitivity of gaining access. Therefore, I was forced to better prepare the way I was going to approach them. I must say that the majority of sex workers were really friendly, I guess that being a female student coming from their continent placed me in a situation of advantage. Oakley (1981) argued that "meaningful and feminist research depends instead on empathy and mutuality" (as found in Stacey 1988: 22). Nevertheless, there were factors that affected data collection for the research.

In some cases sex workers did not consent to give me interviews, arguing that I should talk with the patron (the owner of the room) first. Another issue was that they did not want

to lose clients while I was interviewing them and sometimes I had to leave the room in the middle of the interview. In most of the cases, they did not accept the interview because of their undocumented status, however I managed to contact one of them.

1.6 Structure of the Paper

The first part of this research explores the national and municipal policies around sex work and will be centred in the analysis of the main approaches of the policies implemented by the National Government in the Netherlands. I will examine the impact that the mentioned policies have had at a municipal level and all the actors involved in this process. In addition, I will present how the policies, implemented after the legalisation of 2000, have affected the migrant sex workers rights under the debates of human trafficking and migration.

Chapter 3 begins with a small story that describes what it is like to be a sex worker behind a window.⁴ Part of the story refers to the valuable information given by a former sex worker. The objective of this description is to break with all kinds of taboos and stereotypes around window sex work. This line of work should be seen as “normal” as other professions. This section relates to my research question in the sense that it illustrates working conditions in the past and the present days. Furthermore, to illustrate the situation that the changing regulations have generated, I am going to present some stories collected during fieldwork with sex workers. I will use the intersectional approach to analyze how language, ethnicity, age, class, migrant status and gender, are factors that are creating vulnerability among Latin American sex workers. Their subjective experiences are going to show the present reality that sex workers are experiencing after all the changes and regulations implemented in their profession. To conclude this chapter, I will point out what have been the positive/negative repercussions that the different policies and debates have had among Latino sex workers. Finally, chapter 4 will present the conclusions of the research as well as my contribution to the existed literature.

1.7 Theoretical Framework

1.7.1 Theoretical Debates around Sex Work

⁴ I participated in a workshop in Amsterdam which consists in living the experience of being behind the window together with a former sex worker.

The prohibitionism, abolitionism, regulatory, and decriminalisation approaches are different views to address sex work. In the prohibitionism model, sex work is criminalised, and the client as well as the sex worker can be subject to prosecution. The abolitionist approach tries to evade sex work as much as possible. However, sex workers are protected into this context while third parties are criminalised. This is the example of the Sweden model (Carrigg; 2008). The regulatory approach (practised in the Netherlands) makes sex work legal as long as it is voluntarily done and this tries to monitor and gain more control within the sex industry. Furthermore, in the decriminalisation approach, sex work, brothel keeping, third parties involved in it and curb crawling are legal if sex work is voluntary. New Zealand is following this kind of approach.

MacKinson (1989) noted that the dominant discourse by the radical feminists and the Christian fundamentalists “is an external force of oppression...male domination as the result of unequal power relations”. (as found in the review by Angela Harris; 2013:183)

Dworkin (1997:178) noted that “All male customers and managers are motivated by animus. When men use women in prostitution, they are expressing a pure hatred for the female body”. This abolitionist approach to sex work is seen as a way of slavery and sexual exploitation, portraying women as victims. This is related to the way the Dutch government is looking at the intersection of migrant sex workers through the eyes of the human trafficking approach. The Dutch scenario is not considering sex work under the abolitionist approach. Still, some politics are seen as such. The government thinks that eradicating sex work is a good way to stop human trafficking but what they are doing is creating a *seven-headed monster*. As soon as sex work becomes illegal, not only forced sex work and people trafficking will probably be multiplied but sex workers will be left in a much more vulnerable position under the shadow of the illegality. As Outshoorn (2005:147) pointed out, “women can be victims of trafficking, but not all women sex workers crossing borders are victims of forced prostitution”.

On the other hand, the sex work rights discourse born in the 90s contrasts completely with the domination discourse. In here, sex work is seen as a legitimate form of income generation. “We demand our voices to be heard, listened to and respected. Our experiences are diverse but all are valid, and we condemn those who steal our voice and say that we do not have the capacity to make decisions or articulate our needs”, (Declaration of the Rights of Sex Workers in Europe, Brussels 2005).

1.7.2 Precariousness in Sex Work

Kalleberg (2009:3) suggests that the concept of precariousness refers to uncertain, risky and unpredictable employment according to workers' opinions. From the existing literature, sex workers are not able to get any kind of security in their work. (Gibly, J. 2012). The International Labour Organization (2014) noted that a transition from the informal economy to the formal economy may bring a positive outcome for workers. In the case of sex work in the Netherlands, the formalisation in 2000 of this sector has not changed to provide increased levels of labour protection legislation. According to Vosko and Clark (2002), migrants are most likely to face employment distinguished by insecurity. "Precarious and insecure employment is becoming more the norm than the exception" (Bleakney, D., Choudry A. 2013:571). Precariousness is interconnected to the limited social benefits, low wages and poor working conditions that Latin American sex workers have and continue facing.

1.7.3 Intersectionality Approach

The tool of intersectionality is going to help understand how every single category of class, ethnicity, migratory status, language and gender affect the situation of Latin American sex workers in the Netherlands. I will use the concept by Kimberlè Crenshaw (1989) in which she refers to the concept of structural intersectionality. This occurs when inequalities are directly relevant to the experiences of people in society (Verloo: 2006:213). In Crenshaw's approach, intersections are seen as a barrier to reach empowerment. On the other hand, with a different approach of intersectionality, Yuval Davis is going to conceptualise that, "intersectionality has arrived in European equality policies" (Yuval 2006:194). Even though the context of sex workers policies, intersectionality has played a different role in equality.

In addition to this, I will take the approach of "Interlocking systems of oppression" by Francis Beale's (1979), in which ethnicity class and gender play a key role in the relations of oppression, discrimination and exclusion. (Lutz H, Vivar M, Supik L. 2011:3)

According to Flippen (2014:411), "Impact of legal status... varies across occupations". In this research I will attempt to find out what have been the working condition repercussions

that Latin American sex workers have been facing because of the constant changes on sex work regulations by the Dutch government.

This analytical concept is going to be useful for this research in order to understand why Latin-American sex workers exclusion is strongly related to their own cultural, economic and social background. In addition, the intersections from their migrant status, ethnicity, gender, class and language will lead us to analyze their labour supply in the sex industry in order to understand how they developed their social and economic relations.

1.7.4 Agency

According to Wagenaar, sex workers agency represents independent and autonomous women who freely decide to work on sex labour (Wagenaar 2013:22). Their main objective is to earn money in a short period which sometimes turns permanently to decide not to go back home. Thus, Outshoorn, argues that not all sex workers crossing borders are victims of force prostitution (2005:143). Female sex workers⁵ come to The Netherlands to increase their income and as a positive consequence they get empowered in their own countries. By sending money, their families improve their economic conditions and their children can have the opportunity to go to school. In their countries they reach a better level even though, in The Netherlands, their position is different and sometimes weaker because of their illegality.

Women become stronger for the fact of being abroad, which makes them more conscious to the fact that they have to take care of themselves.

1.7.5 Gender

“Most of the women that come from Latin America take the jobs of typical female, this makes migration a highly gendered affair”
(Outshoorn 2005:145).

Femininity, as Janssen indicates, represents gender stereotypes that benefit sex workers and help them to survive into the Dutch society. (Janssen 2013:96) In addition, sex workers become emancipated women in charge of the household changing power relations. Many of the female sex workers left their children in the care of relatives in their

⁵ There are also male Latin American sex workers coming to the Netherlands but in this study, I will focus specifically on women.

homeland. According to Ammar, an Argentinian organisation that supports sex workers rights, 86% of the sex workers in Argentina are mothers (AMMAR). Female sex workers experience their gender identity to a changing environment (Janssen 2007:238)

1.7.6 Social Movements and Unionism

Nowadays, the number of labour unions have declined rapidly. Workers lack of collective voice and representation. The consequences have been that social protection is difficult to achieve by workers and even more if they do not have regular papers. Kalleberg (2009:18) distinguished that precarious work is related to inequality, economic and job insecurity. In order to address employment relations, Kalleberg argues that social problems such as ethnicity and gender inequalities, civil rights, identity politics, migration and immigration have to be taken into consideration. (Kalleberg. 2009:18). In addition, Clawson (2003) describes that labour movements such as immigrant groups can be more effective than the ones that rely solely on work (idem).

Chapter 2

Policies and Debates around Sex Work. The changes, consequences and improvements

The first part of this chapter starts with brief description of the policies implemented in a national level in the Netherlands and a municipality level in The Hague. The purpose of this is to understand what measures have been carried out by the Dutch government after the lift on the ban of brothels. The following section assesses the ways in which the discourse of human trafficking and migration has affected sex work and victimised sex workers respectively. The chapter ends by looking at the implications of the refereed policies.

2.1 Sex Work National Dutch Policies

Before the legalisation of sex work and brothels in 2000, the Dutch government allowed sex labour as long as it did not cause any public disturbance and/or health consequences. Policies in relation to sex labour have been changing constantly. Some of them have been short-lived such as the Morality Laws in 1911, where sex labour and brothels were banned.

In the 60s and 70s, with the affluence and high incomes in the Netherlands, the demand on sex industry increased. In 1964, the Dutch government introduced the social welfare, so it was no longer necessary to work in the sex industry when they were facing financial trouble (Outshoorn: 2006:84). Under these circumstances, women from Latin America and other countries started to migrate to the Netherlands to find their profession as sex workers as the market had grown too fast the last years.

In 1985, the government first effort to introduce a change of the article took place. "Brothel keeping was no longer to be prohibited, except for cases of violence force or overpowering" (Boutellier:1991:201). The Second Chamber passed the bill but not the First Chamber. Christian Democrats argued that sex work was never voluntary. Outshoorn (2006:84) noted that later, in 1989, a new bill was introduced in which for the first time "third world" women were included.

In 1997, a new bill was introduced to the Parliament, making a clear distinction between forced and voluntary sex labour. The main concerns were to protect women involved in sex work from any kind of abuse such as human trafficking, violence in work places, exploitation and so on. Even though, the act did not consider any improvement in their working and living conditions. Furthermore, lifting the ban implied that municipalities would become in charge of the regulation of the sex industry.

In addition, in 2009 a new regulation was launched but not approved. The bill attempted to establish that all sex workers were required to have papers to prove them as licensed workers, including escort services and internet agencies which normally were not asked for any kind of registration. If sex workers were not registered, then they were under criminalisation and self-employed sex workers could be fined. Clients were commanded to ask for the legality of the sex worker otherwise they can be prosecuted in case they purchased services from non-registered sex workers. (TAMPEP 2009:106). Nevertheless, some municipalities implemented this regulation. “Legal status prior to purchasing services” (Gibly. 2012:7). Even though the bill was not passed, it represented a backwardness among sex labour policies. Criminalisation on sex workers and clients is not the best option to end with undocumented and unregistered workers, on the contrary, it could aggravate the issue maintaining their presence in the shadow of invisible prostitution.

2.2 Municipal Policies in relation to Sex Work (The Hague)

The normalisation in licensed business is done by an intensive work between the municipality and the Public Ministry. According to the municipality the Improvement of sex workers position is taking place but in reality their position prevails vulnerable. According to the report from the municipality of The Hague, they are investing in the empowerment of sex workers by creating accessible information and service centers. As a result, sex workers will have more insight in their own rights and duties as well as health care and assistance access (Kadernota Prostitutiebeleid 2009-2012:1).

The municipality of The Hague has insisted on the Cabinet making possible the license for Independent sex workers. Expanding the number of licensed businesses would be considered if unlicensed and undocumented sex workers in The Hague could be persuaded to start working legally (Altink: 2014).

The unlicensed and undocumented part of sex work is no more a hidden issue. The municipality already has more information than a few years ago and therefore, can act more efficiently nowadays.

2.2.1 Main Goals of the Prostitution Policy Framework by the Municipality of The Hague Regarding Sex Work.



- Regarding hygiene and health care issues, Municipal Health Service. (GGD) is the one in charge.
- Strengthen human traffic eradication by working together with organisations specialised in organised crime.
- Increased fines for unlicensed establishments and individuals without a license
- The municipality of The Hague positions regarding street prostitution is the same, “zero tolerance”.
- The improvement of sex workers position and welfare is still in the agenda within the creation of accessible information and advice centers.
- The municipality attempts to develop a range of assistance and services to the groups that are still invisible and unreachable such as the undocumented sex workers.

After the regularisation of sex work, some institutions now have more much to do in relation to sex work such as NGOs, municipal health service (GGD) and municipalities. Some of them maintain the same level of involvement as the police who remain in charge of the municipal inspections and law enforcement.

According to the Dutch National Rapport of 2002, after the legalisation the starting point was public health protection. The GGD has played an important role in the provision of health services for sex workers. In order to eradicate human trafficking and follow up on the number of victims, the Dutch government established an initiative whose aim is to monitor the effect of the lifting on the ban of brothels. Organisations specialising in human trafficking such as La Strada will receive financial means for their projects and assistance of victims (OSCE 2002).

The major change after 2000 was when the municipalities became the designers of sex work policies. However, before the legislation, some municipalities already had had their own policies since there was no national policy.

2.3 Main Regulations Related to Sex Work

The present debates about human trafficking have affected sex workers' labour, specially those migrants working in The Netherlands. After the legalisation of 2000, human trafficking became a priority in the agenda of the Dutch government (Kadernota Prostitutiebeleid 2009-2012). Non-European sex workers have encountered more barriers and difficulties than before in their work place. According to Outshoorn (2012), women outside the European Union were seen as victims of trafficking and forced sex work. These assumptions have directly affected Latino sex workers through tightened controls by the police

In some regulations such as the criminal law on trafficking or the immigration law, the Dutch government had made some distinctions in relation to sex workers. According to Altink (2013), activists of sex worker rights pointed out that keeping rules for sex work separate from other work always ends up with a negative result.

The Article 250 of the Criminal Law in Trafficking stipulates that *“Trafficking in human beings is forbidden. Sexual exploitation of minors and of none-consenting adults, in the sense of forced or involuntary prostitution, the transportation of a person over a national border with the intention of bringing him or her into prostitution in another country (whether consenting or not), as well profiting from such exploitation, fall within the range of the trafficking provision... [...] the organisation of prostitution of consenting adults under normal (working) conditions is not punishable”* (OSCE 2002). It is worth pointing out that in the first draft of the trafficking law, male sex workers were not considered.

The section for non-Dutch citizens of the article on trafficking mentions the B-9 regulation. According to the Organization for Security and Co-operation in Europe (OSCE) this stipulation provides help, assistance and shelter to victims of trafficking and is based on the immigration law. The victim, if he or she is willing to cooperate with governmental agencies and police, is to be issued a temporary residence permit with the possibility to apply for a permanent one.

Table. 1. Main Laws Related to Sex Work

| Law | Sex industry | Other Citizens |
|--|---|---|
| Article 250 of the Criminal Law in Trafficking | In the drafting law, it was only women in the sex work. | Extended to all professions in response to the Palermo Protocol (2000). Modified in 2002 and in 2005, 273 f Penal Code. |
| Section B 9 for non-Dutch citizens. | Approach for protection of victims of trafficking for sex work | Applies as well to victims of slavery conditions in all professions |
| Identification Requirement for independent sex workers | In 2000 an identification requirement for independent sex workers was established. Other independent entrepreneurs did not have that. | Identification from 2005 onwards for all citizens. |
| Labour Immigration Law | It is not possible to apply for a work permit for sex workers | For people outside the European Union without work permits and undocumented sex workers it is not possible to work anymore. |

Adapted from Altink, S. (2013)

As we have seen above, since 2000 sex workers were compelled to be registered as self employed. It was also necessary for them to have their identification card, which documents their profession, with them at all times. On the other hand, in order to reduce crime and ensure the safety of citizens, in January 2005, the Compulsory Identification Act came into force. This regulation stipulates that “every person older than fourteen years must be able to show an original identity document and carry with them at all times”. (Government of the Netherlands).

Finally the last chart of the table shows the separation of the labour immigration law between sex workers and other citizens. This prohibits the issue of work permits for sex workers. The main concern by the Dutch government is that women who come from outside the European Union may be victims of forced sex work (Altink, 2013). However, other citizens outside the European Union can apply for a work permit as a highly skilled migrant if his/her work contribute to the economy of the Netherlands. In addition, sex

workers outside the European Union are not able to apply for residence in the Netherlands since this profession does not benefit, in any way, the Dutch economy. During fieldwork some sex workers argued that the trafficking discourse has affected their work. As a result, they have to deal with more stringent policies around their profession.

2.4 Migrant Sex Workers in the Netherlands

According to Van Wijk (2010), there are age differences between groups of migrant sex workers. Thai and Latin American sex workers are, on average, older than the women from Eastern and Central Europe. Policies, implemented from 2000 onwards, make more complicated newcomers from Latin America in the sex industry. However, the majority of the sex workers that arrived to the Netherlands have a relative or a friend working in there that serves as the contact. “Newcomers have a restricted number of contacts, mostly with people from the same regional background... as a result the group tends to concentrate in certain employment sectors” (Schrover 2001:86). Maria came to the Netherlands 20 years ago. Her Colombian friend was living in there and she lent her money to come to the Netherlands. She introduced her into the sex industry and then, she decided to stay.

Outshoorn (2012) mentioned that the Dutch government refused to grant work permits under the human trafficking criteria by saying that permits would foster transportation of women into the country. As a consequence of this and after the regulation of 2000, Latin sex workers were *forced* to find a way to work with legal papers in the Netherlands. The only way to obtain a permit residence with the possibility to work in the sex industry is by getting a partnership contract with a Dutch citizen, or getting married with a Dutch citizen, or by having a European Union or Dutch passport.

The majority of my female respondents were married with Spanish men and that's how nowadays they have a European Union passport. In a conversation with Sietske Altink, she mentioned that it is easier to get married in Spain than in the Netherlands, regulations are not so strict. Additionally, there are some women who married Dutch citizens and after some years, they applied for the nationality. Lisa, 45 years old, lost her Colombian nationality and now she is a Dutch citizen. She divorced over one year ago. It is important to point out that all of the interviewees who were married to a Dutch or European Union citizen are now separated from them. From my perspective, this issue is one of the alterations that the regulation of sex work in combination with immigration policies brought

in to the Dutch scenario. “Today immigration policies in Europe and North America not only influence migration processes-direction, demographic and occupational composition, legality-they also impose themselves on the migrants identities, maybe more so than even race, class or gender”. (Harzig.2001:24). The situation of migrant sex workers changed their social status and their economic means and as a result, female subordination is in the past. The position of men modified, women became the head of the household and gender segregation broke “traditional barriers”. De los Reyes (2001) noted that female migration represented in Latin American societies have failed to recognise the construction of a gender order which acknowledges and gives importance to the contribution of women into the society.

2.5 Representation and Unionism

In 1980 for the first time in the Netherlands sex workers founded an organisation, De Rode Draad. The main goal was to make the sex industry a safer place to work by implementing regulations and legitimising sex work.

When sex work became a legal profession, De Rode Draad formed a union organisation called Vakbondvakwerk. This union demanded better work conditions for sex workers and tried to improve government regulations.

De Rode Draad became a really important source of information for sex workers. They used to distribute posters and magazines for free in order to inform about the new regulations and rights sex workers had.

Unfortunately, this organisation went bankrupt, the government cut subsidies in 2005 and in 2012 they close their doors. However, social workers in De Rode Draad who acted as a lobbyist continue to make significant contribution to sex work in the present. i.e. Sietske Altink is still working on issues around sex work, she is the founder of the internet page <http://sekswerkergoed.nl> which provides much information about the work that has been done by the former organisation and the work that has to be done so far, respecting regulations and changes in the Dutch policies.

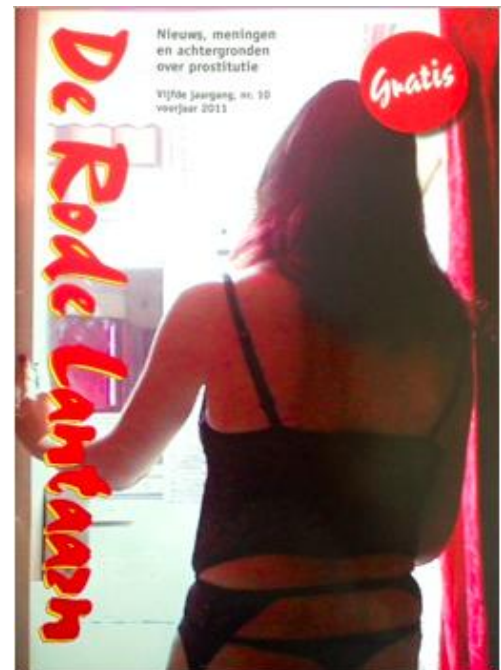


Photo of a magazine from de Rode Draad from 2011

“Throughout the years sex workers have been trying to get representation by organizing themselves fighting for their own interests” (Gall:2011:1). In the case of the city of The Hague, Latin American sex workers have tried to act as a collective group. According to Belinda, a Colombian sex worker, there was a project going on around the 90s done by a social worker in The Hague. The main objective of this project was to get representation but it never worked out because sex workers never showed up in the city hall. She said that almost all women who worked in the windows, including herself, signed a document in order to get included in a union. The next step was to raise their voice in the city hall but for them that was not an option because in that time, almost all of them were undocumented or they just didn't want to be recognised in the streets (Belinda, 2014). “Women in prostitution started to articulate a new public voice and formed their own interest groups, giving rise to a sex worker movement in many countries to claim their rights. Many groups were able to have a considerable impact on the outcome of new legislation or were successful in preventing measures unfavorable to their demands”. (Oushoorn.2005:143)

According to Gall (2011), sex workers around the world have been trying to pursue some of their goals by using groups of “collectives” in which not only sex workers are engaged but experts and professionals as well. Lawyers, scholars, health care specialists and so on are supposed to work together as a pressure group. So, we could say that in the Netherlands, De Rode Draad acted as a collective.

During the 90s, the organisation founded by sex workers and the Federation Dutch Labour Movement, FNV (Federatie Nederlandse Vakbeweging), one of the largest trade unions in the Netherlands was investing in this organisation in order to become an independent trade union. (Altink:2013).

In 2002, after the legalisation on sex work, the union was a reality under the name of Vakbondvakwerk.⁶ Sex workers could finally stand up for their rights, give their own opinion about issues related to their work in order to make improvements and changes. They were helping their colleagues indirectly because all sex workers were supposed to benefit from it: they were not alone anymore. Unfortunately, it did not last long enough. Vakbondvakwerk spoke in respect of sex workers with the municipality by pointing out that

⁶ <http://vakbondvakwerk.nl/>

the prices of the rent of the rooms were too high, they were making actions in order to convince the mayors of the municipalities to maintain the “tippelzones”⁷ open. I must indicate that one of the tippelzone in The Hague was closed in 2006. The Gelenstraat and the Doubletstraat are tippelzones that remain open, even though, according to an interviewee, the Municipality is trying to close the Doubletstraat too.

Another challenge that the Vakbondvakwerk tried to accomplish is that all sex workers could have the possibility to open a business account in the bank. Even though, the primary concern of sex workers is to get a loan from a bank to get a house.

I have to indicate that the Vakbondvakwerk still exists under the administration of Metje Blaak, however, she points out that this union is starting from the bottom, again in its creation, and of course without the partnership of De Rode Draad.

⁷ In this zone, sex work is allowed and regulated, it is designated by the local government.

Chapter 3. Breaking Stereotypes and Knowing their Stories

“I find it difficult to write about myself, since things that perhaps may appear to be strange, are very normal to me”. Felicia Anna⁸

As I mentioned before, the objective of this research is to analyze the experiences of Latino sex workers changes in the social and political ground after the lift on the ban of brothels. This chapter is about the life experiences of sex workers that I met during fieldwork. Their stories showed how the legalisation of sex work in the Netherlands and the following regulations implemented by the municipalities, in this case the municipality of The Hague, have affected their working conditions. Furthermore, these interviews revealed how their age, migrant status, lack of Dutch language and background make an intersection in which they come up with situations that are more vulnerable. Verloo (2006) refers to this as *structural intersections* in which social experiences of people are directly connected to their inequalities and intersections.

The first part of this chapter called *behind the window* is a little story of the experience of being in a window in the Red Light District after attending a workshop with a former sex worker. This helped me to understand a little bit more about window sex work as well as to leave behind any kind of taboos pointing out valuable information about this profession.

In the previous chapter, I am trying to bring into light the different regulations that took place after the lift on the ban of brothels in 2000. In order to complement this information, this chapter is aiming to narrate sex workers experiences after the regulation.

3.1 Behind the Window

“And here I am; I can’t believe it, I am sitting here with fewer clothes that I could ever imagine I would be in front of all these strange people. I cannot hear what they say about me, but I can see their faces. Some of them look at me with shame and sorrow, a few others keep staring at me as if I am just an object. I am behind a window in the Red Light District in Amsterdam. All my body is shaking, I am experiencing a bunch of emotions at once. It is a weird feeling. I guess it’s what sex workers feel in their first day of work.”

⁸ Taken from the blog of a Romanian sex work.

The world behind the window is completely different from my own world inside this tiny red room. I feel safe in here, listening music from the 90s in the background. Mariska, who was working in the window for almost 5 years, tells me that window prostitution is the most independent way to work inside the sex industry. Most of the people think that sex workers must have sex with all men that ask for their services but that is not true at all. Of course, it depends on the circumstances, but in a common situation, this is the business of a sex worker and they are the ones in charge. "One of the biggest misunderstandings around sex work is that you don't have the right to refuse men, even sex workers sometimes forget about it, there is no difference between all of us, nobody has the right to touch you even if it is for free or for money" Majoor (2014).

Despite not being alone in this room and Mariska is here talking with me, the people who are staring at me make me feel uncomfortable. Some men stay outside the window for a while just to wait until I look back at them. Some are ruder, they hit the window aggressively in order to notice their presence and some of them are bald, they try to open the door to come inside without asking. Mariska told me that according to their actions, sex workers have enough information to know that they should never let these men in. I can imagine why. If a man is acting like crazy on the street, he will be twice as aggressive behind the window!

The former sex worker, Mariska, explained to me that women who work in the windows have little tricks they do in order to protect themselves. One of them is screening people⁹. Avoiding eye contact is the most important thing to do there. "It is really difficult to do that! All my life I learned to be polite and now I feel I have to do the contrary and look away. If a man is coming to the window and we are not interested in him we just do not look at him, we do not make eye contact. You have to ignore him and in the end, he just leaves. Yes you are sitting in here in your underwear and you are quite vulnerable because you show a lot of yourself but because you get so good at screening and making people disappear they only watch for a short while". Sometimes if sex workers do not want to have so much sexual contact with clients and still need to earn good money, they can ask for 100 or 200 euros per 30 minutes and it is allowed. In Amsterdam the prices are around 35 to 50 euros per 15 minutes. In The Hague the prices vary.

⁹ She refers to screening people to the fact of quickly let the eyes pass over all men without looking at them.

After everything Mariska had explained to me about the way sex work in the windows function, I asked her about the changes in the legislation of 2000 and what the following regulations brought into this industry.

The first thing that she said is that is not possible to work in the Red light District anymore without the right papers. Not only in Amsterdam but also in all the Municipalities in the Netherlands. She explained that nowadays sex workers do not have any kind of organisation that works as a form of representation since De Rode Draad closed its doors. According to Mariska, the representation of sex workers in the Netherlands is quite bad as well as it is very necessary. After the legislation of 2000, she explained that the municipalities were in charge of their own policies around sex work, and the problem, according to her, is that in some municipalities nothing is happening at all. The former sex worker said that in the present, the national government wants to make one prostitution law that everybody must follow. One of the regulations of the proposed amendment is to raise the minimum age of sex workers to 21 as well as the age for customers.

3.2 Sex Worker's Stories

Half of my interviewees told me about an incident that occurred a couple of years ago at the Doubletstraat, in The Hague. The police came to control documents, closed the whole street for the whole day and took all sex workers with them in order to find out if they were trafficked. It also affected them economically, since they cannot work, they do not have any income. One of my respondents was busy with a client and the police knocked at her door and was told that the man had to leave and she had to accompany them. Some clients feel uncomfortable with the presence of the police, and therefore, they did not go back there anymore. She argued that they were in the police station until midnight, the police were interested in knowing if they had a pimp or not and what were their working conditions. "They closed the street, and they took all of us, we had to jump into the trucks. The TV cameras were there too, I felt very embarrassed. My mother in law does not know that I am working in here so I was pulling my hair to my face not to be recognised. When she said that to me, she was laughing, like when you remember the most embarrassing moment that happened in the high school. Nevertheless, from my perspective, that was cruel and disrespectful. Why exposing them in that way? How do they expect society to respect sex workers if the ones in charge of protecting them are the first to stigmatise them?"

Maria

I was on my way to interview Maria. Her work place is inside one of the alleys of the Doubletstraat. There she pays 175 euros for the room. It is actually dark inside and the smell that permeates is not so pleasant. However, her work place is full of colored lights, next to her bed a red light highlights on all the walls and every corner of the room make me feel dizzy. Her room smells like incense, she is listening to a Mexican artist, Vicente Fernandez. She closed the curtains in order to give me a good interview as she pointed out.

Maria is a Colombian sex worker, she is 60 years old. Her age comes across with the average age of Latino sex workers in The Hague, which is between 40 to 65 years old. She decided to come to the Netherlands after the death of her mother and two sisters. In addition, the relationship with her ex-husband (she had two sons with him) was getting to a dangerous point after he pushed her from a second floor. Her situation in Colombia became even more complicated because of her alcoholism. She had a friend living in the Netherlands who was working in a window and who proposed Maria to come with her and work in the sex industry as well. "I drank like crazy -she said. I was so depressed, so the only way to put the pain behind was to come to the Netherlands". Her friend said to her "maybe you should go with me, maybe your future is somewhere else". Some female migrants decide to migrate as a "liberation" from all their problems (Ehrenreich B., Hochschild R. 2002). Like Maria, all my interviewees had contact or relatives living in the Netherlands who were working in the sex industry. I will use the example of Belinda, she came to Holland with her sister in the nineties. The daughter of her sister, her niece, had moved to the Netherlands 5 months before and is working in a window next to her (Belinda 2014, personal interview¹⁰). According to Brennan (2002), through networks of female relatives and friends who work in the sex industry Dominican women end up working in the same profession.

Maria told me that as soon as she arrived to Netherlands, she started working in the Red Light District of The Hague. In the time when she arrived, she worked without documents. According to Maria, after a while it became more difficult to remain undocumented because the police started to regulate and control women working in the windows. Many women were deported to their countries. Maria's friend introduced her to a Dutch man with whom she is still living. The majority of the interviewed sex workers married a man from

¹⁰ Personal interview with Belinda on formatting Master theses, at the Institute of Social Studies, The Hague, 5, August, 2014.

the European Union or the Netherlands. However, Maria is the only one who is still with the same partner. This has a negative impact on women and hence, it limits their employment options and their social status is related to marriage and family. Women's entry status depends on their partners or husbands.

A couple of years ago, Maria went to visit her family in Colombia. They knew what her work in the Netherlands was. One of her sons asked her to stop working there and go back to Colombia with her Dutch partner. She was about to go back to her country and one month ago, she received the news that her son has cancer.

"I have a son with cancer, and that's why I cannot go back to my country, he needs money and I need to help him, his children and wife. From all the money that migrant women earn, they send home half or more of their income to their children, parents and wider network of kin. (Ehrenreich B., Hochschild R. 2002)

After a while, we moved to the topic of what were the changes, according to her, that took place after the regulations implemented by the Dutch government. She told me that nowadays all sex workers laboring in the windows have their papers in order because this is the first thing the owners of the rooms ask so they can rent the room. In the present time, police often comes to check our documentation and they already know all of us. "They know that the Latinas who are here, we are here to help our family". (Maria 2014, personal Interview¹¹).

A negative effect of the regulations has been the payment of taxes together with the economic crises in Europe. They have to pay a large sum of money in order to work in the windows and they do not have as many clients as they used to in the past because there is not enough money anymore.

She refers to her job as a normal work because sex workers are offering a service. "We also have to follow some rules in our work place, we pay taxes as other workers do, we make a living with our earnings and in most of the cases with this money, we support our families in our home countries". As Carol Leigh referred in an article, "Contrary to popular stereotypes, sex workers are valuable members of our communities who contribute a great deal to their families, and to the economy of their countries".

¹¹ Personal interview with Maria on formatting Master theses, at the Institute of Social Studies, The Hague, 12, August, 2014.

Her face turned serious and she could not hide her sadness when she said to me that while working in the window a lot of young men made fun of her. “I don't care because I am working and I do it with pleasure, just to help my granddaughter who is about to go to the university and my son, I have to be strong in here and fight for my family because for them I am working here... I ask God that my granddaughter and none of the girls have to come to these places, this (the mocking) is the worst thing there is”. Even though she considers her job as another kind of profession, the social stigma associated with sex work makes her labour unpleasant to her. According to Scambler “Stigma and stigmatisation are intimately linked to the reproduction of inequality and exclusion” (2007:11).

3.3 Language Barriers

After interviewing seven Latin American sex workers, I found out another intersection among this group apart from their migrant status or their age: the language. Their lack of knowledge of Dutch has made its interaction and inclusion into the society harder. Sometimes it affected their work for the same reason. Crenshaw (1991) noted that migrants may have limited opportunities because of the language barriers, limiting their access to information. Dani, who is working via Internet, mentioned that the language had affected him a lot. He has lost job opportunities because he could not speak and/or write in Dutch. M.Pagelow (1981) noted that groups of women minorities are more likely to be excluded because of language difficulties (as found in Crenshaw 1991:1248). After the implementation of taxes, an accountant from the Chamber of Commerce is responsible for collecting the money once per month. Selene indicated that women that do not speak Dutch have been affected because of this since the accountant only speaks Dutch. As a result, the accountant used to charge higher fees and they still have to pay them.

On the other hand, Agustin (2003:2) named domestic and care work as well as sexual services as a “typical female labour”. In these cases migration is seen as a highly gendered issue (Outshoorn:2005). An issue worthwhile to note is because of the language limitation, status as migrants and their position as women, many Latinas coming to the Netherlands are performing work in the mentioned sectors. In these cases it is not necessary to speak the language or have any kind of degree (all of my interviewees do not have any scholar degree). However, that is not the only reason, in an interview with a Dominican sex worker, she indicated that they got used to getting a sum of money that they would not earn in a “clean” job as she referred. So, is not only the fact that they do

not have an academic preparation but also the money earned in this profession also weighs in their decision to engage in this line of work.

Ehrenreich and Hochschild observed that female migrants are seen as caregivers, “they are tough to embody the traditional feminine qualities of nurturance, docility, and eagerness to please” (2002:9). In 1984, only 6% of female migrants outside the European Union were performing domestic duties inside the Union; in 1987 the average increased to 52% being most Latin countries the senders (Argentina, Colombia, Brazil, El Salvador and Peru) (Ehrenreich B., Hochschild R. 2002:7).

Even though language had disadvantaged Latino sex workers before the regulation of sex work, nowadays the lack of knowledge of Dutch represents a major issue. Within the legalisation, the payment of taxes is required and tax collectors do not speak Spanish and many sex workers do not speak English.

3.4 From Pimps to Exploiter Owners

“You know who is the big *chulo*¹² among Latin Americans? The economic and social situation in Latin America together with the Dutch state” (Gordana Nikolic.2014, personal interview)¹³

With the legalisation of 2000 sex work is considered a normal job and sex workers have to follow the rules that apply to other professions in the country. However, till nowadays there is still a lot of stigma related to sex work which impede that sex work can be seen as normal job. Since sex workers expected to have the same rights and benefits that workers in other professions have, they are still waiting. Regulations of 2000 brought many changes in the way brothel owners operate. This new legislation benefited the authorised companies in the sex industry (sex and strip clubs, windows, escort agencies and so on)¹⁴ empowering the owners. As a result, owners of the windows have uncontrollably increased the prices in these last years because they do not have any rules to follow. “Here the *patrones* (the owners of the rooms) do whatever they want with all the women that work in here. The government is always attacking us with rules and regulations but, what about

¹² Chulo is a word in Spanish that makes reference to a pimp.

¹³ Personal Interview with Nikolic, G. on formatting Master theses, at the Institute of Social Studies, The Hague, 17, July, 2014.

¹⁴ It is important to mention that after the lift on the ban of brothels, only authorized business in the sex industry are allowed to operate. In addition, there is a limit on the number of businesses that can offer sex services; for this reason, new businesses do not exist, but old companies have got new owners.

the bosses?, they do not have any rules. They can do whatever they want because they are Dutch. There are some women here that have to work during their period, so they have to work 30 days a month and they cannot have a day off. If they do so and close the window, the patron charges them that day of work. If they get sick 3 or 4 days, they have to come and pay all of that days' work. Everyone knows that, but they are afraid to talk. They know what is happening here but they do not want to deal with it" (Lisa., 2014, personal interview).¹⁵

In 2003 De Rode Draad together with the FNV (one of the biggest unions that represent the interests of employees) began to take action in order to push the owners of the windows to lower prices. "They wrote a letter addressed to the municipalities and the response they received was that they cannot force owners to lower the prices because it is a private issue and it is not under their authority". (Altink 2014). Therefore, the owners of the windows raise prices whenever they want, because they are untouchable.

Municipalities refuse to invite new entrepreneurs to the market because in 2000 the number of companies was frozen to a certain number and the victims of economic exploitation are the sex workers which are not able to send money to their home countries anymore. As a consequence, sex workers opted to announce their services on internet pages and receive their clients in their houses or other places. That could have brought problems, sex workers could not have the same security measures that they had in the windows but high prices had forced them to find solutions. Mariska Mayoer¹⁶, a former sex worker and current social worker, pointed out in a conversation that some of the reasons for sex workers to announce their services on the Internet is because they do not want to pay taxes or be registered in the chamber of commerce, they do not like police controls and rules and the main issue: they want to keep all their earnings for themselves.

On the other hand, the ones who decide to keep working in the windows, in order to pay the room, have been taking risks that jeopardise their health like having unprotected sex.

The consequences of not having rules for the people who rent the rooms are that they have been raising the prices a great deal for the last years, which forces girls to work for cheaper costs and offer services without condom in order to attract more clients. Selene

¹⁵ Personal Interview with Lisa on formatting Master theses, at the Institute of Social Studies, The Hague, 11, August, 2014.

¹⁶ Mayoer M, personal communication, 21 June, 2014

told me that women at the Doubletstraat do oral sex without condom just to earn more money and that is a consequence of the high prices of the rooms and the low prices of the services.

Paula argued, “The day that the government listens to us instead of being quiet about this and forces the bosses to not raise the price of the rooms as they do, and follow the necessary rules to improve working conditions here; that day they will respect us a little bit more”. “Many feel their current life is difficult, and they are trying to improve it—but not necessarily by getting out of the sex industry. They may be trying to find a better situation inside it, one where they are less vulnerable and controlled by others”. (Agustin. 2004).

In my interviews with sex workers I found out that the majority of them are not familiar with the policies and regulations. As Agustin (2004;3) described, some strategies to influence governmental policies involves much talking, writing and the participation of sex workers; “but migrants tend to be uninterested in or excluded from these debates”

In this case, the legalisation of sex work in 2000 did not help to regulate owner brothels. The situation nowadays is even worst given the power that brothel owners hold. Sex workers have been controlled and exploited by these people directly or indirectly. While the Dutch government ignores this issue, sex workers will still be affected.

3.5 The absence of a Labour Law in Sex Work

Within the legalisation of sex work in the Netherlands and considering the approach of the Dutch Government in which sex work is seen as normal as any other profession, social workers, activists and specially sex workers expected the approval of a labour law as other workers have. One of the biggest surprises from 2000 with the lift on the ban of brothels was that a labour law was not included in the amendment. As a result, sex workers were still excluded from social benefits such as retirement plans, medical insurance, vacation pay, compensations, among others.

In a conversation with Sietske Altink, she mentioned that the labour law was not approved because the owners of the houses and private clubs were discussing that all the women who do labour in their places are self-employed workers, and owners of the windows are

not willing to pay if sex workers get sick. In addition, these owners mentioned that sex workers are independent and they are only renting their rooms from them.

However, they do set rules to sex workers such as starting and closing times and some other regulations to follow. Furthermore, according to the owners, it is not possible that two women rent one room even though there is no existing regulation against it.

Sex workers are not protected by a labour law because this means that the employers or the owners who rent the rooms would have to pay extra money. Hence, sex workers do not receive any kind of social benefit. (Altink:2014)

3.6 Affection of Sex Work under the Human Trafficking Debate.

“It's strange really, there are so many organisations out there to fight human trafficking, but there are no organisations that help you become a prostitute without the help of (what they legally call) human traffickers. There's no organisation that helps you 'safely' to become a prostitute”. Felicia Anna (2014)

“Migrant sex workers are reduced to victims of human trafficking or unwanted aliens”

Janseen, M. (2007:233)

As the former sex worker Mariska Mayoor noted in a conversation, “People and political organisations victimise sex workers, they don't differentiate between professional sex work and human trafficking. Such people need help, sex workers want rights, insure themselves, income, work in clean places, respect and understanding by other people. But the government is more focused on how to rescue them”. (June 2014, Personal Conversation)

“When I came to Holland, I got help from people. The people who helped me knew I was going to work as a prostitute over here, and therefore by law I was considered to trafficked...and of course, if you use these kinds of terms to describe human trafficking, than indeed I understand why the number of human trafficked prostitutes are so high” Felicia Anna.

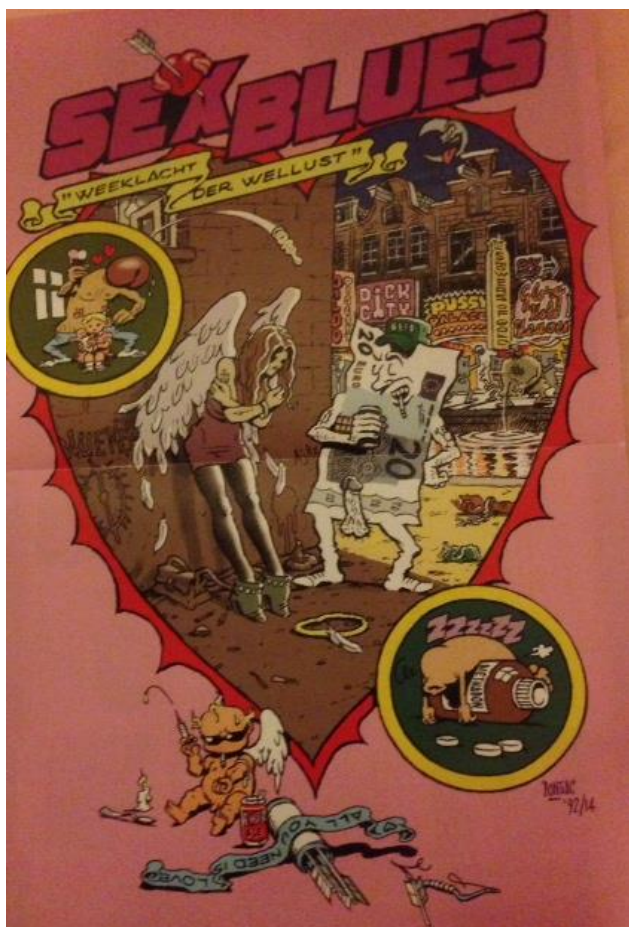
Belinda, a 62-year-old Colombian sex worker considered that the women from Eastern Europe are the ones complicating things in the sex industry. “The entrance of Eastern European girls screwed us. Those girls ruin our work. Most of them are here with a pimp.

The police want to combat this but they haven't succeeded. It is so difficult because of the mafia” (Belinda 2014, personal interview).

Paula, a 26-year-old Cuban, and Belinda are working in the same window and they think that because of the East European girls, the regulations have been more strengthened because they are the ones who have been trafficked. Paula says, “There are no Latinas working with a pimp in here, the police knows that we are working for the family”. According to Belinda, the Eastern European girls are not paying taxes because they come here for short periods. If they don't do their work well, the pimps take them to another place and they never pay their debts here because they never come back. “We have to pay because we always come back to the same place here, otherwise if we can, we could do the same” Paula (2014).

3.7 Selene

As the majority of sex workers from Latin America, she is a single mother. According to her, the incentive to migrate was the poverty she was living in her home country, which



made her come to the Netherlands. However, her family did not agree with her decision. She told me that in The Dominican Republic it is known that when a woman is migrating to Europe, people already know that they are going to end up working in the sex industry. As Brennan noted, “Dominican women’s participation in the overseas sex trade has received so much press coverage in the Dominican Republic, women who have lived or worked in Europe have become suspect at home” (Brennan:2002:160). In the island, the discourse of women who travel to Europe to engage on sex work and earn money is really predominant in the society. (Janseen:2006)

After I asked her what would be the first thing she would do if she could change anything in her workplace she replied; “I will focus on the working conditions of this street, the Doubletstraat. What happens here is really bad. Women should be obliged to use a condom when they have oral sex but sometimes clients pay more if they do not use any. The government should rise the prices for the services and lower the prices of the windows so that girls are not driven to dangerous situations in order to get more money”.

3.8 Finding a Way to Keep Working.

“European men might see Dominican sex workers as exotic and erotic because of their dark skin color. Dominican sex workers see men as potential dupes, walking visas, means by which women might leave the islands, and poverty behind” (Brennan 2002:156)

This part of the chapter tries to explain other consequences that the formalisation of sex work together with the strengthened immigration policies have brought. Latin sex workers without a residence permit have been driven to find a way to get their documented status in order to continue working in the sex industry.

Many female sex workers opted to find a partner who will give them the opportunity to stay in the Netherlands.

“At the beginning when I was working here, I didn't want to have a partner to get my residence. A woman from Aruba was here selling some stamps and told us that with them we were going to have our residence so a lot of Latinas, including me, paid a lot of money to have this stamp. It was a complete fraud. We filed a complaint in the municipality and she went to jail. All of these happened in 1998 when the government started to take out all the illegal sex workers”. (Belinda 2014, personal interview)

Nowadays, after the lift on the ban of brothels, it is more complicated therefore; the number of Latinas working in the Netherlands has decreased. Women have to get married with a European Union citizen (as many of my interviewees did) or have a partnership with a Dutch man.

After the strict Dutch regulations in sex work Latino population working in this industry had to find any means to have their documents in order and keep working here. According to Paula, ten years ago, it was possible for women to take their belongings and run if the

police was coming to check their documentation. Nowadays it is completely different because of the regulation of sex work. Sex workers got their solution to the documentation problem by getting married to European men, hence they were able to keep working in the Netherlands. Like Maria, her friend introduced her to a Dutch man, “From him I got all my documents, he is really good with me. We have a registered partnership”. Or Dani, he got married to a Dutch citizen and after 3 years they got divorce.¹⁷

3.9 Health Care related with Migrant Sex Workers.

As we have seen in the second chapter, one of the mayor benefits after the legislation of 2000 is regarding health care services for sex workers. Based on the material collected during fieldwork, organisations subsidised by the Dutch government are providing free checkups and health care services but some registered and unregistered sex workers are not aware of this. Different groups of migrants pass through different kinds of challenges in order to obtain health care and social services despite being irregular migrants in a most disadvantaged position (Gideon:2013). Dani is an example of it. He is working via Internet so he does not have any kind of approach with organisations in his work place. He told me that some friends of him, who have been working in the sex industry so far, do not have any doctor or medical assistance.

3.10 Migrant Sex Workers in the Netherlands

“Latin Americans in here, we are dogs. They say that here in the Netherlands there is no racism, but it is not true, there is a lot of racism here” (Lisa, 2014)

The Latino sex workers interviewed expressed that they have achieved financial autonomy. The majority of them send back money to their family in order to improve the

“Migrants selling sex do not, however, tend to think of themselves as passive victims *until they learn to from outsiders*” (Agustin L, 2004:2).

life of their families and give their children education in their home-countries. “It is also easy to see how women's agency as household workers, consumers and care givers is essential in adjusting the past experience to the present reality” (Harzig.2001:20). Selene, left Dominican

¹⁷ After 3 years of a registered partnership/marriage, it is possible to extend the residence permit without a Dutch partner.

Republic to come to the Netherlands in 2007 to work in the sex industry. “Poverty made me come to the Netherlands. When you have kids, family and you want to succeed in life, it is difficult. You have to be very brave to be in this. Really brave!. The Netherlands is a country that gives you a lot of opportunities but for Latinos the reality is difficult”. Her daughter is getting her degree from the university after she paid her studies. Even though, she does not know what is her mother’s profession.

3.11 Implications of the New Laws

Regulations and policies around sex work have been always changing before and after the legalisation of sex work. Nevertheless, some of them have been in favor of sex workers improving their position in the society and their safety in their work place (alarm bells inside their rooms in case of any emergency, cameras in almost every corner of the red districts and periodical check-ups). On the other hand, some regulations have been significantly prejudicial, mostly economically. Most sex workers around the Netherlands were against the legislation of 2000 because it brought a lot of duties and rules for sex workers and just a few rights and benefits.

According to the site *Red Lights Workers Rights*¹⁸, one of the most important changes after the legalisation was the great improvement in healthcare services. With the legalisation of the sex industry, other branches from the government got involved in this sector. For example, the Social Institute of Public Health (GGD) is in charge of making medical checkups to the sex workers in their work place. In almost all my interviews with sex workers, the issue of healthcare was one of the positive changes that the legalisation had brought. Lisa told me that the GGD comes one time per month with a bus where they make blood tests free.

In addition, violence against sex workers in their workplace was one of the primary issues to tackle. As a result, police is in charge of inspections inside the rooms and regulatory passport controls. Natalia, a 28- year-old Dominican, is satisfied with the fact that police officers are always around there, either with bikes, car or by foot. Police is really taking care of them, their security and well-being. In addition, the police gave them a number where they can call for any case of emergency and also the street is with cameras in every corner. In addition, every room have an alarm. According to Mariska Major (2014), the

¹⁸ Website made by the University of Amsterdam: <http://www.redlightworkersrights.uva.nl>

Dutch government wants to take out this alarm from the rooms because the neighbors complain about this situation.

Furthermore, since 2003 the rent of the rooms is just during working hours and is not allowed to sleep there anymore as before. According to Belinda, the opening schedule in The Hague starts at 9 am and closing time is at 2:30 am, in two shifts. Nowadays, they paid around 145 to 160 euros and 90 euros part time, before it was 50 euros for the whole day and it was possible to stay there. In addition, the prices of the sexual services have not increased being the minimum 25 euros at the Doubletstraat.

According to a publication of the Dutch Ministry of Foreign Affairs (MINBUZA 2012), after the implementation of the law of 2000, a new bill was submitted to the House of Representatives in 2009. It stipulated that it was obligatory for sex workers to be registered in the Chamber of Commerce. Sex workers were against this registration, some of them are working without their family knowing what their profession is. Consequently, some sex workers decided to work illegally like Dani, who decided to work via Internet without any mandatory registration and without any official inspection.

In the Municipality of The Hague, sex workers are registered as *masseuses*. But an important issue about the registration is that even though sex workers are registered in the Chamber of Commerce it is impossible for them to run their own brothel. In an interview with Sietske Altink, she referred to this issue as an “economic crime”. According to the law, every person registered in this Chamber can have the opportunity to open their own business but sex workers have been excluded from this.

Now in 2014, sex workers and many people involved in the sex industry are disappointed at the negative repercussions that new regulations have had. The topic of the payment of taxes for sex workers came into the table on January 2009 (MINBUZA:2012:15). In order to cut the budget deficit, the Dutch government decided to implement taxation payment to the sex industry, which generates billions of euros (Holligan;2011). The main goal of the Tax and Customs Administration was to make sex workers more independent and they would monitor compliance with the conditions stipulated. Paula told me that one person from the Chamber of Commerce comes once per month to collect the money of their taxes and the amount of this depends on the number of clients they have had.

According to Belinda (62 years old), who has been working in the sex industry since the 90s pointed out that such taxes have been a great negative effect., Belinda explains that “before 2008, not all women here paid taxes, but in 2008 the government started to promote to pay taxes with flyers explaining the benefits of it”. Asking for a loan in a bank to get a house was one of the benefits but Belinda said that nothing happened, it was not true, it was a lie.

According to the Dutch Ministry of Foreign Affairs, sex workers in the window cannot receive any unemployment benefit because they have become an employee voluntarily and they are seen as self-employed. Not only sex workers are under this rule, also entrepreneurs as self-employed persons. On the other hand, as Dutch residents, they can apply for social assistance. However, Patricia, a Dominican sex worker, asked for social help years ago and she received 1000 euros each month. After some time, she needed to pay much more money back and the government did not want to help her out. Two months ago she finished paying everything she owed to the government.

On the other hand, they also described some benefits of paying taxes. i.e; Selene said “The only benefit from the taxes is that you are not homeless; If you do not pay your taxes you do not have the right to anything.

Sex workers should be treated equally as other workers, they are paying taxes! But the reality is not like that. They are paying taxes to a society that is continuously complicating their position as workers, excluding them and making stringent rules.

Chapter 4. Conclusions.

In this chapter I will sum up the main ideas that were part of this research which helped me respond my main research question. What social and political changes have Latin American sex workers experienced after the year 2000 when the brothel ban was lift and what changes followed in regulation? In addition, I will point out my contribution to the existed literature.

The objective of this paper was to analyze how the different regulations and new laws implemented by the Dutch government since the lift on the ban of brothels in 2000 have affected Latin American sex workers in The Hague. Given that policies in the sex industry differed at the National and Municipal levels, I started by giving a general background on each of them. It was relevant to look at the dominant debates of human trafficking and migration as a way to answer or at least understand why policies around sex work have been so restrictive. The discourses of criminalisation and/or victimisation of sex workers have taken too much power in the present and this has had a negative impact among all sex workers not only Latin Americans. However, I think that working to combat human trafficking should remain one of the principal tasks of the Dutch Government, which is necessary to make a very clear distinction of this definition.

On the other hand, many sex workers have been labeled as “trafficked” because of their ethnicity, economic conditions and all kind of stereotypes related to them. It is time to stop victimising migrants. It is time to recognise their decision to undertake this profession and acknowledge they also have agency in their choices. Furthermore, the analysis of the implications of the new laws regarding sex work demonstrate that the social stigma around sex workers still prevails. Why do sex workers have to fight to get a labour law when the Dutch government establishes that *sex work* is a job like any other? Why can sex workers not get a loan from the bank or have their own business if they are registered in the chamber of commerce? Issues like these represent that the legalisation of sex work and the following regulations have not been able to improve working conditions and daily experiences fully.

Throughout the paper, in order to understand the experiences of Latin sex workers in The Hague, I explained how gender, migration, age, ethnicity, language and class (economic conditions) increase disadvantages among Latino sex workers in The Hague. These

intersections help to create vulnerable situations and discrimination among Latin sex workers. In addition, the research revealed that the majority of Latin American sex workers in The Hague are an older population. This as a response of the migration policies. I explained how language has been a key player in their exclusion into the Dutch society. Language has also had implications for their work options.

Furthermore, I discussed the role of the organisations that deal with sex workers in The Hague. This showed that nowadays such organisations have been ineffective in an important area: representation. I showed how their participation has been limited to issues of support and help but not of representation. In contrast, before the regulation of sex work the Rode Draad was representing and supporting sex workers labour rights. I found out that the undocumented status of sex workers is not because of their lack of residence. In some cases, the undocumented status of sex workers is due to their lack of work permit which forces them to work in the shadow. In addition, my findings also showed that most of the Latin sex workers are not aware of the regulations implemented by the government. Most of them are not interested because they argued that their work is temporary, even though as we have seen, they retired in an older age.

With this research, I am trying to contribute to the existing literature on sex work and gender studies by analyzing the impacts of the different regulations implemented in sex work. The living and subjective experiences of sex workers permit the examination of the situation of sex work from an underground perspective not only through political lenses but also the lenses of women for whom sex work is their live reality.

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